

# PROGRAM

2014 OJEN

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# SUMMER LAW Tuesday, August 26 & Wednesday, August 27 INSTITUTE

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Osgoode Hall, 130 Queen St. West, Toronto



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A CIVIL SOCIETY THROUGH EDUCATION AND DIALOGUE

## TUESDAY, AUGUST 26

830 <sup>AM</sup>	<b>REGISTRATION</b> (coffee and breakfast will be available) Convocation Hall, Law Society of Upper Canada, 2nd Floor
9 <sup>AM</sup> - 915 <sup>AM</sup>	<b>WELCOME</b> Jessica Reekie, Executive Director, Ontario Justice Education Network
915 <sup>AM</sup> - 1015 <sup>AM</sup>	<b>Keynote Address on Civil Liberties</b> Alan Borovoy, General Counsel Emeritus, Canadian Civil Liberties Association
1015 <sup>AM</sup> - 1030 <sup>PM</sup>	<b>BREAK</b>
1030 <sup>AM</sup> - 12 <sup>PM</sup>	<b>Post-Harkat Canada: The Current State of Security Certificates</b> Paul Copeland, Human Rights Lawyer; Amar Wala, Noah Bingham, and Madeleine Cohen of <i>The Secret Trial 5</i>
12 <sup>PM</sup> - 1 <sup>PM</sup>	<b>LUNCH</b> (optional tour of Osgoode Hall from 12:15PM -1PM)
1 <sup>PM</sup> - 2 <sup>PM</sup>	<b>Missing and Murdered Indigenous Women: Community and Legal Responses to Violence</b> Sharon McIvor, Instructor, Nicola Valley Institute of Technology; Audrey Huntley, Filmmaker and Founder, No More Silence
2 <sup>PM</sup> - 3 <sup>PM</sup>	<b>Top Five Most Significant Supreme Court Cases of the Past Year</b> Justice Russell Juriansz, Court of Appeal for Ontario
3 <sup>PM</sup> - 330 <sup>PM</sup>	<b>BREAK</b>
330 <sup>PM</sup> - 5 <sup>PM</sup>	<b>Cyberbullying</b> Ontario Court of Justice, Old City Hall, Courtroom 121 Lisa Henderson, Provincial Crown Coordinator, Provincial Strategy to Combat Internet Crimes Against Children; Detective Paul Krawczyk, Child Exploitation Section, Toronto Police Service; Emma Rhodes, Criminal Defence Lawyer; Megan Savard, Criminal Defence Lawyer, Addario Law Group
530 <sup>PM</sup> - 730 <sup>PM</sup>	<b>WINE AND CHEESE RECEPTION WITH PRESENTATION OF HUX-KITELEY EXEMPLARY JUSTICE EDUCATOR AWARD</b> Upper & Lower Barristers' Lounge, Law Society of Upper Canada

## WEDNESDAY, AUGUST 27

8 <sup>30</sup> AM- 9 <sup>AM</sup>	<b>BREAKFAST</b>
9 <sup>AM</sup> - 10 <sup>AM</sup>	<b>Class Actions</b> Professor Janet Walker, Osgoode Hall Law School; Jody Brown, Associate, Koskie Minsky LLP
10 <sup>AM</sup> - 1030 <sup>AM</sup>	<b>BREAK</b>
1030 <sup>AM</sup> - 1130 <sup>AM</sup>	<b>Family Law in the Flesh</b> patti cross, Family Counsel, Ontario Court of Justice
1130 <sup>AM</sup> - 12 <sup>PM</sup>	<b>New OJEN Resources</b> Andrea Sobko and Nat Paul, OJEN
12 <sup>PM</sup> - 1 <sup>PM</sup>	<b>LUNCH</b>
1 <sup>PM</sup> - 2 <sup>PM</sup>	<b>Teaching the New CLN4C: Legal Studies: Tales from the Trenches of a Work in Progress</b> Bailey Rose and Ferris Grant, Teachers with the Toronto District School Board
2 <sup>PM</sup> - 215 <sup>PM</sup>	<b>BREAK</b>
215 <sup>PM</sup> - 330 <sup>PM</sup>	<b>Preventing Wrongful Convictions and Learning About Rights: an Introduction to AIDWYC's First Graphic Novel</b> Amanda Carling, Sarah Acker and Meryl Acker, Association in Defence of the Wrongly Convicted (AIDWYC)
330 <sup>PM</sup>	<b>CLOSING REMARKS &amp; DISTRIBUTION OF RESOURCES</b>

# 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](http://www.ojen.ca).**



#ojenlawinstitutes / #ojensli2014

# 2014 SPEAKERS

## MERYL ACKER

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Meryl Acker is a Master's candidate in the field of genetic biology at McMaster University. She supports the Association in Defence of the Wrongly Convicted's work, and volunteered her time this summer to create the artistic element of AIDWYC's graphic novel about wrongful convictions. Meryl has volunteered as an art teacher at Toronto's Ronald McDonald House for the past year, and has also worked in Dr. James Rutka's Neurology Laboratory at The Hospital for Sick Children. These experiences furthered her determination to pursue research in the field of genetics, with the hope of bettering the lives of the inspirational and courageous children she has had the honour of meeting and working with. In addition to Meryl's academic interests, Meryl enjoys photography, fashion, and design.

## SARAH ACKER

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Sarah Acker is a third year law student at the McGill University Faculty of Law. In 2014, she was a Summer Fellow at the Association in Defence of the Wrongly Convicted (AIDWYC), where she learned about the causes of wrongful convictions and assisted in creating public legal education initiatives to prevent people from falling victim to wrongful convictions. Sarah is passionate about criminal law, particularly as it relates to Canada's Aboriginal community. She has worked at the Native Women's Shelter of Montreal, and will be leading a legal clinic at the Native Friendship Centre of Montreal this year. Outside of her legal pursuits, Sarah is a theatre enthusiast, having starred in university productions of Edward Albee and Shakespeare's finest works, and enjoys jazz music and enlightening political banter.

## **NOAH BINGHAM**

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Noah Bingham is a producer and cinematographer based in Toronto, Canada, with a passion for cinema that humanizes complex social issues. He was born in the United States and moved to the GTA at a young age. He holds a degree in Film Production and International Development Studies from York University. Noah is also a Founding Board Member of Good Evidence, a non-profit organization that challenges harmful representations by creating videos showcasing inspiring models of community based action on social, economic and environmental issues.

## **ALAN BOROVOY**

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Alan 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. Alan 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, Alan 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. Alan 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.

## **JODY BROWN**

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Jody Brown is an associate with Koskie Minsky LLP. He received a Bachelor of Arts from the University of Guelph in 2006 and a Bachelor of Laws from Dalhousie University in 2009. While at law school Jody took first place in the national Canadian Labour Arbitration Moot and was active with the Social Activist Law Students Association and volunteered with Pro Bono Students Canada. Jody works primarily in the area of class action litigation.

## **AMANDA CARLING**

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Amanda Carling is a Métis lawyer whose career goal is to ameliorate the Canadian criminal justice system and eliminate Indigenous overrepresentation. Amanda grew up and earned her undergraduate degree in Winnipeg, Manitoba. She graduated from the University of Toronto, Faculty of Law, in June 2012. While there, she co-chaired the Aboriginal Law Students Association, started a yoga program and earned several awards including the President's Award for the Outstanding Native Student of the Year (2012). Amanda completed her articles with the Association in Defence of the Wrongly Convicted (AIDWYC) and in July 2013 became AIDWYC's first National Legal Education Counsel. Since 2010, Amanda has served on the Board of Directors for Aboriginal Legal Services of Toronto. She currently holds the position of Secretary. Prior to attending law school, Amanda taught English to junior high and high school students in Tosu, Japan. In the summer of 2012, she co-coordinated the first Aboriginal Youth Summer Program at the University of Toronto. In her current position with AIDWYC, Amanda works to engage and educate marginalized youth about the justice system and their rights through public legal education sessions, the AIDWYC website and social media channels.

## MADELEINE COHEN

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Madeleine Cohen has worked on number of documentary and narrative projects as producer, researcher, and writer, including two independently produced shorts of her own. She holds an Honours B.A. in History and Contemporary Philosophy from the University of King's College in Halifax and a M.A. in History from the University of Toronto. *The Secret Trial 5* is her first feature film.

## PAUL COPELAND

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Paul Copeland is a Toronto-based criminal defence and national security issues lawyer. He co-founded the Law Union of Ontario, was the Vice-President of the Criminal Lawyers Association, and was the Co-President of the Association in Defence of the Wrongly Convicted (AIDWYC). From 1990 to 2007, Paul was an elected Bencher and now is a Life Bencher of the Law Society of Upper Canada. He practices at Copeland, Duncan Barristers and Solicitors. For more than twenty years he has been actively working with the democracy movement for Burma. Paul received the Sidney B. Linden Award from Legal Aid Ontario. In 2007, Paul was awarded the G. Arthur Martin Criminal Justice Award by the Criminal Lawyers Association, and in 2010 he was made a Member of the Order of Canada for his work on social justice and human rights. In 2013, Paul was awarded the Law Society Medal in recognition of distinguished service in the legal profession.

## PATTI CROSS

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After taking her first family law course at the University of Toronto's law school, patti was hooked. Her professional career has focused on family courts. patti articulated and worked for the Office of the Chief Justice of the Superior Court of Justice in Ontario, before moving to her current position as the Family Counsel for the Office of the Chief Justice of the Ontario Court of Justice. She has worked as family counsel for the Senior Justice of the Family Courts (S.C.O.) and with



the Family Rules Committee. Today, she advises the Chief Justice and the OCJ Advisory Committee on Family Law on policy and legislative issues and other matters of interest to family judges. She was the co-chair for the AFCC Ontario's Coordinating Committee to establish the AFCC Ontario and was the chapter's first President. She also serves on the parent AFCC Board of Directors in the United States. She is also a proud mommy of her ten year old daughter, Maggie.

## **FERRIS GRANT**

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Ferris Grant is a teacher in the EdVance program at Yorkdale Secondary School in the Toronto District School Board. Ferris holds a B.A. (Hon) from McGill University with a major in World Religions and a minor in Anthropology and a teaching degree from OISE/UT. She has been teaching for 12 years, and taught CLN4C - Legal Studies as part of a Ministry of Education pilot project in 2013-2014.

## **LISA HENDERSON**

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Lisa Henderson has been an Assistant Crown Attorney with the Ministry of the Attorney General since 1992. Since 2006 she has been the Provincial Crown Coordinator for Ontario's Provincial Strategy to Combat Internet Crimes Against Children. Lisa is the Chair of the Attorney General's Internet Crimes Against Children Task Force and she has worked with police and NGOs and spoken widely on the issue of cyber-harassment.

## **AUDREY HUNTLEY**

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Audrey Huntley is a wanderer, storyteller, documentary filmmaker, community researcher and writer/producer of mixed European and Indigenous ancestry. She grew up in Calgary, Alberta and moved to Europe as a young adult. Audrey attended university in France and Germany where she completed a Master's degree. After returning to Canada in 1998 Audrey led several large scale participatory action

research projects focusing on intimate and state violence against Indigenous women in BC and Ontario. As a producer in current affairs television, Audrey has produced and directed one feature and several shorts dealing with the land struggles and missing and murdered Indigenous women. Audrey is currently completing her paralegal certification.

## **DETECTIVE PAUL KRAWCZYK**

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Detective Paul Krawczyk has been with the Toronto Police Service for 18 years. In 2002 he joined the Child Exploitation Section and became the first online undercover officer for the Toronto Police Service. Detective Krawczyk has partnered with numerous international law enforcement agencies in the coordinated investigation of the global trade of child pornography images online. Detective Krawczyk was co-winner of the Police Officer of the Year for 2011 for his undercover work in Project Sanctuary which led to the arrest of over 60 individuals from around the world for trading in child sexual abuse images and videos and for the rescue of over 30 children worldwide.

## **JUSTICE RUSSELL JURIANSZ**

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Born in India, Justice Russell Juriansz came to Toronto at the age of eight. In 1969, he graduated from the University of Toronto with a Bachelor of Science degree and then enrolled at Osgoode Hall Law School where he was President of the students' association. He was called to the bar in March 1994 and practised administrative and constitutional law, concentrating on human rights and the *Charter*. He taught Human Rights Law and Constitutional Law at the Faculty of Law, University of Ottawa, was General Counsel and Director of Legal Services for the Canadian Human Rights Commission, then went on to become a partner at Blake, Cassels & Graydon LLP before establishing his own practise. He was appointed to the Superior Court

of Justice in March of 1998, and in 2002 became President of the Superior Court Judges Association. He was appointed to the Ontario Court of Appeal in 2004 and became the first person of colour on the Court.

## SHARON MCIVOR

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Sharon McIvor (LL.B. '86) is a member of the Lower Nicola Indian Band. She is an Indigenous activist, legal scholar and academic who writes and speaks about women's rights in the context of Aboriginal self-government. In *McIvor v Canada*, she successfully challenged discriminatory provisions of the *Indian Act*, forcing the federal government to amend the *Act* (the "McIvor" amendments). Sharon is an instructor in Indigenous studies at the Nicola Valley Institute of Technology in Merritt, British Columbia.

## EMMA RHODES

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Emma Rhodes received a B.A. from McGill in 1997, an LL.B. from Osgoode Hall Law School in 2000, and was called to the Ontario Bar in 2002. She currently practices exclusively in the area of criminal defence work as a sole practitioner in Toronto. Over the years Emma has focused in *Youth Criminal Justice Act (YCJA)* defence work and represents clients in both the Ontario and Superior Courts of Justice. She continues to act as an instructor for the Trial Advocacy course at Ogoode Hall Law School and was an Adjunct Professor at the University of Toronto from 2012-2014, teaching a course on the *YCJA*. She has presented on the *YCJA* numerous times, including to Legal Aid Ontario, the Law Society of Upper Canada, the Ministry of the Attorney General, and to the Ontario Court of Justice. She has testified before the Senate of Canada's Standing Committee on Justice and Human Rights regarding the over representation of minorities in the criminal justice system (2014).

## BAILEY ROSE

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Bailey Rose received an Honours B.A. and a B.Ed from York University. She has been teaching law, history, geography and social sciences in the Toronto District School Board for 5 years, at schools as diverse as Lawrence Park Collegiate, Runnymede Collegiate and Central Technical Institute. Most recently, Bailey taught law at Lakeshore Collegiate Institute, including a section of the CLN4C pilot project.

## MEGAN SAVARD

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Megan earned a Bachelor of Arts from McGill University in 2006 and a law degree from the University of Toronto in 2009. While at law school, Megan focused her studies on criminal and constitutional law courses. She was awarded the Nathan B. Strauss Q.C. Prize for Legal Ethics for her paper about the competence of counsel in criminal cases. Megan was called to the Ontario bar in 2010 after articling at a prominent Toronto criminal law firm where she worked on a wide variety of challenging cases. She returned to her hometown of Regina to work as a law clerk at the Saskatchewan Court of Appeal. There she saw close up how complex legal problems become understandable decisions for litigants. Since completing her clerkship, Megan has been practicing criminal law.

## AMAR WALA

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Amar Wala is a writer and director based in Toronto, Canada. He was born in Mumbai, India, and moved to Toronto with his family at the age of 11. A graduate of York University's acclaimed Film program, he studied under renowned Canadian filmmakers like John Greyson and Ali Kazimi. Amar believes deeply in cinema's ability to create awareness and facilitate social change. His 2008 film *The Good Son*, a short drama which was based on a shocking true story, had its world premiere at The 4th Annual Dubai International Film Festival. It would garner high praise at home, where TIFF director Cameron Bailey named him one of the year's

Top Ten Local Filmmakers. *The Secret Trial 5* is Wala's first feature film. It premiered at the prestigious Hot Docs International Documentary Film Festival in Toronto, where it was a Top Ten Audience Favourite, and received the Emerging Filmmaker Award - Honourable Mention.

## **PROFESSOR JANET WALKER**

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Professor Janet Walker teaches Conflict of Laws and International Dispute Resolution in the LLB and Professional LLM programs at Osgoode Hall Law School. She has served as Associate Dean, Professional LLM in Civil Litigation and Dispute Resolution, Convener of the Litigation, Dispute Resolution and the Administration of Justice Stream, and Director of the Mooting Program. Professor Walker is the author of *Castel and Walker: Canadian Conflict of Laws* (6 ed), and the Halsbury's Laws of Canada volume on the Conflict of Laws; she is the General Editor of *The Civil Litigation Process* (6 ed), the editor of *The Vis Book*, and a co-author of *A Practical Guide to Mooting* and the forthcoming Irwin Essentials series volume on Civil Procedure. Professor Walker has lectured in Wuhan and Xi'an, and she has taught Conflict of Laws as a visitor at Monash, Haifa and Toronto, as a Hauser Global Visiting Professor at NYU in New York and in the joint program with NUS in Singapore, and for the past seven years, as a Foreign Research Professor at the University of Carthage in Tunisia. Professor Walker has served as an ICC arbitrator in various matters and she is active in the international arbitration community.

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