

## Combating Hatred in the 21<sup>st</sup> Century



# The Justice System Responds

## Biographies and Clip Summaries

### *Jay Hope: "A Response from Government"*

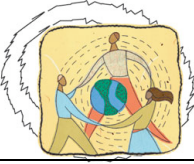
**Speaker Profile:** Commissioner Jay C. Hope is the Ontario Commissioner of Community Safety. He is currently on secondment from the OPP where he is a Deputy Commissioner. Commissioner Hope was the first Black officer appointed to the Chiefs of Police ranks in Canada. Currently, Commissioner Hope has responsibility for Emergency Management Ontario, the Office of the Coroner, the Office of the Fire Marshal, Criminal Intelligence Service Ontario, the Centre of Forensic Sciences and the Ontario Police College. He has been an investigator at the Ontario Human Rights Commission and brings on-the-ground experience to today's forum.

**Clip Summary:** In this clip, Commissioner Hope identifies a number of systemic issues relating to hatred and offers potential responses from the government.

### *David Lepofsky: "The Power of Collectivity"*

**Speaker Profile:** David Lepofsky has practiced law in Toronto since 1982 in the fields of civil litigation, administrative law, constitutional law and most recently, criminal law. From 1991 to the present, he has taught as a part-time faculty member, teaching advanced constitutional seminar on "Freedom of Expression and Press in Canada" at the University of Toronto Faculty of Law. From 1987 to 2005, he was Associate Head of the Public Law Section of Ontario's Bar Admissions Course. He has authored over 25 law journal articles concerning constitutional law, administrative law, freedom of expression, human rights, and the rights of persons with disabilities, as well as a book entitled *Open Justice - The Constitutional Right to Attend and Speak in Criminal Proceedings in Canada*. David has been involved as a volunteer in the Human Rights Reform Representative, Accessibility for Ontarians with Disabilities Act Alliance, Ontarians with Disabilities Act Committee, Canadian Association of Visually Impaired Lawyers (CAVIL).

**Clip Summary:** In this clip, Mr. Lepofsky offers the strategy of collective action as a means of combating hatred. He suggests that we should refrain from fighting one incident or issue at a time and address societal problems as a collective instead.



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### ***Martha McCarthy: “Lessons Learned in the Trenches”***

**Speaker Profile:** Martha McCarthy was called to the Bar in Ontario in 1991, winning the Silver Medal and the Family Law and Advocacy Prizes. Martha was counsel for *M. v. H.* which, after eight years and a decision from the Supreme Court of Canada, resulted in widespread amendments to include same-sex couples as spouses in both federal and provincial legislation. In 2000, she commenced the equal marriage case *Halpern*, which resulted in the first decision in the country and internationally calling for immediate same-sex marriage, effective June 10, 2003. Apart from gay and lesbian equality issues, Martha’s areas of specialty include the interaction of family issues with business organization and valuation, shareholders’ remedies, marriage contracts, equality claims in family law, child representation and the effect of divorce on children. She is a Fellow of the International Academy of Matrimonial Lawyers and a frequent advocate, author and commentator on issues of gay and lesbian equality, and our evolving concept of family.

**Clip Summary:** Ms. McCarthy identifies 5 key lessons that can be learned from her experiences in equality rights cases. She draws extensively on her work in the landmark case *M. v. H.*, [1999] 2 S.C.R. 3. She specifically focuses on the issue of substantive equality and explores the impact of the discrimination on the victim.