

PROGRAM

2013 OJEN

SUMMER LAW Tuesday, August 27 & Wednesday, August 28 INSTITUTE

Osgoode Hall, 130 Queen St. West, Toronto



A CIVIL SOCIETY THROUGH EDUCATION AND DIALOGUE

TUESDAY, AUGUST 27

830 ^{AM}	REGISTRATION (coffee and breakfast will be available) Convocation Hall, Law Society of Upper Canada, 2nd Floor
9 ^{AM} - 915 ^{AM}	WELCOME Sarah McCoubrey, Executive Director, Ontario Justice Education Network
915 ^{AM} - 1030 ^{AM}	STOP AND CHECKS: THE POLICE PRACTICE OF 'CARDING' YOUTH" Virginia Nelder, African Canadian Legal Clinic; Deputy Chief Peter Sloly, Police Service
1030 ^{AM} - 1045 ^{PM}	BREAK
1045 ^{AM} - 12 ^{PM}	KEYNOTE ADDRESS ON CIVIL LIBERTIES Alan Borovoy, General Counsel, Emeritus, Canadian Civil Liberties Association
1200 ^{PM} - 1 ^{PM}	LUNCH
1 ^{PM} - 2 ^{PM}	PERSPECTIVES ON PHYSICIAN-ASSISTED SUICIDE Professor Joan Gilmour, Osgoode Hall Law School; Amy Hasbrouck, Director, Toujour Vivant-Not Dead Yet; Professor Trudo Lemmens, University of Toronto Faculty of Law; Professor Udo Schuklenk, Queen's University, Department of Philosophy
2 ^{PM} - 3 ^{PM}	LOST IN TRANSITION: THE IMPACT OF UNPAID INTERNSHIPS ON YOUNG WORKERS IN ONTARIO Professor David Doorey, York University; Andrew Langille, Lawyer
3 ^{PM} - 330 ^{PM}	BREAK
330 ^{PM} - 5 ^{PM}	AN INTRODUCTION TO THE LAW GOVERNING THE CRIMINAL PROSECUTION OF PERSONS WITH MENTAL ILLNESS <i>Ontario Court of Justice, Old City Hall, Courtroom 121</i> Justice Edward Ormston, Chair, Consent and Capacity Board, Ministry of Health and Long-Term Care; Michael Callaghan, Deputy Crown Attorney; Edward Kelly, Defence Counsel; Dr. Derek Pallandi, Forensic Psychiatrist; Rhona Zitney, Mental Health Court Worker
5 ^{PM} - 730 ^{PM}	WINE AND CHEESE RECEPTION WITH PRESENTATION OF HUX-KITELEY EXEMPLARY JUSTICE EDUCATOR AWARD Upper and Lower Barristers' Lounge, Law Society of Upper Canada

WEDNESDAY, AUGUST 28

8:30 ^{AM} - 9 ^{AM}	BREAKFAST
9 ^{AM} - 10 ^{AM}	TOP FIVE SIGNIFICANT CASES OF 2013 Justice Stephen Goudge, Court of Appeal for Ontario
10 ^{AM} - 10:30 ^{AM}	BREAK
10:30 ^{AM} - 12 ^{PM}	SMALL CLAIMS COURT MOCK HEARING <i>Superior Court of Justice, 361 University Avenue, Courtroom 6-1</i> Deputy Judge Carla Bocci; Nicole Edmonds, Paralegal; Elaine Page, Paralegal
12:00 ^{PM} - 1 ^{PM}	LUNCH
1 ^{PM} - 2 ^{PM}	AN INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW Catherine Gribbin, Senior Legal Advisor of International Humanitarian Law, Canadian Red Cross
2 ^{PM} - 2:15 ^{PM}	BREAK
2:15 ^{PM} - 3:30 ^{PM}	BEST PRACTICES IN TEACHING LAW Laura Kirby-McIntosh, Teacher, Peel District School Board; OJEN Staff
3:30 ^{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.

For more information on OJEN's programs and resources, please visit www.ojen.ca.



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2013 SPEAKERS

CARLA BOCCI

Deputy Judge Carla Bocci obtained her LL.B. from the University of New Brunswick in 1989, and was called to the Bar of Ontario in 1992. Since that time she has practiced primarily in the areas of civil litigation and family law. She has appeared at all levels of Courts in Ontario. Justice Bocci was appointed a Deputy Judge of the Small Claims Court in Toronto in 2005. She sits weekly conducting both trials and settlement conferences. In addition to her practice, Deputy Judge Bocci has also served on the Board of Directors of various community organizations, including, most recently, a day care centre in Toronto.

ALAN BOROVOY

Mr. Borovoy 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. Mr. Borovoy was General Counsel of the Canadian Civil Liberties Association from May 1968 until June 2009. As General Counsel of CCLA, he 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. Prior to coming to CCLA, Mr. Borovoy worked with other 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. Mr. Borovoy has been a visiting professor at the faculties of law at Dalhousie University and the University of Windsor, and a part-time lecturer at the University of Toronto Faculty of Social Work and York University's political science department

MICHAEL CALLAGHAN

Mr. Callaghan is a Deputy Crown Attorney at the Toronto Crown's Office. He received his Bachelor of Social Sciences from the University of Ottawa before earning his LL.B. from Dalhousie University in 1996. Mr. Callaghan has worked with the Ministry of the Attorney General as an Assistant Crown Attorney since March 1998, and most recently as a Deputy Crown Attorney since June 2009. He is a member of the Ontario Bar Association.

DAVID DOOREY

Dr. David Doorey is a professor of work law at York University, the Director of Osgoode Hall Law School's executive LL.M. program in labour and employment law, and a frequent media commentator on work law issues. Prior to joining academics, he was called to the Bars of Ontario and British Columbia, and practiced labour law in both provinces. Professor Doorey is an editor of the Canadian Labour & Employment Law Journal, and recipient of the University of Toronto's Morley Gunderson Award for outstanding contribution to Canadian industrial relations. His articles on work law are published in leading law journals and books, and his law blog "Law of Work" was awarded the Simon Fodden Award as the best law blog in Canada in 2012. He was educated at Osgoode Hall Law School (LL.B, Ph.D), the London School of Economics (LL.M., Labour Law), and the University of Toronto (M.I.R.).

NICOLE EDMONDS

Nicole Edmonds is a licensed paralegal and the owner of NLE Paralegal Services, which primarily focuses on legal matters before

the Small Claims Court and Landlord/Tenant Board. Ms. Edmonds graduated with a Law Clerk Diploma from Humber College in 2002, and obtained a Tribunal Agent Diploma with Honours in 2004. She has been a member of the Law Society of Upper Canada since 2008, and continues to grow her knowledge, practise and passion for her business and clients.

JOAN GILMOUR

Joan M. Gilmour, B.A., LL.B. (Toronto), J.S.M., J.S.D. (Stanford), of the Bar of Ontario, is a Professor at Osgoode Hall Law School, York University, and Director of the law school's Master's Program specializing in Health Law. She teaches Health Law, Legal Governance of Health Care, Torts, and Disability and the Law in the J.D. program, and graduate courses on Professional Governance, and Legal Frameworks of the Canadian Health Care System. She is past Director of Osgoode's Institute for Feminist Legal Studies, and past Acting and Associate Director of York University's Centre for Health Studies (now the York Institute for Health Research), and has been a consultant to Health Canada and the Ontario Law Reform Commission. Her research spans a wide range of issues in health and disability law, but has always included a strong focus on the laws affecting end of life decision-making and the withdrawal of life-sustaining treatment. She is the author of chapters on these subjects in Canadian Health Law and Policy, and in the Canadian Health Law Practice Manual. She also completed a Study Paper for the Ontario Law Reform Commission, Assisted Suicide, Euthanasia and Foregoing Treatment.

JUSTICE STEPHEN GOUDGE

Justice Goudge completed his Hons. B.A. (Political Science/Economics) at the University of Toronto in 1964, his M.Sc. (Econ.) at the London School of Economics in 1965, and his LL.B. (Awarded Dean's Key) at the University of Toronto in 1968. Justice Goudge was

called to the Bar of Ontario in 1970, and was appointed a Queen's Counsel in 1982. During his time practicing law he appeared before many administrative tribunals and courts of all levels in Ontario and the Supreme Court of Canada. Justice Goudge was a lecturer at the University of Toronto Faculty Of Law in both Labour Law and Native Rights from 1974 to 1985 and in Professional Responsibility from 2001 to present. Justice Goudge was active in the Ontario Bar Association and the Canadian Civil Liberties Association. He was an elected Bencher of the Law Society of the Upper Canada from 1991 to 1996 and was appointed to the Court of Appeal for Ontario in 1996. Additionally, he was a Judicial Fellow of the American College of Trial Lawyers, a Board member of Pro Bono Law Ontario from 2002 to 2006, and a member Chief Justice's Advisory Committee on Professional Responsibility from 2001 to present. On April 25, 2007, Justice Goudge was appointed by the government of Ontario to conduct the Inquiry into Pediatric Forensic Pathology, which reported on October 1, 2008.

CATHERINE GRIBBIN

Catherine Gribbin is the Senior Legal Advisor on International Humanitarian Law at the Canadian Red Cross. She was previously a Policy and Legal Advisor on Humanitarian Issues and Emblem Use and a Humanitarian Issues Coordinator at the Canadian Red Cross where she has worked and volunteered since 2005. Ms. Gribbins received her LL.B. from Dalhousie University and articulated in Toronto doing criminal defence. Catherine was called to the Bar in Ontario and is currently a member of the Nova Scotia Barristers' Society.

AMY HASBROUCK

Amy Hasbrouck is the Director of *Toujours Vivant-Not Dead Yet*, a project of the Council of Canadians with Disabilities (CCD) to expand the reach of CCD's Ending of Life Ethics Committee. She has been a disability rights activist for more than 30 years in the U.S., Québec,

and throughout Canada. Ms. Hasbrouck's activism combines her personal experience with congenital and acquired disability with a cross-oppression analysis gained through involvement in the women's rights, anti-war, LGBT, and other social justice movements. She has worked in Architectural Access and the Boston Center for Independent Living, where she was involved in the national effort to pass the Americans with Disabilities Act (ADA) in 1990. Ms. Hasbrouck graduated from Northeastern University School of Law in 1997. Her subsequent legal work focused on health and mental health law, and she has written on abuse of children and adults with disabilities, producing a groundbreaking report on prosecution and sentencing of parents who kill their disabled children in 1997. This study led to her involvement with Not Dead Yet, the disability rights-based opposition to assisted suicide, euthanasia, and other end-of-life practices that discriminate against people with disabilities. Ms. Hasbrouck has been a board member of Not Dead Yet in the U.S. since 2000. She testified before a parliamentary committee on immigration on the discriminatory impact of certain provisions of the immigration law in 2005 and before the Commission on the Question of Dying with Dignity in 2010. She has had several articles and op-eds published in newspapers in Canada and elsewhere.

EDWARD KELLY

Edward Kelly is a graduate of Queen's University and Osgoode Hall Law School. He was called to the Ontario Bar in 1990, and was employed as a staff lawyer for the Ontario Legal Aid Plan until 1992 and as an associate of Steven R. Clark until 1993. Mr. Kelly is currently a sole practitioner, operating his own practice since 1993. Mr. Kelly's practice has an emphasis on representing persons with mental health disabilities before the Ontario Court of Justice, the Ontario Superior Court of Justice, and the Ontario Review Board, and he is occasionally retained to act on behalf of the Attorney General of the Province of Ontario. He

is a member of the Criminal Lawyers' Association, the Toronto Lawyers' Association, the Canadian Bar Association, the Toronto Mental Health Court Committee, the Downtown Toronto Human Services and Justice Coordinating Committee, the Legal Aid Ontario Mental Health Law Advisory Committee and the Ontario Courts Accessibility Committee. He has been a panelist at a variety of educational programs and seminars presented by the Law Society of Upper Canada, the Advocates' Society, the Criminal Lawyers' Association, the National Judicial Institute, the Toronto Lawyers' Association and Legal Aid Ontario.

LAURA KIRBY-MCINTOSH

Laura Kirby-McIntosh received her Honours B.A. and B.Ed. from the University of Ottawa. She contemplated a career as a lawyer once upon a time, but realized that there was a ton of paperwork involved. She became a teacher instead, and now spends hours and hours of her time marking law essays. She has been a teacher for 20 years, including the last 10 years teaching law and civics. "Tosh," as she is affectionately known at Cawthra Park Secondary, believes in engaging her students through authentic project-based activities, and loves watching her students as they tackle mock elections, parliamentary simulations, mock trials, and the mock appeal program organized by OJEN. Students from Cawthra have made it to Charter Challenge finals half a dozen times, and have recently started competing in the Ontario Bar Association Mock Trial tournament, with much success. Ms. Kirby-McIntosh is a mother of two beautiful children on the autism spectrum, and is a founding member of the Ontario Autism Coalition, a non-profit advocacy organization lobbying for improvements to services for people with autism and their families. She dreams of having more time to read, dances whenever she can, is addicted (ironically) to the TV show *Breaking Bad*, and has only seven ball parks left towards her goal of seeing every major league ball park in North America.

ANDREW LANGILLE

Andrew Langille is a lawyer who practices workplace law in Toronto and is the founder of the website YouthAndWork.ca. He holds a Bachelor of Laws from the University of Windsor and a Master of Laws from Osgoode Hall Law School. Andrew is an active commentator on youth labour market issues and recently his research has focused on the role of unpaid internships in the school-to-labour market transition in Canada. He tweets under the handle @YouthAndWork and can be reached at andrewlangille@gmail.com.

TRUDO LEMMENS

Trudo Lemmens is an adjunct professor at Osgoode Hall Law School and the University of Toronto Faculty of Law, where he teaches courses on Health Law, Pharmaceutical Governance, Research Ethics, and Privacy, Property and the Human Body. He has been a Member of the School of Social Science of the Institute for Advanced Study in Princeton, a fellow of the Royal Flemish Academy of Belgium for Science and the Arts, and a visiting professor at the universities of Otago (New Zealand) and Leuven (K.U.Leuven, Belgium). His work has been published in leading national and international journals of law, bioethics and medicine. Professor Lemmens' work is situated at the intersections of law, bioethics, health care, and research and innovation. He is particularly interested in looking at how law, regulation and other governance mechanisms contribute to improved health care and health product development and can strengthen ethical standards in health care and health research.

VIRGINIA NELDER

Virginia Nelder is Staff Lawyer at the African Canadian Legal Clinic (ACLC), a Legal Aid Ontario-funded specialty clinic with a province-wide mandate to engage in test case litigation, law reform and public legal education aimed at eliminating racism, and in particular, anti-

Black racism. As Staff Lawyer, Ms. Nelder is responsible for the ACLC's test case litigation practice, and as such is involved in matters before the Human Rights Tribunal of Ontario, the Office of the Independent Police Review Director, and all levels of court with respect to racial discrimination in employment and education, and racial profiling by the police. Ms. Nelder attended the University of Guelph where she obtained an Honours B.A. in Psychology with a focus on the psychology of desistance from criminal behaviour. After working for some time as a legal assistant, she returned to school at the University of Windsor to obtain her Bachelor of Laws degree. As part of her LL.B. program, Ms. Nelder attended a semester at the Universiteit van Amsterdam in the Netherlands where she obtained a certificate in International Human Rights Law. Prior to joining the ACLC, Ms. Nelder practised union-side labour law for several years at a boutique law firm specializing in construction industry labour relations.

JUSTICE EDWARD ORMSTON

The Honourable Justice Edward Ormston graduated from the University of Ottawa Faculty of Law in 1971. He was a Crown Prosecutor and defence lawyer before being appointed to the Ontario Court of Justice in 1989. In May of 1998, the Mental Health Court opened at Old City Hall. Justice Ormston became the principal organizer of the various partners, giving rise to the court's birth and presided in it for its first five years. Justice Ormston was an initial Director of the Ontario Justice Education Network (OJEN). He has been President of the Ontario Conference of Judges, past Chair of the Mental Health and Law Advisory Committee of the Mental Health Commission of Canada and is currently assigned to Chair the Consent and Capacity Board of the Ministry of Health and Long-Term Care.

ELAINE PAGE

Elaine Page, owner of Page Paralegal, and recipient of the 2013 Law Society of Upper Canada's Distinguished Paralegal Award, has worked for over 20 years as a paralegal, representing clients in Small Claims Court and the Landlord and Tenant Tribunal. She is a co-owner of PREP Network (Paralegal Resource Education Program), a company dedicated to guiding and mentoring students in relation to the paralegal licensing examination and is a part-time faculty member of the Paralegal Program at Algonquin Career Academy. Ms. Page is a former board member of the Ontario Paralegal Network, helping to promote the paralegal profession through media. She also provided valuable input to the Law Society's Legal Needs Analysis Working Group, the Law Society's Paralegal Committee on Regulation and the Law Society's Equity and Advisory Committee. Most recently, in conjunction with LSUC, CLEO, and OJEN she presented a Small Claims Court workshop at the inaugural L.I.F.E public legal information sessions. Ms. Page also played a key role in the Superior Court of Justice Rules Sub-Committee, helping to redraft the Rules for Small Claims Court. She is currently a member of the Toronto Small Claims Court Frequent Users Committee and is a former member of the Small Claims Court E-File Early Adopter Committee.

DEREK PALLANDI

Dr. Derek Pallandi is a medical practitioner in Ontario and has been qualified as a specialist in the field of psychiatry since 2000. He sub-specializes exclusively in the area of Forensic Psychiatry, a branch of psychiatry that provides consultation and expertise in the assessment and treatment when concurrent mental health and legal issues exist. In addition to his private practice in forensic psychiatry, Dr. Pallandi also serves as Staff Forensic Psychiatrist with the Law and Mental Health Programme at the Centre for Addiction and Mental Health (CAMH). He also acts as a consultant for Workplace.Calm, Inc., the

Oak Ridge Division of the Mental Health Centre Penetanguishene, Toronto's Mental Health Court at Old City Hall, and the Probation and Parole Service of the Ministry of Community Safety and Correctional Services. Dr. Pallandi is a medical member of both the Consent and Capacity Board and Ontario Review Board, and Investigative Coroner for Toronto East. He is also a lecturer at the University of Toronto, Department of Psychiatry.

UDO SCHÜKLENK

Udo Schüklenk is a Professor in the Department of Philosophy at Queen's University. He has held professorial appointments at Glasgow Caledonian University in Scotland and the University of the Witwatersrand Faculty of Health Sciences. In addition, he has worked at Monash University's Centre for Human Bioethics and at the University of Central Lancashire Centre for Professional Ethics. Professor Schüklenk has written or co-edited five books and authored or co-authored over a 100 publications in peer reviewed journals and anthologies. He is a Joint Editor-in-Chief of Bioethics and Developing World Bioethics, and his main research interests are in the areas of public health and infectious disease control. His most recent journal contributions include papers in the American Journal of Public Health on mandatory HIV testing and the Journal of Medical Ethics on religious symbols in doctors' rooms.

DEPUTY CHIEF PETER SLOLY

Deputy Chief Peter Sloly is in his 25th year with the Toronto Police Service. He is in charge of Divisional Policing Command (DPC) which has 4084 police officers, 221 civilian members and a budget of \$447 million. Mr. Sloly holds a B.A. from McMaster University and a M.B.A. from York University's Schulich School of Business. He is a graduate of the FBI National Academy and the University of Toronto Rotman Police Executive Leadership Program. Mr. Sloly has authored articles for several police and justice magazines on community mobilization, crime prevention, emergency management and social media. He was an adjunct Professor at the University of Guelph-Humber and a guest lecturer at the Ontario Police College. He is also a member of the Police Executive Research Foundation and the Canadian Police College Advisory Board.

RHONA ZITNEY

Rhona Zitney has worked for eight years as a as a Mental Health Court Support Worker at the Community Resource Connections of Toronto (CRCT), a community based mental health organization. She is currently completing a 15-month term as the interim program manager of the Mental Health Court Support Services at CRCT. Ms. Zitney holds a Master's Degree in Sociology from York University, where her studies focused on the critical analysis of both the legal and psychiatric systems. She also has a Human Service Counselling Diploma from George Brown College. Ms. Zitney's current employment was preceded by a five-year tenure as a bail supervisor at the Toronto Bail Program.

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