

Queen's

LAW REPORTS

2017



Learning Law in the 21st Century

Parental Recognition:
Law'03 advocate leads law reform

Paths to Success
Law'91 women share advice





GREG BLACK

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Alumni and friends of Queen's Law,
Reflecting on the cover story for this *Queen's Law Reports*, I can't help but think about the process behind the creation of this message.

It started as some pen-on-paper notes. It was then drafted on a computer and stored in the cloud, so I could edit and review it either at home or in my office. It will be emailed, digitally laid out, and physically printed – as well as being available on a PDF and through a service that delivers *Queen's Law Reports* to mobile devices through an app.

We live in an age where physical and digital are parts of an uninterrupted continuum. Making sure that our school, and our students, benefit from the best elements of this is now part of our mission at Queen's Law.

Digital technology, for our school, is no longer a matter of "keeping up." It's about making deliberate decisions about which tools will best provide our students with a top-quality education that prepares them for today's legal market. Much of this has been done with the guidance and support of our extraordinary Associate Dean of Students, Jane Emrich, who is retiring this year and who is profiled in this issue of the magazine.

Throughout this issue of *Queen's Law Reports*, you'll see that our alumni are leaders in all areas of legal practice, across the country and around the world, and come from all walks of life. Preparing our students to join this diverse, innovative and dedicated group is a goal that technology can help us achieve.

As always, I cannot thank our alumni enough for their ongoing and generous support of the law school. Your thoughtfulness and warmth when we meet at gatherings across the country – recently including Montreal – still never fail to impress me after more than 10 years as Dean.

Dean Bill Flanagan

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Matt Shepherd, Director
Macdonald Hall
Queen's University
Kingston ON Canada K7L 3N6
law.queensu.ca

Editor

Lisa Graham, Com'88, Artsci'92, MPA'o8
Manager of Communications
Tel: 613-533-6000, ext. 74259
Email: grahaml@queensu.ca

Contributing Editor

Catherine M. Perkins, Arts'58

Contributors

Michael Beleza
Georgie Binks, Artsci'75
Ian Coutts
Anne Craig
Ken Cuthbertson, Arts'74, Law'83
Mark Kerr
Emily Liefers, Law'17
Kirsteen MacLeod
Jeremy Mutton, Law'19
Anthony Pugh, LLM'17
Michael Onesi
Mark Witten

Design + Production

Queen's University Marketing
Designer: Larry Harris



On the cover

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Two major grants strengthen professor's transnational justice impact

Professor Darryl Robinson's work on crimes against humanity has earned international attention. Now, two major grants from the Social Sciences and Humanities Research Council (SSHRC) will help his work have an even greater impact.

Robinson is a partner in a project that was recently awarded a \$2.5-million SSHRC grant. This collaboration of Canadian organizations and academics includes co-director Jayne Stoyles, Law'96 (profiled on pg. 40). It aims to strengthen legal remedies for victims of war crimes, genocide and other crimes against humanity.

The project will examine comprehensively all forms of redress for international atrocities in criminal, civil and administrative law. Most importantly, the various partner organizations will put the research into practice.

Robinson, chair of the partnership's criminal response axis, highlights the collaborative and experiential nature of the project. "We plan to propose and test innovations that have practical impact," he says. "Research and new ideas will assist jurists and lawmakers, and their experiences in turn will fuel new research questions." Another project priority is to provide students with training opportunities in such roles as research assistants to professors and interns with the partner clinics and non-governmental organizations (NGOs).

"Canada played a central role in early efforts to strengthen justice for victims of atrocities," says Robinson. "With this new support for expanded coordination, we can re-invigorate that Canadian contribution of expertise and ideas."

In addition, SSHRC awarded Robinson a \$91,000 Insight Grant for his original work in the field. He aims to modernize the law of crimes against humanity to better address contemporary situations of violence and to better tailor the legal responses to threats posed by non-state actors,



Professor Darryl Robinson

such as armed groups or terrorist organizations.

"Situations of mass atrocity as seen in Syria and Iraq, for example, currently threaten thousands of human beings and dislocate millions," he says. "Prosecutions for crimes against humanity are part of the world's response. Unfortunately, the law is currently in a state of confusion. The precedents are sparse, so national and international judges are struggling to fill in gaps. Some of their impressionistic tests have led to the collapse of meritorious cases for terrible atrocities."

Major doctrinal disputes today actually reflect competing intuitions about the crime, he argues. "By laying bare the underlying ideas, we can develop interpretations that are conceptually coherent, legally grounded and practically effective."

In this vein, Robinson has

submitted amicus briefs to the International Criminal Court and the Cambodian chambers prosecuting the Khmer Rouge. One of his arguments is that present-day judges should not be constructing models based only on the highly bureaucratic WWII crimes of the Nazis. The law should reflect the diverse range of human organizations that unleash widespread violence against civilians.

Instead of focusing solely on cases from international tribunals, Robinson also draws on national cases from jurisdictions in Latin America, Africa, Europe and Asia. "What I have found is that many national courts have also had to think about crimes against humanity, and they have come up with some very helpful insights."

He'll also use his Insight Grant to meet with national and international prosecutors about challenging cases. "As much as we try to come up with difficult hypotheticals to test ideas," says Robinson, "the most perplexing and unforeseen questions still arise from actual cases."

— EMILY LIEFFERS AND ANTHONY PUGH

"Research and new ideas will assist jurists and lawmakers, and their experiences in turn will fuel new research questions."

New labour law hire strengthens research centre

Queen's Centre for Law in the Contemporary Workplace (CLCW) continues to grow with the appointment of an expert on labour law and competitiveness in North America and Europe. **Professor Samuel Dahan** of Cornell University, who's also affiliated with Harvard Law (Program on Negotiation) and is a Référénaire at the EU's Court of Justice, will join Queen's Law in July. He considers the CLCW "a perfect base from which to undertake cutting-edge research."

"Professor Dahan brings added strength to the Centre and enhances our teaching and research capacity in the areas of mediation and arbitration, monetary and financial law, and international economic negotiations," says Dean Bill Flanagan. He and the Centre's Director, Professor Kevin Banks, envision Dahan developing a mediation and arbitration clinic and a software platform for negotiation analysis, aimed at improving the lawyering and dispute resolution skills of participants.

According to Banks, "Professor Dahan is very well-positioned to make a unique, timely and important contribution, advancing the research leadership and expertise of the CLCW while forging connections with universities and institutions such as the European Commission."

Dahan holds a PhD in Law (Cambridge), two graduate degrees (Paris 1 Sorbonne and Brussels), and an LLB (Nice). In 2015–16, he was a Fellow at NYU Law's Jean Monnet Center for International and Regional Economic Law & Justice. He clerked for the Conseil d'Etat (French Administrative Supreme Court) and has consulted for the OECD, France's Ministry of Foreign Affairs, private corporations, and the European Commission (also advising its Directorate General for Financial Affairs). He has also taught law and negotiation at Harvard's Kennedy School of Government, Cornell Law School, l'Ecole Nationale d'Administration, ESSEC Business School, and Ecole Normale Supérieure.

— ANTHONY PUGH



Professor Samuel Dahan



Professors Nicolas Lamp and Valerie Hughes

Real world trade experience for students

Next winter, Queen's Law will be offering the International Trade Law Practicum, an exciting new clinic-style course that will allow JD students to cut their teeth on real problems in the field of global trade law.

The course will be co-taught by **Professor Nicolas Lamp** and adjunct professor appointee **Valerie Hughes**, who most recently served as Director of the World Trade Organization's Legal Affairs Division. Students will work with various stakeholders called "beneficiaries" – such as governments, trade associations, small businesses and NGOs – on projects that culminate in a professional quality legal memorandum, brief, draft law, treaty text or other output tailored to the beneficiary's needs.

"Apart from lectures given by mentors on specific issues, students will start off by working on a specific problem from a real-world beneficiary," says Lamp. "It's a practice-focused course in which students are tasked to work on these projects and the instruction is geared towards helping them come up with the best product for their beneficiary."

The course is being offered as part of a joint University of Ottawa–Queen's International Trade and Investment Law Clinic, under the umbrella of TradeLab, a Geneva-based NGO and network of legal clinics that brings together an international group of academic institutions and professionals to work with beneficiaries. The Ottawa–Queen's clinic will join other academic institutions in the TradeLab network, spread across North America, Africa, Europe, India and the Middle East.

It's just one part of a larger invigoration in trade law at Queen's under Lamp's leadership. "We now have students who have studied the subject at the Castle, in an upper-year course and in a moot," he says. "The practicum is the icing on the cake to apply everything they've learned to a practical problem a stakeholder is grappling with."

— EMILY LIEFFERS

Law'96 alumna back to Queen's as new Assistant Dean of Students

With a wealth of experience in law, administration and education, **Heather Cole, Law'96** (Artsci'91, MPA'00), has returned to her alma mater as Assistant Dean of Students. She joins Queen's Law from the University of Texas at Austin, where she earned two education degrees – MEd'07 and PhD'15 – and most recently completed a post-doctoral year on a national health study of at-risk populations. Previously, she worked in student affairs and development at Queen's and MIT, at the federal Department of Justice conducting Aboriginal consultations across Canada, and had a distinguished career with the Ontario Public Service as a policy advisor, counsel and senior manager.

Now on the Law Faculty's senior management team, she oversees all matters relating to JD students, from recruitment, admissions, enrollment matters and student life to career development. For three months prior to her June 1 appointment, she set up the Student Learning and Engagement Initiative (see pp. 28-33).

Queen's extends outreach to Indigenous JD prospects

Ann Deer, a Mohawk from the Wolf Clan who has worked with both Indigenous youth and adult learners, hit the road last October on a mission to recruit talented young Aboriginal students to apply to professional programs at Queen's. She's the new Indigenous Access and Recruitment Coordinator, a position shared among Queen's Law, Medicine and Engineering faculties to expand the pool of qualified Indigenous applicants.

"I am looking for future Indigenous leaders to come to Queen's," she says. "I believe Aboriginal people achieving higher education can be the change we seek. If we can get people to come here and learn the law, then they can go back and help their communities."

She's building relationships and making sure potential applicants know all that Queen's offers them, highlighting facilities like the Four Directions Aboriginal Student Centre and the events it hosts, such as the annual Indigenous Research Symposium and Graduate & Professional Day.



Heather Cole, Law'96

ANDREW VAN OVERBEKE



Ann Deer

ANDREW VAN OVERBEKE

Awards fund doctoral research into today's most pressing issues

Affecting progressive legal reform

Legal reform is commonly achieved through public law legislation, but PhD student and former family lawyer **Jane Thomson** is studying a more novel approach. She has received a Vanier Canada Graduate Scholarship (\$50,000 for each of three study years) for her work on using private law doctrines to make a positive impact on legal reform. Canadian courts have been grappling with the same topic, resulting in parties seeking leave to appeal to the Supreme Court. "Two recent lower court decisions attempted to address the issue of testators using their wills to perpetuate their personal brand of racism after death," she points out. "It requires balancing testamentary freedom against the notion that there is little support in today's Canadian society for legally condoned racism or similar forms of discrimination."



Linking free trade and human rights

Ana Patricia Chuc Gamboa, who as a lawyer in her native Mexico advised foreign importers and exporters of raw materials, now has an Ontario Trillium Scholarship (\$40,000 annually for three years) to study the trade agreements those companies rely on. "I saw the important economic impact of free trade agreements on my country's development, but also how multinational and transnational companies could worsen serious human rights problems," she says. Further developing her LLM research showing that countries sign treaties without setting proper implementation conditions, and with NAFTA renegotiations looming, she now questions free trade's unevenness and what governments should do about it.



GREG BLACK

Challenging courts' majority voting rule

Chilean native **Cristóbal Caviedes** won an International Ontario Graduate Scholarship to challenge a key principle of most constitutional courts: the decision-making rule of majority voting. Since not all courts publish the dissents or the vote and not all countries make known which judges signed the opinion, he's questioning whether majority voting is adequately justified and if there are better alternatives. "Institutional development is crucial for developing countries like mine," he says. "Shedding light on political institutions can provide a basis for changing them if the foundations are not well grounded."



GREG BLACK

Law'01 grad new Prison Law Clinic leader; expands students' litigation experience

When Kingston practitioner **Sean Ellacott, Law'01**, took over as director on January 2, Queen's Prison Law Clinic (PLC) deepened its commitment to serving the needs of those incarcerated in the Kingston area's six federal penitentiaries and enhancing students' real-life opportunities to provide legal assistance and representation to them.

The new leader immediately began furthering the clinic's litigation mandate. In addition to drafting grievances, providing legal opinions, representing clients at Disciplinary Court or Parole Board hearings, and conducting on-site meetings with inmate groups, Ellacott hopes to add the opportunity for students to be a part of more complex litigation.

"That means adding a layer to what was already a remarkable opportunity

for law students," he says. "Getting their own client files before tribunals in itself is a great thing for students to be able to do, and they get feedback on running a file."

For him, to have PLC lawyers running litigation will mean the clinic can have a greater impact on the development of Canadian law. It also means students will be akin to articling students on those files, supporting the staff lawyers with the litigation for an underserved community. "A real goal for us is to play a role in shaping prison law in the courts.

"No other agency or firm in Canada does the volume of prison law this Queen's clinic does," he points out. "That's why it should have, and could have, a really strong voice in correctional issues."



Meet the all-alumni team of Prison Law Clinic lawyers at the Queen's Law Clinics in downtown Kingston: Review Counsel Kathy Ferreira, Law'01, and Paul Quick, Law'09; Director Sean Ellacott, Law'01; 2016-17 articling student Nancy Brar, Law'16; and staff lawyer Rachel Eichholz, Law'15.

Queen's Legal Aid bail program, a Canadian first, furthers access to justice

Bail reform is a hot topic in Canada, with pre-trial detention blamed for overcrowding in provincial jails. To tackle the problem, Queen's Legal Aid (QLA) began offering the first and only student bail program in Canada last June to reduce overcrowding at Napanee's Quinte Detention Centre (QDC).

The program, founded by then-Review Counsel Jodie-Lee Primeau and supervised since January by Senior Review Counsel **Susan Charlesworth, Law'81**, sees Queen's Law students helping women accused of crimes and being held in pre-trial detention get a release. Students gain criminal law experience working in partnership with local private lawyers and also in communicating with clients and

community organizations. The end result is a lengthy memorandum detailing a bail plan, avenues of support, and legal issues that may hinder the accused person's access to bail. To date, student caseworkers have met with 42 accused women to help with their release.

When the program started, QDC had 29 women in custody, but, with room for only 19, legally innocent women were triple-bunked or even held in segregation. Within three months, only nine were being held. "Our bail program anticipated the Ontario government's new plan to make the judicial system faster and fairer," says Charlesworth, "and it has been extremely well received."



Karla McGrath, LLM'13

LLM alumna overseeing conjoined Law Clinics

Karla McGrath, LLM'13, has been appointed the first Executive Director of Queen's Law Clinics. While continuing to serve as Director of the Family Law Clinic, she also now oversees all five clinical programs and streamlines them by implementing common policies and procedures when appropriate.

"To date we've done an excellent job of serving our dual goals – providing access to justice and offering superior experiential learning opportunities to students – for which there is tremendous demand. But all the great ideas beget more great ideas, so the next logical step was to make the coordination of that effort the responsibility of one person."

McGrath adds that the opportunity to work with Queen's Law students is a privilege. "They all bring so much energy and enthusiasm to their tasks. It is so rewarding to be here with them as they spread their wings as legal professionals."

Queen's Law Clinics are supported by Legal Aid Ontario, the Law Foundation of Ontario, Pro Bono Students Canada, Law'81, the United Way, law firms, and alumni and industry sponsors.

Queen's mooters are national champs in international competition

Once again winning the Canadian round of the 2017 Philip C. Jessup International Law Moot in Edmonton in February, the Queen's team was one of the top two from Canada to advance to the highly competitive global round of the world's largest moot in Washington, D.C., in April.

According to faculty coach **Darryl Robinson**, ultimately it was his team's preparation and execution that set them apart. "They developed fantastic knowledge of the law and the issues and worked wonderfully as a team," he says. Representing Queen's in Washington (third time in five years) "was a very well deserved outcome in every way."



Queen's Law's winning Jessup Moot Team (l-r): student coach Diana Holloway, oralists Cailleigh Gruner and Jodie Al-Mqbali, Professor Darryl Robinson, researcher Anna-Lee Beamish, oralist Blake Van Santen and student coach Stephanie Bishop. Absent: oralist Kate Mitchell.

Queen's team wins Canada's arbitration competition

Beating out seven teams from across the country, Queen's Law mooters brought home a new trophy for winning the 2017 Mathews Dinsdale National Labour Arbitration Moot. Advocates **Stephanie McLoughlin** and **Geoff Tadema**, both Law'18, presented their case before Supreme Court Justice Clément Gascon, Canada Industrial Relations Board chair Ginette Brazeau, and Ontario Labour Relations Board chair Bernard Fishbein. Faculty coach **Kevin Banks** highlighted the team's "poise, eloquence and adaptability in the face of challenging questions."



Mathews Dinsdale Moot winners (l-r): Professor Kevin Banks, student coach Mary Hayhow, advocates Geoff Tadema and Stephanie McLoughlin, and researcher Natalie Garvin.



ANDREW VAN OVERBEKE

Criminal law teachers saluted by students

Professor Don Stuart accepts his 2016 Stanley M. Corbett Award for Teaching Excellence from Alexandra Terrana, Law'17, Erika Hodge, Law'17, and Paul Socka, Law'18, in the student lounge on April 3. It's the fourth time he has been honoured by the Law Students' Society. Corbett Awards for sessional instructors went to Fenton Smith Barristers' Ian Smith, Law'89, and Amy Ohler, who co-teach Advanced Criminal Law but were unable to attend the ceremony.

Students kick off new era of pro bono service on 20th anniversary

Pro Bono Students Canada (PBSC) turned 20 last fall and its Queen's Chapter celebrated this milestone in style. On September 26, they hosted a volunteer welcome reception featuring the person who inspired the PBSC Family Law Project: **Justice Harvey Brownstone, Law'80**. In an inspiring keynote address to student volunteers, supervising lawyers and faculty members involved with the program in the Kingston area, he reflected on PBSC's accomplishments over the last two decades and spoke about the importance of everyone contributing to its work.

This past academic year saw the Queen's team involved in 29 projects, an expanded number of opportunities in different areas of the law that is expected to continue. These include providing public legal education for newcomers to Canada, people with disabilities and small business owners; helping self-represented clients navigate the court process; and conducting legal research for local public-interest organizations. As **Katie Ling, Law'17**, a PBSC program coordinator, puts it, "We're building on our tradition of meaningful student placements that promote access to justice within our community."



Justice Harvey Brownstone, Law'80, Katie Ling, Law'17, and Tali Golombek, PBSC National Program Officer

Standing and fighting: Students support refugees in wake of U.S. travel ban

U.S. President Donald Trump's initial January travel ban on refugees prompted action from the Queen's Law Refugee Support Program (QLRSP). In February, as part of a Write for Refugees program, the group collected more than 100 signed letters asking Canada's Minister of Immigration, Ahmed Hussen, to suspend the Canada-U.S. Safe Third Country Agreement as legal challenges to these executive orders continued to come forward.

Despite no response from Minister Hussen, the students remain undaunted.

"The reaction from the minister is disappointing but not unexpected," says **Alyssa Moses, Law'18**. "It shouldn't take our focus away from our goals. We have to let him know Canadian people care and want to help. I'm heartened by the reaction of our students."

Her classmate **Yamen Fadel** is emphatic: "We have to make a stand!" Born in Syria, he is a dual citizen who, as of April, is still unaffected by the ban. "But what about the people, including students at Canadian and U.S. universities, who don't have my status? What is going to happen to them?" he asks. "Our response to the minister is we will never stop doing what we are doing. We have to continue to fight."

The letters included a call to denounce Trump's executive order as discriminatory and contrary to Canadian values. They also called on Canada to remove the designation of the U.S. as a safe third country and take immediate steps to offer protection to refugees caught in the middle.

Along with the letter campaign, the QLRSP has undertaken a number of other initiatives to support refugees:

- They joined 21 other Canadian law schools on February 4 for a "research-a-thon," a 12-hour effort to compile as much research as they could to challenge the Canada-U.S.

Safe Third Country Agreement. More than 40 Queen's Law students participated. The research will be used by the Canadian Council for Refugees.

- On February 8, two QLRSP members were discussants in a "Muslim Ban" Learn-In organized by immigration law professor Sharry Aiken. More than 100 Queen's undergraduate students joined the crowd of law students attending.
- The group also started a Tilt campaign to bring a Syrian refugee family to Canada. Last year, Queen's Law contributed to the sponsorship of Syrian refugee Pierre Rahebeh, whose family escaped from Aleppo to Lebanon after their home was destroyed. This time, the QLRSP is working to bring his family to Kingston. Following their latest event, "Pie-ing of Professor Robinson v. Professor Cockfield," they have raised more than \$3,000 to help Rahebeh sponsor his cousins. For more information, see <https://goo.gl/SSKtk3>.

This summer QLRSP will be working with Aiken to set up a Queen's Law chapter for the Canadian Association of Refugee Lawyers.

For all their hard work fighting for the rights of refugees, on April 3 QLSRP received the Law Students' Society's Award for Professional Excellence, for which they were nominated and selected by their peers.

"We owe much of QLRSP's success this year to the amazing support we received from our Queen's Law family," says Moses. "Law students were passionate about protecting refugee rights and professors were eager to help. Next year, we plan to expand on the amazing foundation that has been set, and we hope to keep the amazing momentum going!"

— ANNE CRAIG



Queen's Law Refugee Support Program members accept the 2016–17 LSS Award for Professional Excellence on April 3. L-to-R, students Meg Farrell, Tiffany Huynh, Kanwar Dhaliwal, Yamen Fadel, Stephanie Bishop, Liz Guilbault, Kali Larsen, Alyssa Moses and Michelle Soucy.

ANDREW VAN OVERBEKE

OCA appointment for former criminal law professor

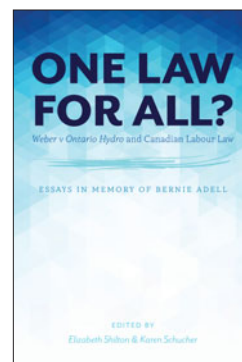
"A lawyer's lawyer, then a professor's professor, then a judge's judge – **Gary Trotter** has done it all, performing at the highest level imaginable every step of the way." In those words, Justice David Stratas, Law'84, of the Federal Court of Appeal, describes the October 2016 appointee to the Court of Appeal for Ontario (OCA). While a practitioner, Trotter served as Crown Counsel in the Ontario Attorney General's office (1988–2000), arguing many cases before the OCA and the Supreme Court of Canada. He then joined *Queen's Law*,



where he quickly became a popular and highly respected professor. His judicial career with the Ontario Court of Justice (Toronto) came calling in 2005. In 2008 he was appointed to the Ontario Superior Court. OCA colleague Justice John Laskin has saluted his sound judgment, criminal law expertise, first-class writing, fair-mindedness and compassion, concluding that "Gary Trotter is a superb addition to our court."

Labour law symposium papers published in book commemorating Bernie Adell

Queen's Centre for Law in the Contemporary Workplace (CLCW) hosted a symposium in 2015 to mark the 20th anniversary of *Weber v Ontario Hydro*, a landmark Supreme Court labour law ruling. The event also commemorated Professor Bernie Adell, *Queen's* renowned labour and employment scholar. Now, Irwin Law has published the collection of conference papers in *One Law for All? Weber v Ontario Hydro and Canadian Labour Law*.



"The symposium brought together a remarkable mix of Canadian and American scholars with an interesting range of perspectives on the *Weber* decision itself and on broader questions about labour and employment rights," says Elizabeth Shilton, co-editor and CLCW Senior Fellow. "Professor Adell was involved in the symposium's early planning," she continues. "After his unexpected death in 2014 we felt that publishing the essays – a significant contribution to Canadian labour law scholarship that provides helpful insights into practical problems posed by *Weber* – in book form was an important memorial to his work." Read about the book at <https://goo.gl/hvGvtf>.

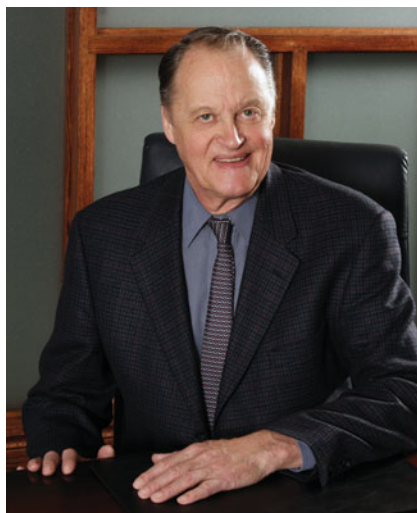
Remembering David Bonham – 'an excellent teacher and a very fine man'

The *Queen's* Law community was saddened by the passing of David Bonham at his Kingston home on September 11, 2016. For 30 years starting in 1965, the Saskatchewan native, CA and Harvard Law grad was cross-appointed to the Faculty of Law and School of Business, teaching business law and taxation courses. He also served as Vice-Principal Finance (1971–1977) and Vice-Principal Resources (1984–1988).

Former student Doug Baggs, Law'68, recalls that "Professor Bonham was an excellent teacher and a very fine man."

Though still on faculty, Bonham became a partner in 1978 at the Kingston firm that began as Cunningham Little Bonham and Milliken; he retired in 2009 as counsel at the renamed Cunningham Swan Carty Little & Bonham LLP, by then the largest law firm in southeastern Ontario.

"He was a wonderful law partner and friend," says Douglas Cunningham, Law'67, a former colleague and a



David Bonham

former Chief Justice of the Ontario Superior Court of Justice. "I first met him when he was my professor, and years later my father Ben, Bob Little (Arts'58, Law'61), Peter Milliken (Arts'68) and I prevailed upon David to join us in the practice of law – clearly

one of the best decisions we ever made. He created a culture of integrity, compassion and excellence."

Bonham eventually became a founding member of the Retirees' Association of *Queen's* and long-time Chair of its Pension Committee. He received three significant *Queen's* honours: the Padre Lavery Award (Kingston Alumni), John Orr Award (Toronto Alumni) and Distinguished Service Award (University Council, 2015).

He was also highly regarded for his faith-based devotion to community organizations, notably the Board of Directors of University Hospitals Kingston Foundation and Hotel Dieu Hospital, Hospice Kingston, and the Anna and Edward C. Churchill Foundation.

Surviving family members include his wife, Heather, their sons Scott (Sc'84), Warren (Com'85) and Andrew, Law'96 (Sc'91, Arts'92), their wives and eight grandchildren.

– ANTHONY PUGH

'Supreme' events – three judicial insights shared in Macdonald Hall

November 4, 2016: **Justice Thomas Cromwell, Law'76, LLD'10** (Mus'73), just two months after retiring from the Supreme Court of Canada (SCC), gave a talk on many of the barriers to successful implementation of access to justice, including a lack of tools to measure change, insufficient resources, and a legal culture that is not always conducive to change (watch the video at <https://goo.gl/IHOzut>). The talk wrapped up a four-day visit to his alma mater (see pp. 14–15).

November 18, 2016: SCC **Justice Rosalie Abella, LLD'85**, shared stories of her experiences – from breaking into the judiciary as the youngest and first pregnant judge in the country to becoming the first Jewish woman to sit on its

highest court. In a special question-and-answer session, students quizzed her about her views on topics such as judicial activism, increasing diversity on the SCC, and the state of the world today.

February 9, 2017: Former SCC **Justice Marshall E. Rothstein** shared personal anecdotes from his time on the Court, 2006–2015, as well as his knowledge of how the Court works behind the scenes. His day-long visit culminated in a panel discussion on his legal insights to launch the book *Judicious Restraint: The Life and Law of Justice Marshall E. Rothstein*, a collection of academic papers discussing his contributions to Canadian law.

QLR



ANDREW VAN OVERBEKE

Justice (ret'd) Thomas Cromwell, Law'76, LLD'10



ANDREW VAN OVERBEKE

Justice Rosalie Abella, LLD'85



BERNARD CLARK

Justice (ret'd) Marshall Rothstein

Congratulations to our 2017 Alumni Award recipients!



Stephen Sigurdson, Law'84 (posthumously)
H.R.S. Ryan Law Alumni Award of Distinction



Erin Dann, Law'07
Dan Soberman Outstanding Young Alumni Award



Justice Mark Peacock, Law'74
Justice Thomas Cromwell Distinguished Public Service Award



Jeremy Freedman, Law'82
J.A. (Alec) Corry Distinguished Alumni Award



GREG BLACK

MORE ONLINE! Watch for articles about these award winners in the summer issue of *QLR Online*.

Fellow alumni and other Queen's Law community members can nominate a deserving grad for one of the 2018 awards. Check out how at alumniawards.queenslaw.ca

Another year of career highlights for our globe-trotting professors



SPRING CONVOCATION 2016: Dean Bill Flanagan (7th left) and LLD honoree Ron McCallum, LL.M.'73 (8th left), with Professors Essert, Webber, Cockfield, Stuart, Bailey, Metcalf, Carter, Pratt, Baines, McCormack, Banks, Peppin, Robinson, McGrath and Hanson.

Sharry Aiken taught a short course in International and Comparative Refugee Law at Tel Aviv University (May 2016), organized a "Learn-In" on campus, and continued her research on "crimmigration" and asylum. She was appointed co-chair of the Canadian Centre for International Justice.

Bitu Amani, Co-Director of Feminist Legal Studies Queen's (FLSQ), co-organized a conference on gender-based analysis and gender budgeting. She is working on several projects, including relational feminism and genetic privacy; copyright, privacy and identity in the digital age; and the existential crises of IP rights regimes.

Martha Bailey focused on the intersecting laws of international child abduction, extradition, and immigration; the best interests of the child principle; and incest. Her articles appeared in the *Supreme Court Law Review* and the *International Survey of Family Law*.

Beverley Baines published an article on women's constitutional rights (*Atlantis*) and a book chapter on polygamy (*The Public Law of Gender*), and delivered presentations on Canada's first women law professors (Germany), sex equality (Osgoode), and women judges on constitutional courts (Queen's).

Nick Bala published and presented on such topics as ethical obligations of family lawyers to children, parental alienation, access to family justice, shared parenting, views of children in family cases, international child abduction, and experts' roles in family cases. With Professor Maur, he's preparing the 2018 edition of the *Family Law* casebook.

Kevin Banks, Director of Queen's Centre for Law in the Contemporary Workplace and Editor-in-Chief of the *Canadian Labour and Employment Law Journal*, published on employment standards, labour arbitration, workplace discrimination and social inclusion. He continues as Panel Chair in the first international arbitration on labour law obligations under a free trade agreement.

Art Cockfield wrote *Introduction to Legal Ethics* (2nd ed., LexisNexis) and presented tax law papers at Queen's, New York University, University of Toronto, University of Hawaii, and elsewhere. He was also co-awarded a research grant on terrorist financing and consulted with Canada's financial intelligence unit, FINTRAC.

Christopher Essert continues to research and teach about property and homelessness. He presented his research at the University of Southern California

and Harvard, and had his major work on the subject published in *Philosophy and Public Affairs*. In winter 2017, he was a visiting professor at UCLA.

David Freedman served as Associate Dean (Graduate Studies and Research) and co-authored *Oosterhoff on Wills* (8th ed., Carswell, 2016). He also spoke and published on charging clauses in wills and issues dealing with competing claims over life insurance proceeds.

Leslie Green published "Law and the Role of a Judge" in Ferzan & Moore, *Legal, Moral, and Metaphysical Truths* (2016), and "The Forces of Law" in 29 *Ratio Juris* (2016). His many public lectures included the John Dewey Lecture (Chicago), Newcastle Law School's Annual Lecture, and Osgoode's 'Or 'Emet Lecture. He visited the National University of Singapore this spring.

Lynne Hanson continued to pursue interdisciplinary teaching strategies in mental health law and reviewed a book for the *Canadian Journal of Law and Society*. She also continued as President of Queen's University Faculty Association.

Gail Henderson is part of a research team awarded \$92,500 by the Law Foundation of Ontario to examine gaps in protection for low-income investors in group plan RESPs.

Her article on community contribution companies and access to justice was published in the *Canadian Bar Review*.

Tsvi Kahana, Academic Director, Queen's/Tel Aviv Faculty Exchange and Research Program, organized an international campus conference for the program supported by the Jeremy and Judith Freedman Family Foundation. He also co-edited *Boundaries of State, Boundaries of Rights: Human Rights, Private Actors, and Positive Obligations* (Cambridge).

Joshua Karton published on topics as varied as mistranslated testimony and the influence of Confucian culture on dispute resolution procedures. He presented his research at conferences on three continents and started work on a guidebook for Canadian judges on international arbitration law.

Lisa Kelly co-edited the collection *Judicious Restraint: The Life and Law of Justice Marshall E. Rothstein* for LexisNexis and the *Supreme Court Law Review*, presented on the history of corporal punishment at the American Society of Legal History and on abortion travel at a Reproductive Justice symposium at Florida International University.

Lisa Kerr published a chapter in *The New Criminal Justice Thinking* (NYU Press), case comments in *Criminal Reports*, and op-eds in the *Globe and Mail*. She gave public talks in Ottawa, New Orleans and Dublin, taught Criminal Law and Sentencing and Prison Law, and co-coached the Gale Moot team.

Mohamed Khimji, first Allgood Professor of Business Law, published in the *Ottawa Law Review* on the efficiency of the oppression action in Canadian corporate law. He is also a co-author and co-editor of *Business Organizations: Principles, Policies and Practice* (2nd ed., forthcoming, Emond Montgomery).

Erik Knutsen co-authored, with Jeff Stempel, a 3,000-page treatise on American insurance law. He also co-authored a new edition of the Canadian civil procedure casebook. He was awarded a large federal SSHRC grant to study insurance coverage.

Kathleen Lahey, Co-Director, FLSQ, published "The Alberta Disadvantage: Gender, Taxation, and Income Inequality"

report, organized FLSQ's international conference on "Women and Tax Justice," presented numerous papers internationally on gender, taxation, and economic development, and is conducting comparative fiscal policy research funded by SSHRC, Wallenberg (Sweden), and the European Commission's Horizon2020 program.

Nicolas Lamp wrote about multilateral trade lawmaking for the *Vanderbilt Journal of Transnational Law* and the *London Review of International Law*. He presented at several conferences, including at Harvard and New York University School of Law.

Mary-Jo Maur co-chaired the LSUC's Family Law Summit and published papers on costs and innovations in family law procedure. She taught Torts, Family Law, Introduction to Lawyering Skills, and an introduction to Canadian law for undergraduates, focusing on blended learning innovations for law school classrooms.

Nancy McCormack co-authored *The Annotated Federal Interpretation Act*, contributed to the encyclopedia *Privacy Rights in the Digital Age*, and gave the keynote address at the New Law Librarians' Institute (Ottawa, 2016). Excerpts from her book, *The Practical Guide to Canadian Legal Research*, are accessible through WestlawNext under "Research and Writing Tools."

Cherie Metcalf, Associate Dean (Academic), taught Public and Constitutional Law and co-supervised the Laskin Moot team. She presented her research at conferences at the University of Toronto, Harvard Law School, and the University of Texas at Austin's Law School.

Wanjiru Njoya wrote chapters for *The Autonomy of Labour Law* (Oxford) and *European Labour Law* (Kluwer), wrote the *Industrial Law Journal's* tribute to Lord Bill Wedderburn, and contributed to "The Fissured Workplace" symposium published in the *Comparative Labor Law & Policy Journal*.

Bruce Pardy debated at the Oxford Union and for the Runnymede Society; published in the *Journal of Environmental Law and Practice*, the *Osgoode Hall Law Journal* and the *National Post*; and was featured on CBC Radio's *Sunday Edition* and *The Current*.

Patricia Peppin is presenting two papers at the International Academy of Law and Mental Health in Prague in July, on conscientious objection and medically assisted dying and on current drug regulatory provisions. She has also organized two panels for the conference.

Michael Pratt delivered conference papers in Vancouver and Los Angeles, contributed to casebooks on the law of remedies and the law of contract, and submitted for publication a paper on the concept of betterment in the law of damages.

Darryl Robinson received a shared partnership grant on strengthening international justice (\$2.5 million) and a research grant on crimes against humanity (\$91,000) (see page 2). He submitted an *amicus curiae* brief in the Khmer Rouge prosecutions in Cambodia, published an article in the *American Journal of International Law*, and presented his research in Toronto, Ottawa, and The Hague.

Don Stuart continues as editor-contributor for *Criminal Reports* and the *Criminal Essentials* eletter for judges, and is writing a 7th edition of his *Charter Justice* textbook. He contributed a chapter to the *Oxford Handbook of Constitutional Law* (the Canadian Charter's effect on criminal justice), and presented at a National Judicial Institute conference in Vancouver on excluding evidence obtained in violation of the *Charter*.

Jean Thomas published her first book, *Public Rights, Private Relations* (Oxford), conducted peer reviews for the journal *Canadian Women and the Law*, and was a faculty advisor for *Queen's Law Journal*.

Grégoire Webber, MSM, Canada Research Chair, took leave last August to serve as Legal Affairs Advisor to the Minister of Justice and Attorney General of Canada. He hosted the Colloquium "Legal and Political Philosophy"; was visiting senior fellow at LSE; and has a monograph and collection forthcoming (Cambridge).

Jacob Weinrib presented research at both Oxford's Faculty of Law and Faculty of Philosophy. Two of his forthcoming articles have been translated – one on proportionality into Spanish, and one on the foundations of public law into Russian.

QLR

Students always first in Assistant Dean's career

Jane Emrich has a unique perspective on changes that have reshaped her alma mater and the legal profession

BY KEN CUTHBERTSON

Jane Emrich, Law'77 (Artsci'74), who will retire this spring as Law's Assistant Dean of Students, has been a student, a teacher and a senior administrator during her 47-year involvement with the university.

"I grew up in Toronto but wanted to go away to attend university," she says. "When I visited Queen's, I fell in love with the campus."

After earning an honours BA in English literature, she considered law as a possible career path. "Being a pragmatic person, I've always enjoyed critical thinking. I thought I might enjoy studying law, and I did."

In the autumn of 1974, Queen's Law had about 450 students. The first-year class was organized in sections, as it still is, and Emrich recalls how students in these small groups developed an abiding sense of community. "I also have fond memories of studying under some truly outstanding teachers, several of whom exerted profound influence on my life and career. Don Carter [Arts'64, Law'66] particularly did so. He fostered my interest in employment and labour law."

Following graduation, Emrich articulated with and then joined the Kingston law firm known at the time as Cunningham Little Bonham and Milliken. Then in 1982 she launched a solo practice after completing the Ontario Ministry of Labour's Arbitrator Development Program. Over the next two decades, she won a stellar reputation as a labour arbitrator, adjudicator and mediator.

It was in 1987 that she began teaching part-time at Queen's Law, the School of Industrial Relations and

the School of Business with the encouragement of Don Carter – first as Director of both the Industrial Relations Centre and School (1985-1990), and then as Dean of Law (1993-1998).

"Jane was very accomplished in her practice, and I knew how personable she was," says Carter. "I sensed that she'd be a great teacher, and she proved me right."

Never one to shy away from a challenge, in 2001 Emrich responded to changes in her personal life by closing her practice to become Law's full-time Registrar. From this vantage point she saw how much the university and the law school were becoming "cognizant of the broadening need for student support."

A significant aspect of Emrich's efforts both in and out of the classroom was always her concern for students.

"It really seemed to matter to her that we enjoyed her class and understood the course material," says Andrea Boctor, Law'02 (Com'99), now a partner with Stikeman Elliott LLP in Toronto. "She cared about us and our academic success. Her classes were always engaging, thorough and interactive. It was a pleasure to learn from her."

Rob Thomson, Law'13, an Assistant Crown Attorney in Ottawa, echoes those sentiments. He came to know Emrich well during his 2012-13 term as Law Students' Society president. "Jane always cared how we were doing as individuals," he says.


She relished becoming more involved in advising and mentoring students so much that in 2006 she moved from Registrar to Assistant Dean of Students under Dean Bill

Flanagan. "I stayed put in Macdonald Hall, but my job grew," she says.

How could it not have? The law school's home has since then undergone renovations, modernization, and expansion to accommodate a student enrolment that is now 600; the curricula have been updated to meet the changing needs and realities of the legal profession, and technology has been a game changer, profoundly impacting every aspect of administration, teaching, and student-teacher interactions.

Over her last 16 years in senior roles, Emrich has been instrumental in effecting some of those changes, for instance overseeing the school's 2003 transition from paper to online applications for admission (a far cry from her student days of filling out paper forms by hand or typewriter and then mailing them) and the 2016 conversion to electronic student records. She also led a 2007 project that enables students to write examinations electronically on their laptops. Most recently, she has led the quality assurance review processes that demonstrate to both the university and the Federation of Law Societies of Canada that the school's curriculum and assessment methods effectively prepare Queen's Law students for licensing in today's profession.

The most dramatic changes Emrich says she has seen, though, involve the growth in student services and resources – for academic and personal support and in career development – and the gender balance and diversity of the student population. "When I was a student, only 25 per cent of law students were female," she notes.



“Jane Emrich cared about us and our academic success.”

– Andrea Bactor, Law’02

“Today that number is about 50 per cent.” It’s a reality that reflects itself in the atmosphere around Macdonald Hall and in a growing emphasis on achieving healthy “work-life balance” in the legal profession.

“Although it’s striking to see how much the ethnic diversity of our student body has changed to better reflect the overall make-up of Canadian society,” she says, “more can

always be done to make law school accessible and inclusive for equity-seeking students.” Overall, as she makes way for her successor, she’s confident Queen’s Law will continue to evolve and adapt in a rapidly changing world.

As for herself, Emrich notes that she has never been a person to be bored or to wonder what she’s going to do next, but even retirement may

not give her enough time to do everything she’s planning: cultivating her musical interests, reading, volunteering, and engaging in more physical activity, such as walking her dog and gardening.

And of course she’ll be keeping an eye on what’s happening on campus. “How could I not?” she says, smiling. “After 47 years, I’m a dyed-in-the-wool Queen’s person.”

QLR

A VIEW FROM THE TOP: Retired SCC Justice Cromwell gets candid

Two months after retiring from the Supreme Court of Canada, Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73), was warmly welcomed back to *Queen's Law* for a four-day visit during the first week of November. He gave a lecture on access to justice (see pg. 9), guest-lectured in five classes, toured the downtown *Queen's Law* Clinics, attended a reception for local lawyers and judges, and participated in a roundtable with graduate students.

He also took time to sit down with *Queen's Law Reports* editor Lisa Graham to share his perspective as a judge serving on Canada's top court, to talk about his continuing involvement with his alma mater, and more.

QLR: How would you sum up the experience of serving on Canada's top court?

CROMWELL: Number one, it's a huge responsibility. Any judging is a big responsibility, but the nature of the cases that come to the Supreme Court often engage the national interest on a pretty large scale, so you certainly feel that sense of responsibility heavily all the time. Second, it's a tremendous honour. The chances of being appointed to the Supreme Court are probably worse than getting struck by lightning, so you feel very fortunate that you were given the chance to do the job. Third, it's a great professional joy because you're working on some very challenging legal questions with very, very excellent legal minds: colleagues, a wonderful assortment of bright young law clerks, and excellent counsel arguing their cases.

QLR: What do you want your legacy to be?

CROMWELL: To be honest, I'm not somebody who thinks about a legacy as such. It seems to me that the judge's responsibility is to judge justly according to law in every case, so I never approached my judicial work with a sense of making a particular contribution beyond that, but I think every judge hopes to be remembered as somebody who was diligent, worked hard, did his or her best to be impartial, really tried to find the principles in play in a case and, in some cases, tried to develop and apply those principles in a rigorous and a just way. If some people think that I managed to do that, I'll be quite happy.

QLR: You also worked concurrently as Chair of the National Action Committee on Access to Justice in Civil and Family Matters. What becomes of that now?

CROMWELL: I'm very excited to be continuing in that work. The Chief Justice (Beverley McLachlin) asked me to stay on as chair, so I'm going to do that with great enthusiasm, and it will be really tremendous to do that without the pressures of 'the day job.' I think almost everybody who's involved in that initiative is very heavily committed professionally elsewhere, so I feel very lucky that I'll have a little more time to devote to that work.

QLR: What advice would you give law students and legal professionals interested in judicial careers?

CROMWELL: Become the very best lawyer you can be, develop the highest reputation for not only professional competence but professional ethics, and take an interest in your community. I think increasingly the appointing authorities are not only interested in people's legal capabilities, talent and work ethic, but also in their engagement with the community. After all, judging is a very human process and I think the judges who bring a lot of volunteer and other community-based experience to the bench thrive and make a big contribution.

Don't view it as your only career aspiration, because simple numbers will tell you that the odds of one of the 38,000 members of the Canadian Bar Association getting appointed to one of the 1,000 federally appointed judicial openings or the other judicial openings at the provincial court level statistically aren't in your favour. So don't pine after it, but prepare yourself in case the opportunity presents itself.

"I think increasingly the appointing authorities are not only interested in people's legal capabilities, talent and work ethic, but also in their engagement with the community."



ANDREW VAN OVERBEKE

Justice Thomas Cromwell, Law'76, LLD'10, responds to questions during his QLR interview in the Macdonald Hall faculty lounge on November 2.

QLR: You've remained engaged with Queen's Law, attending Homecoming and other alumni gatherings, as well as speaking at events for students and faculty. Why is such engagement important to you?

CROMWELL: It's really important to be involved with the law school for at least a couple of reasons. One is you hope you can at least make a minor payment by instalment on all of what we were given as students at Queen's. I think all of us are grateful for the time, effort and personal interest that our faculty and our fellow students devoted to us to help us become better lawyers. Also, in my case at least, it's just a stimulating and enjoyable experience. I've been here a day and a half of my week back at the Faculty and I'm already just so impressed with the brightness of the students. I find it invigorating and very enjoyable, so it's not selfless to make the time to spend with law students and faculty here.

QLR: Does a particular Queen's Law experience stand out for you?

CROMWELL: On the academic side, I remember a lot of very intense intellectual conversations with many faculty members outside of class. Doors were always open and

professors seemingly were able to spend hours with us debating points. I remember one professor, who after a two-hour exchange on some point, looked at me and asked, 'Why do you expect me to be so perfect?' Obviously I was a very demanding young lawyer at the time.

Some practical experiences in clinical law were also highlights. I was lucky enough to be in the second class of what was then called the Correctional Law Project with Professor Ron Price. The first time I was ever in the office of the Chief Justice of Canada was with Professor Price in connection with a case he had before the Supreme Court. It never dawned on me when I was sitting there in awe of Chief Justice Bora Laskin and the surroundings that I would be working for Chief Justice Antonio Lamer in 20 years (as Executive Legal Officer), let alone I would be in the office next door as a member of the court 30 years later. History plays some funny tricks on us, but those kinds of experiences – going to court, being involved in test case litigation, seeing judges and lawyers in action – those are other highlights of my student time.

On February 21, the Honourable Thomas Cromwell joined Borden Ladner Gervais LLP (BLG) as counsel in the firm's Ottawa and Vancouver offices.

QLR

LLM alumna continues to make New Zealand history

Damehood *and* Supreme Court appointment for Ellen France

BY KIRSTEEN MACLEOD

2016 was an incredible year for one of the most remarkable jurists to come out of the Master's program at Queen's Law. For Ellen France, LLM'83, expertise in constitutional and administrative law, as well as a deep knowledge of government processes, has led to two notable distinctions: an appointment to the Supreme Court of New Zealand and being named a Dame by Queen Elizabeth for her services to the judiciary (Queen's first known law alumna so honoured).

The Honourable Justice Dame Ellen France, as she is officially known, says she's "a bit overwhelmed by the title," but seeing the recognition "really as a reflection on the work of the court" gratifies her.

"It's a real privilege being involved in the decision-making of our final court. The range of work is varied and interesting," she says, describing her new role as Justice of the Supreme Court, based in Wellington.

Before her July 2016 appointment, France had been the first woman president of New Zealand's Court of Appeal for nearly two years. Last year, she sat on the first all-female bench in that court's 153-year history. Her 2014 appointment also meant that, for the first time ever, women were leading all three branches of the country's judiciary, and France was the court's first woman president.

France joined the Court of Appeal in 2006 and before that was appointed a High Court Judge in 2002, was Deputy Solicitor General for public law, Crown Counsel for the Crown Law Office, and Senior Legal Adviser in the Reform Division of the Department of Justice.

A native New Zealander, France has spent all but six months of her illustrious career in her homeland. The time away was for a short-term contract with the Law Commission of England and Wales, working on their Adoption Law Reform project in London.

Legal work, she says, keeps her inspired. "I love the law, getting into a problem and trying to work out how the law deals with it. I am also a firm believer in the importance of public service; I want to do the job well because it affects people's lives."

Her husband and LLM'83 classmate, Simon France, is a High Court Judge. "We do talk about law over dinner," she admits, "but we have lots of other interests, including sports of most kinds, arts, and current affairs."

The two met at the University of Auckland and decided on Canada for

graduate studies. "It had a similar legal system we could learn from, and we liked what we knew about the country," she recalls. "Queen's fit the bill: there was a good mix of faculty specialization, and we were lucky to receive some funding."

Queen's Law, she adds, had a major influence on both her and her husband. "I was very lucky to have Noel Lyon as my thesis supervisor, and Simon had the benefit of Don

"I am a firm believer in the importance of public service; I want to do the job well because it affects people's lives."

Stuart as his. They fostered our interests in the areas of the law to which we ultimately devoted ourselves. For Simon, that was criminal law and evidence; as for me, I was inspired to develop expertise in administrative and constitutional law."

How fortunate for New Zealand that Dame Ellen's Queen's Law studies set the course for her brilliant, ground-breaking career!

QLR



Leading the charge for change in Ontario

Equality advocate Kirsti Mathers McHenry gave the province its push to reform parental recognition law

BY KIRSTEEN MACLEOD

Two years is fast for legal reform – it's a sign that people were really ready for it," says Kirsti Mathers McHenry, Law'03, a driving force behind Ontario's new Bill 28, named the *All Families Are Equal Act*. "Clearly, the law had not caught up to same-sex marriage and modern families."

Now, many more parents are recognized equally in Ontario, whether they are gay or straight, and whether their children are conceived with or without reproductive assistance, says Kirsti. Bill 28 was passed unanimously in December 2016.

"The reform means more security for children, and it gives parents like me the recognition required to care for and protect our children," Kirsti says.

This quest for legal reform was sparked by a harrowing personal experience, when her wife, Jennifer Mathers McHenry – also a lawyer, a partner at Teplitsky, Colson LLP and member of the Colson Group – had a medical emergency while giving birth to the couple's first child.

"In those moments when Jen was struggling, it wasn't clear whether she would live," Kirsti recalls. "I had waves of panic: I was scared for her, but also because I wasn't considered a legal parent. I knew I might not be able to take the baby home from hospital if need be, or make medical decisions for our daughter, which put her in possible jeopardy." Despite a complicated labour, Ruby was born in good health and Jennifer recovered. Kirsti pursued and won a legal declaration of parentage from the courts, which established that she was – and had been – Ruby's parent since birth.

Her extra burdens as a same-sex parent weren't over, however. In 2014,

she was ready to take leave after Jennifer gave birth to the couple's second baby, Cy, but her parental declaration didn't come through in time and she was denied benefits. "We were able to weather that financially, but for many parents, that leave income is essential to enable them to stay home to care for their child. It just isn't fair. I knew I had to stand up and do something so that other LGBTQ families did not have to face this discrimination."

Galvanized, she reached out to the office of Premier Kathleen Wynne (Artsci'77) and her MPP, Peter Taubuns, and initiated a law reform process. She and Jennifer worked closely with family lawyer Joanna Radbord, a partner at Martha McCarthy & Co., and New Democrat MPP and LGBT Critic Cheri DiNovo, who introduced a private member's bill in fall 2015. Cy and Ruby's Law – named for the couple's son Cy, now two, and daughter Ruby, now six – was modeled on British Columbia's legislation.

"Cy and Ruby's Law made it to second reading, but not beyond, so our next hurdle was to develop something that would actually be passed," Kirsti says. "In 2016 we worked with the provincial Liberals to introduce the *All Families Are Equal Act*, which had a lot of the same elements but was better in the end, as it was more inclusive."

Kirsti, who previously worked to affect change as a staff lawyer at Legal Aid Ontario (LAO) by addressing issues such as the development of family law services, is a former member of the Law Society of Upper Canada's Equity Advisory Group. She also testified before the Standing

Committee on Social Policy that considered Bill 28.

Asked about the rewards of tackling legal reform, she says one was working with an amazing team. "We worked with incredible people – lawyers, community activists and other parents who wanted to help change this law. We had lots of late nights at the kitchen table and in government offices talking about strategy and different ways to improve the law."


Working with the government, she adds, resulted in a better process, which included consultations in summer 2016 to ensure that many different voices were heard and varied perspectives brought forward.

"In the end, we got recognition for multi-parent families; there's a lot in this law that's great for transgender parents and genderqueer parents; and we made progress on surrogacy issues," Kirsti says. "I'm most proud that we got to work on a bill that is so inclusive and helps so many people. It really feels like a leap forward, as opposed to a little step forward."

It was at *Queen's Law* that she learned about the substance of the law, and also its impacts. "When I think about the classes I took with Bill Flanagan and others," she reflects, "there wasn't any question that the law was a tool that could be used to promote equality and fairness and help people with their lives. That training helped me to think critically about the law and its role in society and to develop the skills I needed to become an effective advocate – and in this case, to get the law changed."

Fortunately for many other Ontario parents, *Queen's Law* inspired an advocate ready to fight for recognition and their rights.

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"We got recognition for gay, transgender, genderqueer, and multi-parent families. It really feels like a leap forward."

Kirsti Mathers McHenry, Law'03 (right), with wife Jennifer and their children, Ruby and Cy, at Queen's Park on February 20 – Family Day in Ontario.



Paving women's paths to career success

Law'91 alumnae discuss how diverse routes can lead to fulfillment

At Homecoming to celebrate their 25th anniversary last October, a sampling of Law'91's women grads shared their individual journeys to professional and personal fulfillment. Some still practise law; others are in business and government. All agree that challenges, change and curiosity shaped their paths to their current careers. Before an audience of Queen's Law students, they shared their stories – paths to success that may also inspire grads of any age who “have a professional itch to scratch.”



TIMOTHY FORBES

PARTICIPANTS

- 1 **Samantha Horn** (co-moderator), Partner, Stikeman Elliott LLP (Toronto)
- 2 **Judy Goldring** (co-moderator), Executive VP and Chief Operating Officer, AGF Management Limited (Toronto)
- 3 **Monique Smith**, Government of Ontario's Representative in Washington, D.C.
- 4 **Anne Turley**, Senior General Counsel, National Litigation Sector, Department of Justice (Ottawa)
- 5 **Janice Wright**, Partner, Wright Temelini LLP (Toronto)
- 6 **Sacha Fraser**, Senior Counsel, Xerox Canada Ltd. (Toronto)
- 7 **Christa Nicholson**, Partner, Jensen Shawa Solomon Duguid Hawkes LLP (Calgary)
- 8 **Paula Locke**, Barrister and Solicitor, Locke & Associates (Toronto)
- 9 **Sarah Powell**, Partner, Davies Ward Phillips & Vineberg LLP (Toronto)
- 10 **Stephanie Willson**, Chief Professional Resources Officer, McCarthy Tétrault LLP (Toronto)
- 11 **Patrice Walch-Watson**, Senior Managing Director, General Counsel & Corporate Secretary, Canada Pension Plan Investment Board (Toronto)
- 12 **Patricia Lawrence**, Research Lawyer, Emond Harnden LLP (Ottawa)
- 13 **Gillian Tuck Kutarna**, Partner, Miller Thomson LLP (Guelph)

How did you develop a career that was right for you?

LOCKE: I practise criminal law exclusively. It was the only area that piqued my interest as a student. Three years at Queen's Legal Aid really sparked an addictive excitement for litigation.

WRIGHT: I knew as a student I would be a litigator, though securities litigation was not on my radar. I fell into it because a wonderful mentor gave me an enormous amount of responsibility surprisingly early in my career.

POWELL: I'm an environmental lawyer working entirely on issues within that subject area – hearing and defence work, straight M&A (mergers and acquisitions), securities, etc. Opposite to Janice (Wright), my interests took me directly into my field.

NICHOLSON: After 20 years in large national firms, I practise in a commercial litigation and insolvency law boutique primarily because of mentors, so I encourage young people to connect with excellent practitioners. Pursue your passion. More women will remain in practice when we love what we're doing.

HORN: I articulated at a full-service firm, Stikeman Elliott, uncertain of my interests, but chose a corporate law focus as I had taken economics for two years in undergrad at Queen's. I articulated for six months in litigation and six months in corporate. A mentor involved me early in M&A doing venture capital, trusting me to handle small files independently. As a second- and third-year associate, I was already supervising colleagues' small deals. Never shy away from the opportunities small deals offer. You learn from their multitude of issues how to handle much larger deals.

WALCH-WATSON: I started at Torys as a summer student, then became an M&A lawyer. I did a lot of deals, worked with great clients, served on management committees, and was quite happy. Then CPP Investment Board called, and 16 months ago I became General Counsel there, my chance to combine law and business. Now I look at global transactions more strategically.

TUCK KUTARNA: My career has been a series of zig-zags. I entered law school a little older and already married. Upon graduation, we moved to Germany (my husband's a pilot) and started our family there. I see now what an exciting time it was for Law'91. The school pushed boundaries, asked good questions about women's roles, where law would take us, and our thoughts on Canadian law's direction. We graduated knowing there's no single path in law; we could make our own way,

"We graduated knowing there's no single path in law; we could make our own way. That was empowering."

– Gillian Tuck Kutarna

standing on the shoulders of professionals who carved new paths so that women could make their own choices. That was empowering. With four children, I struggled to reconcile parental demands and finding a career path. I worked at very small firms in Cold Lake, and Georgetown, and spent five years with a legal aid clinic. While at home with the kids, I served on a hospital board and chaired a school board. At 49, I became Miller Thomson's oldest associate. I still appreciate how Queen's taught me that I had and have choices, and then informed them.

TURLEY: My interest in litigation was sparked by Queen's Legal Aid. For articles, I chose the Department of Justice so I'd get the most on-my-feet experience. It didn't disappoint. I was in Tax Court, Criminal Court, before the Labour Relations Board, and doing my own cases. I'm a lifer with the Department 25 years later, still doing civil litigation with boundless opportunities.

LAWRENCE: I graduated passionate about certain subject areas, and I've always found jobs doing the kinds of law I like. After a master's degree in Auckland, I came home and landed a contract at the Canadian Human Rights Commission. The anxiety and stress of litigation were signs of a bad fit, so I moved to the Justice Department, first in policy, then aboriginal law. Government cuts and changes in 2012–2013 forced me to reconsider





government service, so at 46 I tried private practice with a research position in labour and employment law. In a sense, my “clients” are other lawyers. That lets me better manage and juggle career and family challenges. It’s a good fit for me.

GOLDRING: I got into law so I could hang my own shingle, make my own money, and use skillsets different from other family members’ and still end up in the family business, which I ultimately have done. After seven years in private practice, I joined AGF as General Counsel, moving into more senior management roles. Now, I’m completely out of law. I’m one of those dangerous lawyers. I know plenty, but not enough to really be helpful, so now I just push my legal team and say, “Why can’t we do this?”

FRASER: I loved my 10 years on Bay Street – an exciting, diversified, litigation experience at McCarthy Tétrault. Then I had kids and wanted more scheduling predictability. I’m at Xerox now. I’d say such moves involve timing and some luck. I’d come back from maternity leave to fewer files than before I left. A partner I asked about more commercial litigation files said he’d just got in a couple from Xerox. “You’ll love this client,” he said. For the first time, I could really relate to a client’s culture in the way they conducted business. And they were, surprisingly, interested in me as a litigator in-house. Xerox hired me six months pregnant.

I had to learn new things to do commercial work. Privacy was just becoming a big issue, so I convinced our CEO to appoint a chief privacy officer, which turned out to be me. I also loved my first 10 years as in-house counsel at Xerox, but

started to feel I wasn’t stretching myself. At the time, we were incubating a new business, with my legal input. Needing someone to run the operation, they suggested I go play a business role for a while. That then became three business roles, three fabulous growth stretch experiences.

When the clock struck five years, I didn’t want to stay away from law much longer. The business I was responsible for was stable, so it was a good time to return to law. I love being back; it’s really rewarding combining business with legal. In order to have a rewarding and exciting career in business or law, I recommend going where the growth is.

WILLSON: I started at Stikeman Elliott because it offered opportunities to rotate and try different practice fields. Keeping an open mind is the best advice I can give, and my own career is proof. I was happy being a litigator for five years, not looking to make a move, when the firm that’s now McMillan LLP called, out of the blue. “Recruiting talent is getting much more competitive,” they said. “We need to professionalize how our partners recruit and develop lawyers. You do a lot of this for Stikeman and The Advocates’ Society. This is a full-time job. Would you be interested in giving up your practice?” This work had never occurred to me, but I knew a lot of people were leaving law and thought I could help McMillan. I discovered my passion for law firm management and talent development.

McMillan fortunately gave me a lot of rope. I was there 10 years. When I’d get a little twitchy, I’d take on new responsibilities. I started solo but had a team of 12 when I began investigating something totally different. Then McCarthy made me an irresistible offer; I became a





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consultant to their senior leadership team and organized projects to reorient the way they developed and deployed talent. After just nine months, McCarthy said, "Please assemble a national team to boost our talent development." The five years I expected is now nine.

SMITH: I started at McCarthy's, thoroughly enjoying four years in labour and employment law. But I grew up in politics. I was recruited in '97 to run Dalton McGuinty's office when he became Ontario's Liberal party leader, was his Chief of Staff for three years, then ran the Association of Canadian Publishers. Politics called again, so I ran for election, and was an MPP for eight years, four as the Health Minister's Parliamentary Assistant, then successively Minister of Revenue, Tourism, and Intergovernmental Affairs, and also Government House Leader. During a year off to reclaim my personal life, friend and colleague Kathleen Wynne (Artsci'77) asked me to run her transition to Ontario Premier. Her next question: Are you interested in being Ontario's first Representative in Washington? I've just completed year three, setting up shop from the ground up.

How do you achieve work-life balance?

WRIGHT: Everyone here knows there are 101 ways to follow your passion. You may find it right away in summer work, articling, or your first job. Others, like myself, need however many kicks at the can. To those just graduating from law school, I say, "You may get beaten up and bruised, but remember you're tremendously talented. Your first job may raise doubts, but look inside and see that you are an extraordinarily privileged, highly educated individual. Use that to make choices;

choose work that brings you happiness and passion." Balance and fulfillment will inevitably follow if you have the guts to make changes when needed; to take on deals that stretch you; to start a law firm despite fears it's maybe absurd and crazy.

Feel the fear and do it anyway – whatever that is, wherever that takes you. You'll sort out the lifestyle and balance. For me, life balance disappears if I get a large insider trading case. I become obsessive; stay late, unpeel that onion, understand that case – not balanced at all. But that's okay, because I am so excited about it – provided I get a break when it's over. Keep searching until you land on something that feels right for you. Only you will know what that is.

POWELL: I work at a corporate Bay Street law firm. I have two fabulous kids and I've played on the same squash team for 30 years. It's busy and I love it. It's possible only because I have a massive support team, including a husband at home. All of us here got where we are and do what we do for diverse reasons, and that's okay. People being judgmental can be an issue. I wish the legal community was more compassionate about different life paths. Lots of us have kids. Some are single moms. Women all handle that in amazingly different ways. Allow them to.

"People get really concerned about work-life balance because they think of it as a short game. It's not; it's a long game."

– Samantha Horn

GOLDRING: Yes, we can do more. I encourage women to really support each other. Sam (Horn) and I are part of the Women's Executive Network in downtown Toronto – a group offering mentoring and support for working women.

LAWRENCE: Understanding yourself is important. I've been self-aware throughout my career. I knew I wasn't headed to Bay Street. It can be tempting to follow friends and classmates, but ask yourself, "What makes *me* tick?" Five years of litigation showed me this level of stress and anxiety would kill me. Some people thrive on it; not me.

SMITH: In my eight years of public service and longer in the pseudo-public service, I always felt I was improving the world in a little way. Finding satisfaction in your work is hugely important. So is having supportive people around you. Start early to build that network, because having support for your decisions and your path is both a comfort and a necessity.

WILLSON: We all felt that fear of imbalance even in law school. We didn't get here overnight or without hard work, but we couldn't know where our careers would end up. It's important to acknowledge that we've all had missteps, things we'd do differently, struggles, and questions at different points about whether to keep going.

TURLEY: I find good balance in litigation because, except for court dates, I can set my own schedule – when to meet witnesses or schedule discoveries, penciling in a child's recital or volunteering at a class. It may mean working till 11:00 at night to prepare for court the next day, but it gives me flex time with my children when needed. I value that about being a litigator.

HORN: People get really concerned about balance if they think it's a short game. It's not; it's a long game. There may be days, weeks, months,

*"Women feel the need to do it all.
Do what you can, then get help."*

– Paula Locke

even years, when your life is completely out of balance with either too much office, too much family, or too much of whatever takes you out of your career at any moment. If we all look back on our careers, we may see balance in the long game, with periods when it's completely out of whack. Don't feel guilty; that's the way it works. If I get some great M&A file, I'm staying late, working weekends, not seeing friends and family enough till that file's finished. Then I probably have a break. This profession has more flexibility than many others. A teacher friend points out she can never be out of the classroom, but lawyers can pretty much work where, when, and how we want to. Technology helps a lot.

WRIGHT: I have seven years of university and no excuse for unhappiness. Even if change feels intimidating, either find a way to be happy in law or do something else, because there's no excuse, with our education and privilege, to sit around miserable. Not every day is sunshine and roses, but we should be able to plan change and take control for long-term happiness.

SMITH: You don't have to be a lawyer or work on Bay Street when you have a law degree. There are options. Take risks. To work somewhere a long time, then make a major move, may mean climbing a big hill again. Sometimes the climb is totally worth it. Keep your options open.

WALCH-WATSON: Be open to opportunities. If you need a year or two of not working full time or not doing law, think about the long game and don't be afraid to ask for help.

FRASER: Your change agility gets better with time. The more you push yourself, the easier it is to manage your own change. It needn't be massive; incremental responsibilities can renew you. Be very client-centric and open to enhanced opportunities you can add to your current role.

What advice would you give new women lawyers?

LOCKE: Women are victims of themselves. We feel the need to do it all and prove we can to everyone. We can't and shouldn't do it all. For kids, aging parents or other home responsibilities, do what you can, then get help. Don't accept that mothers must do most of the work. Get help at work. Law is a profession with tremendous supports. Use them. Most importantly, get help for yourself. The compulsion to do it all depletes your emotional



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strength. If you're missing support at work or home, find it somewhere else. None of us is here because we did it alone. We did it with others and we did it with help.

GOLDRING: My father's advice when I graduated was "Learn how to play golf." It's a wonderful way to "do business" while enjoying the great outdoors.

WRIGHT: If you're inclined to make a career change and a little voice says, "You can't possibly handle that" or "What will people think of you?" shut it down. If it's what you want to do, do it, and trust it will all work out.

SMITH: Be kind to yourself and to each other. These are the people I started with. I'm still hanging out with them 28 years later. You need each other.

TUCK KUTARNA: Don't judge yourself for not having somebody else's definition of some magical work-life balance. To sustain your goals long term, realize there'll be ups and downs. Ride those out with resilience.

NICHOLSON: I worked 20 years at large Calgary law firms before a family health situation forced a two-year break. I've never looked back. It was right for our family and helped me plan the second half of my career. Practising differently at a small litigation firm has been terrific, so live by what's important and necessary to you.

Are firms adopting strategies to retain women in senior positions?

HORN: It's an issue at probably every firm in Canada, maybe the world. For 25 years, 50 per cent of graduating classes have been women, yet female representation in higher management continues to lag. Stikemans had a consultant ask everyone in the firm questions geared towards women's retention, advancement and leadership. We now provide partners and senior associates with aggregated annual information about the teams they work with. Periodically, we also provide grants offering people more opportunities to acquire technologies that will enable them to work efficiently outside the office.

WRIGHT: I think women's challenges hold issues for men, too. When you consider the number of billable hours firms expect from associates and partners to drive the economic engine, you're into a question with huge sensitivities around any candid discussion, but until there's serious talk, I don't foresee real headway. After a year off, I wanted to control my own destiny with my own practice – but I had no clients, no book of business, just my reputation. I proposed to a major Toronto firm that they pay me based on work I brought in. The head of litigation understood me, but those higher up found it too much of an aberration from their firm's economic model. Embracing variations in practice seems hard for firms, but until there's more creativity there, both women and men will have difficulty finding more flexible concepts of law practice.

POWELL: Stikemans' approach to team diversity is interesting. At Davies, we're asking if every young lawyer has the same opportunity. Stikemans is trying get the metrics so everybody can use them to ask, "Do I have a bias here, that I've only been working with X or Z?" In law's culture, it's hard to get there.

FRASER: *Catalyst* once published a study, "Glass Borders," about the presumption that women aren't prepared to travel or relocate for their careers. It was self-fulfilling prophecy. Encouraging equal opportunity helps destroy such stereotypes. Another really tricky part as your career progresses towards and into partnership is the pressure-building expectation you will not only bill, but bring in clients. Now that I'm a client I see

"Embracing variations in practice seems hard for firms, but until there's more creativity there, both women and men will have difficulty finding more flexible concepts of law practice."

– Janice Wright

firms using technology to impose less on people's personal time for business development. I also see corporate ethics expanding into policies producing more progressive and innovative interactions.

WILLSON: At McCarthys we've also seized on the importance of work and opportunity allocation. We're looking at it as an issue too long overlooked and a key to why women's numbers are where we are. The proportion of women in law firms is a global problem.

WRIGHT: Firms know people see their low numbers of women partnerships, and they're now bringing women in as income partners, but not necessarily equity partners. They won't divulge the numbers easily, so there's an honest conversation still to be had. In corporate commercial litigation, I'm eternally in meetings with mostly men. Business development creates a whole other issue for women in private practice, especially in fields with few women practitioners. So how do we develop business? There are a lot of informal networks, but they're male-dominated. These are very significant issues, and I commend the firms grappling with them, but it's still a male-

dominated profession. How can we network better? How do we bring in more clients? Two years ago, when a lawyer referred a piece of work, he told me the client didn't want a female litigator. He'd convinced them to meet me, but they might back out. In 2015 they're opposed to hiring a female litigator! There's work to do.

TURLEY: The federal Government has more female than male lawyers overall, but at the most senior practitioner level (Senior General Counsel) of approximately 18 across Canada, just two of us are women. When I appear before the Supreme Court, I always look around, curious to see who is there. How many other lead counsel are women? How many are second or third chair? Often I am the only female lead, or one of a few women lawyers in the room.

GOLDRING: That echoes the corporate world; boards of directors, senior management positions – still the same reality. We're working on it. Women are getting really well educated here at Queen's and are going to make a difference.

Watch the full roundtable discussion at <https://youtu.be/Cdhq8ePPW00>.

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Learning law in the 21st century

BY IAN COUTTS

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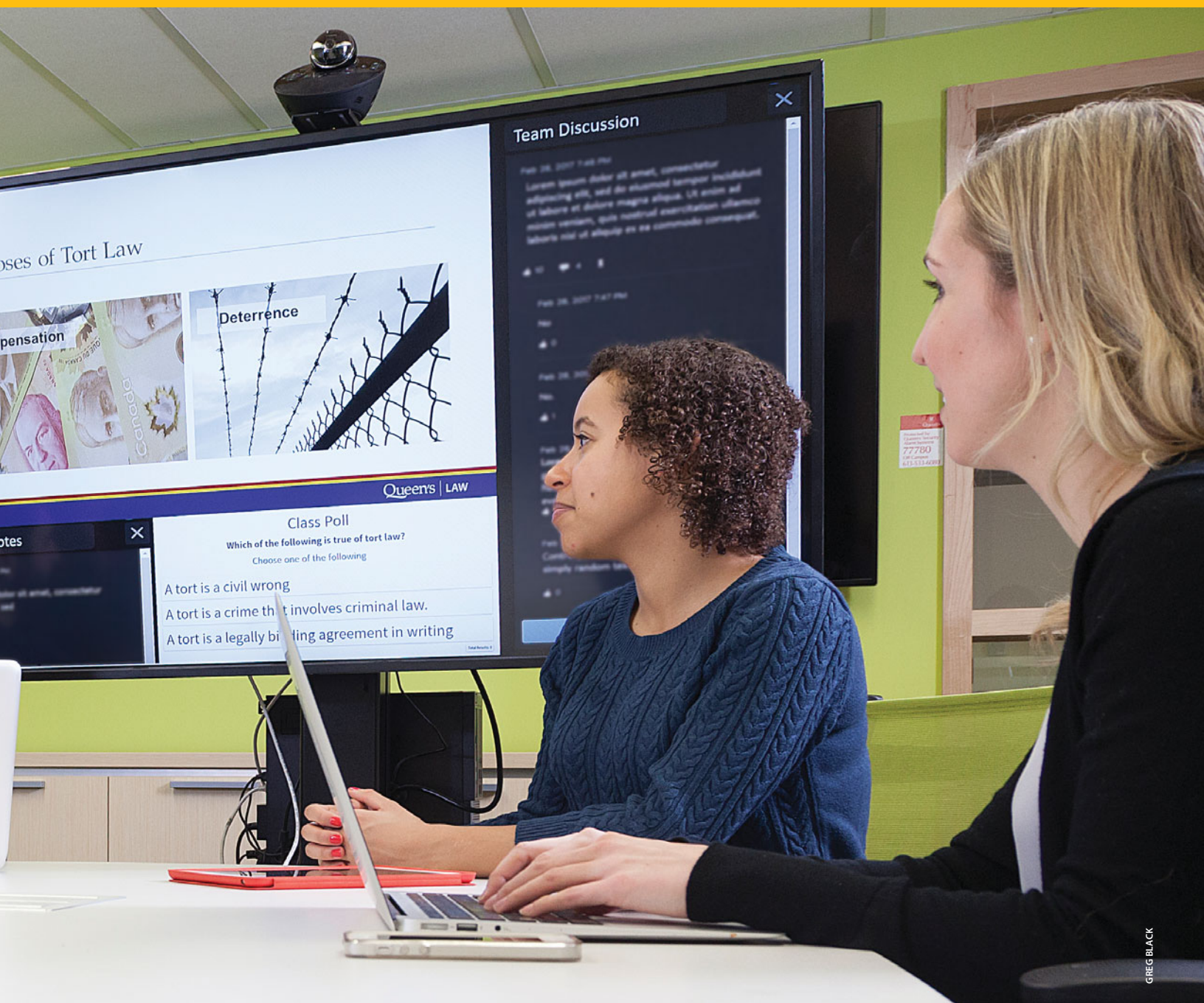


“Law is changing,” says Bill Flanagan.

The Dean of Queen’s Law is speaking from experience. After more than a decade as Dean and a quarter-century teaching at the school, he’s witnessed a number of changes to the profession and instruction of law.

And the pace of change, it seems, is accelerating.

“Let’s look at how I work with my students, and how that’s evolved, particularly in the last few years,” he says, opening a laptop in his fifth-floor office in Macdonald Hall. A web page shows a list of people in his classes. “This is a platform that shows me which students are strongly engaged and which students might be struggling,” he says. “They raise questions online. I can use polling in the classroom – I have a number of tools at my disposal to ensure they are making the most of their time in my classes, tools I’ve never had access to before.”



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"And this is only the tip of the iceberg," Flanagan says, closing the screen. "I'm in constant touch with our alumni. I listen to and value their opinions and feedback on how law is practised and how we're preparing our students. They're telling me that technology is affecting them as well. Firms will always want students with a strong academic background and excellent analytical skills, and Queen's Law will always provide that. But they're also looking for adaptability, client skills, and the ability to innovate."

"Law is changing," he repeats. "Access to big data, artificial intelligence and cloud-based computing are affecting firms. They're also going to change our role and the services we offer. And, in some of these areas, Queen's Law is leading the way." ▶

Defining and developing the skills to thrive

"What is it we want our students to learn?" For Heather Cole, Law '96, the law school's new Assistant Dean of Students, the question carries some urgency.

Over the next three years, as part of the school's new Student Learning and Engagement Initiative, she is going to be examining how teaching is done in the law school – and what is taught.

"To a certain degree, we know what to teach, because there are regulated standards for the content that all law schools must have," she explains. In addition to the associated core competencies, however, are what are regarded as "soft skills."

The soft skills, she feels, are a key component of being an effective lawyer. "Lawyers are service providers.

They depend on having good relationships with their clients." She hopes that future courses will combine core competencies and relationship skills. "The world is changing in terms of how people view lawyers and what their place in society is," she says. "Practitioners no longer have job security as in the past."

Cole's intent is to ensure Queen's is teaching the next generation of lawyers everything they need to thrive, and through the Student Learning and Engagement Initiative she will look at how the Queen's Law curriculum can be augmented to provide students with the skills and attributes they'll need to function in a changing legal landscape. That means committing to a number of projects, including educational research, assisting faculty in evaluating diverse approaches to learning and the incorporation of some new educational technology.

"If this is successful," she says, "it will be a paradigm shift in the way that legal education is approached."

Simulating the legal experience

If the soft skills are going to be more important in future, how do you teach them? One answer is to offer even more opportunities for experiential learning. In many ways, the Queen's Law Clinics are the perfect solution: a downtown legal clinic that looks and functions like a law firm, allowing students to learn "on the job" and make a tangible difference in the lives of local residents. But the law school is also exploring another way to look at how students can learn these skills – through "intelligent" simulation. Last fall, Queen's Law launched an exciting new project, in partnership with Toronto's Ametros Learning, that will see the school becoming a global leader in the use of simulation in legal education.

What they are creating will take advantage of the power

of IBM's Watson supercomputer. Aided by a \$250,000 grant



from the Ontario Centres of Excellence, Ametros will create the virtual interactive platform, with Queen's providing the legal expertise. Planning calls for three separate simulations: one in criminal law, one in business, and one in family law.

"Simulation is an ideal way for students to confront a very realistic problem embedded in a very real context," says Dirk Rodenburg, Director of Undergraduate and Professional Programs for Queen's Law. "Add to that the ability to deliver that experience virtually, and have students interact with artificially intelligent characters, and you have a powerful way to teach." The starting point, says Rodenburg, is to think about what you want the student to walk away with. And then you work backwards. "It's very much like creating a movie script," he says.

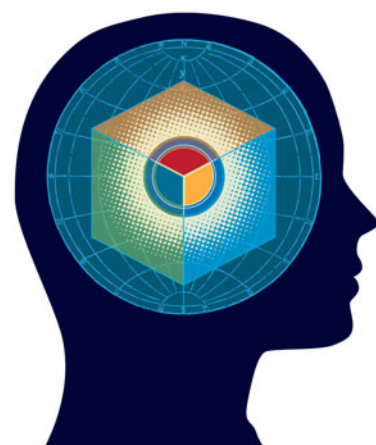
"You're dropped in as if you were a junior associate and given a problem. Who do I talk to? What steps do I have to follow? Are there any ethical or professional conduct questions I need to be aware of? What's the right way to approach and interview someone?" According to Rodenburg, one of Watson's key features is that it can deal with natural language and can learn over time. Send it a note in English and it will, with training, "understand" what you mean and be able to respond in a realistic way. A course instructor could track the student's progress in dealing with his or her simulated client, and intervene if necessary – but a lot of the time, the platform itself will teach the student how to work with the client.

Still in its very early stages, this cooperation with Ametros promises repercussions far beyond the law school. "Simulation has been very widely used in many different contexts, such as medicine," says Dean Flanagan. "Queen's Law has invited the faculties of health sciences, business and engineering to work with it on developing ways of using AI as a teaching tool in their respective disciplines."

Engaging future legal professionals

Changes are also already underway in the classroom. "The traditional way of teaching law was the large lecture," says Dean Flanagan. "There was some Socratic dialogue back and forth with a few students – but largely it consisted of listening and note-taking, followed by a final exam worth 100 percent.

"It was," he adds, "not the most engaging approach."





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Each student can engage with course materials anytime, anyplace.

The word “engaging” is an important one. In the last couple of years, Flanagan and some faculty members have been trying to boost engagement. They have moved away from the traditional lecture model and adopted what is sometimes called a flipped classroom or blended learning: sharing information before class, perhaps online, and then using class time for problem-solving combined with more frequent feedback and assessments. (See *QLR* 2016.) Blended learning has been in place in undergraduate courses at Queen’s for a number of years and is also in use now in the law school. Flanagan has incorporated elements of it into the corporate law course he teaches.

Blended learning is also used extensively in the on-campus edition of LAW-201, the first course in a new undergraduate law certificate that the school is offering. LAW-201 takes advantage of an educational software, Echo360, largely the creation of Fred Singer, Law’88 (Com’85, Artsci’85, MA’92), the company’s CEO. A few years ago, Singer, whose professional life has involved working with the Internet, began to wonder why, as he put it, “none of the iPads and phones and things I’ve ever spent my life on ever made it into the classroom.” Echo360 was the result. Today, it is used by more than 3 million students at 750 schools worldwide. The Dean is one of a few faculty members piloting the software, using it to help him identify which students in his class are most engaged with the material, where students might be struggling, and even revisiting some elements of his lectures and material that might be reconfigured to be easier for students to understand.

A special device captures lectures in the classroom and

posts them online, where students can use Echo360 to watch or rewatch those lectures on their own time.

“Content is critical to student learning; technology enables to us to extend access to core content, like the lecture,” Singer says. “With Echo360 students can review a lecture before or after class, and go back over it, on demand.” If there is a point you don’t understand, you can bookmark it for further study. If you see something on a slide in a PowerPoint presentation, you can make a digital note that attaches to it for your future reference. More than that, however, Echo360 makes the classroom experience more interactive. “You can use your computer or phone to ask a question during class. If you don’t understand something, you push a button that shows you’re confused.”

“It lets you reach a large number of students in a very effective way,” says Associate Dean Cherie Metcalf, Law’02, who along with Flanagan is helping to pilot the new platform. “I can’t sit with 350 students and do in-class work.

“We work through cases in class to illustrate points. If



students get confused,” she says, “they don’t have to be willing to put up their hand. Just ask the question by computer or phone. I have a graduate student present who can see their questions and answer some of them during the lecture. I can see the questions during the break or right after class and answer the rest.”

Professors can also encourage involvement through polling. “A question that I’ll be asking,” says Flanagan, “is about a claim to a package left in a store. Someone has left it behind and another customer has found it. Does it belong to the finder or the owner of the shop? Students provide their answers, which appear on screen.” This allows him to see how well they are learning – and, just as important, shows them how well they are doing compared to their peers. “They can see how many got the right answer, or, if they didn’t, maybe see that 60 per cent didn’t and not feel so bad.”

Improving “legal literacy” for other professionals

Learning about the law interests more than law students. That’s been proven with the school’s newest course, LAW-201. Started just three years ago, it is now offered both on-campus and entirely online, available to undergraduate students anywhere in the country. On-campus, Echo360 is

part of the blended classroom; online, the course is supported by OnQ, Queen’s University’s own digital learning platform.

The course is the hallmark of a new frontier for the law school, one that will make knowledge of the law more accessible to both undergraduate students and “everyday” Canadians.

LAW-201, an introduction to Canadian Law, was initially aimed expressly at Queen’s undergrads. “There was a lot of curiosity about the law on campus,” says Flanagan. Following its initial successes as a blended on-campus course, it was adapted to a purely online format. Now, it is the flagship offering of a full Certificate in Law, complemented by courses in aboriginal, workplace and corporate law. Students who complete all four will be eligible for a certificate in law from Queen’s. And, thanks to the ease and availability of online education, this certificate can be pursued anywhere in Canada.

The certificate will help bridge the gap between non-lawyers and lawyers, giving its graduates a degree of what Metcalf terms “legal literacy.”

It may also help expand opportunities. “The job market is changing,” says Flanagan. “A certificate in law is something that may open doors for people who are either graduating with an undergraduate degree or who have been in the workforce and want to supplement their



academic credentials. People in human resources, engineers – they can all benefit from this. It's also generating some interesting revenue that supports what we do. So it's a win-win.

"To my knowledge," says Flanagan, "we are the only law school in Canada, maybe in North America, offering these kinds of courses online."

Complementing traditional learning in tomorrow's law school

Given the rise of online courses and the possibility of teaching through AI simulations, what would Queen's Law look like in a few decades?

Associate Dean Metcalf pauses for a moment, contemplating her answer. Then she smiles. "Maybe we won't look all *that* different."

In her physical office in Macdonald Hall, she is considering whether a brick-and-mortar law school will even be *needed* to develop future lawyers.

She believes it will be. And perhaps despite a background in the tech industry, Rodenburg agrees with her. "There are experiences that you can only get face to face. The demands of debate, wrestling with points of fact, the formulation of principles – all of that demands a level of engagement that is difficult to formulate online."

The last words are the Dean's. "The lecture class and the Socratic method are changing," he says. "But the law school experience, students and professors gathered together, that model goes back to before the Middle Ages. I'm confident it will remain. It's of great value to our students and to our profession."

"But," he says, "we are also committed to investigating every avenue that can improve how we educate and prepare our students. Experiential learning, intelligent simulation, the blended classroom – all of these things are part of our mission to lead the way as educators."

"We're open to and exploring new technologies and new approaches, preparing our students to become lawyers who can not only practise, but also thrive in a changing profession."



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Dean Bill Flanagan discusses a course topic with students. Such face-to-face contact continues to have great value in the learning process.

"Joining the OLRB was a big step up. I am forever grateful to Don Carter for opening the door to my career."

Order of Canada honoree

Michel Picher, Law'72, recognized for outstanding leadership in labour law

BY KIRSTEEN MACLEOD

It was unexpected – and very much appreciated,” says Michel Picher, Law’72, of his 2016 appointment to membership in the Order of Canada. The distinction crowns a 40-year career as a labour arbitrator and recognizes his exceptional contributions to improving labour-management relations in several Canadian industries.

Picher, a Harvard LLM graduate and former University of Ottawa law professor, has been Vice-Chair of the Ontario Labour Relations Board (OLRB), President of the National Academy of Arbitrators (NAA) 2008-2009, and has arbitrated thousands of disputes in fields ranging through professional sports (NHL, CFL and MLB), police and fire services, and health care institutions. In 2009, he received the prestigious Bora Laskin Award, established by the University of Toronto to honour outstanding contributions to Canadian labour law.

Picher’s career highlights also include a 2001 appearance before the Supreme Court of Canada, where he successfully argued the *Judges Case* on behalf of the NAA. Notably, Picher was also chief arbitrator for the railway industry in Canada for 28 years. “I handled virtually all of the grievances for the railways and railway unions in that period,” he recalls. “It was an

expedited form of arbitration in which the parties would present five cases in a day, which I enjoyed. I would provide prompt and short awards, which I also liked, as it gave the parties a quick answer to their disputes and the ability to move on.”

Picher, who retired from Picher Adjudication Services Ltd. in Ottawa on August 1, calls *Queen’s Law* “the foremost school in the country for labour law” and credits his former teachers for inspiring his vocation.

“I had the good fortune of taking virtually all the labour law courses,” he recalls. He studied with Professors Don Carter, Law’66, and the late Bernie Adell and Innis Christie. Later, when Picher was teaching in Ottawa, he and his wife, fellow arbitrator Pamela (Cooper) Picher, Law’73, were asked to join the OLRB. “It was a big step up,” he recalls, “and I am forever grateful to Don Carter for opening the door to my career.”

It’s also not lost on him that when he receives his insignia at an upcoming Rideau Hall ceremony, it will be a fellow *Queen’s Law* grad and former professor, David Johnston, Law’66, LL.D’91, presiding as Governor General.

What has he enjoyed most about the career that brings this honour? “Analyzing the issues and providing

the outcome is satisfying work,” Picher says. He also liked being immersed in varied sectors. “You gain insights into these unique worlds and the people in them, and that’s enriching.” Sixty percent of his job, he adds, was writing. “I’ve always liked writing the awards. I’ve had the particular privilege and pleasure of sharing my work with my wife, whose editorial pen has been invaluable.” His articles on labour law issues have appeared in *The Canadian Labour and Employment Law Journal*, *Labour Arbitration Yearbook*, and *Canadian Bar Review*.

Asked about his retirement plans, Picher mentions “a secret wish to write a novel or short stories.” Some colleagues think he’s already made that leap, he jokes, recalling the day he heard that his next arbitration case involved CBC Creative Writing. “I said, ‘Great! I’m really interested in creative writing.’ CBC’s then-counsel, Roy Heenan, replied, ‘I know, Mr. Chairman, I’ve read lots of your fiction!’”

Without doubt, Picher’s time at *Queen’s Law* and his life as a labour arbitrator would yield rich material for any future literary work. “Yes, I have had many cases and colleagues I could draw upon for background and colour,” Picher confirms with a laugh.

QLR

He's China's champion enforcer of luxury brands' IP rights



Advocate Peter Chong admires the craftsmanship of Louis Vuitton – and enjoys the challenge of protecting it from counterfeiters

BY MARK WITTEN

Peter Chong, Law'90, is both an enforcer of intellectual property (IP) rights and an aficionado of the artistry and exceptional craftsmanship of the luxury goods whose trademarks and reputation he protects.

Those belong to Louis Vuitton (LV), recognized as one of the world's most valuable brands – but also one of its most counterfeited. As the company's Director of Civil Enforcement, IP Department, for Greater China, Chong has led the French luxury retailer to victory in some notable cases that strengthen IP protection for all global luxury brands.

"IP infringement was often seen as a victimless crime because it's not a threat to life, but now a brand's value is much more widely recognized. People need to trust in the trademark – that is, know the source and trust the quality of the goods," says Chong, who joined LV in Hong Kong in 2007 and is now based in Shanghai.

He has won several precedent-setting civil cases compensating LV for the production and sale of fake goods. The first was a successful enforcement in Hong Kong of a U.S. judgment (US\$3.5 million) against five defendants for trademark counterfeiting and infringement. Their New York-based syndicate had operations in China and Hong Kong.

In 2015, a Beijing court ordered that a four-star hotel pay LV nearly \$200,000 for breaching consumer trust by allowing the sale of knock-off handbags, belts, watches, and iPhone cases. "We argued that consumers don't suspect the goods in hotel lobby shops are counterfeits because they trust high-class hotels," says Chong.

Deterrence is a key goal of his recent suits. A case against the landlord of a wholesale/retail leather goods market, based on contributory liability, was recognized by China's Supreme People's Court as a 2014 Model IP Case. Then he led litigation with other luxury brands against Guangzhou's three largest wholesale leather goods markets to set a local precedent and create deterrence. The final Guangzhou IP Court cases were selected among the 2015-2016 Top

10 Best Practice Cases by an industry association, the Quality Brands Protection Committee. For market management, the judgments imposed joint liability with counterfeit vendors and a high duty of care to take effective measures to stop infringing sales.

While he relishes the challenge of tackling such complex cases, he also enjoys his job's cultural aspects. "I admire the *savoir-faire* and craftsmanship of Louis Vuitton luggage and bags," he says. "They are exceptional products that can last a lifetime. As a companion for world travelers, an LV bag acquires a beautiful, time-worn patina, holding memories and trusted belongings."

Chong's entry into his specialization was completely unplanned. Born and raised in Toronto, he was the son of hard-working immigrants from southern China (Cantonese). After a BA in international relations, he chose to study law so he'd have the flexibility to pursue a wide range of career options. "Queen's Law set very high standards, and I gained a lot from its intellectual approach and rigour."

In 1992, he traveled to Taiwan to learn Mandarin, take a break from schooling and the law, and work with the Canadian Trade Office in Taipei. In 1995, he landed a job at Deacons, one of Hong Kong's largest law firms. "My boss put me into IP enforcement, doing administrative raids across China against counterfeit factories and workshops. That was fun, hands-on, and eye-opening."

Next with Microsoft (1998-2006), Chong's duties in North Asia included policy work and fighting against unlicensed copies of the world's most widely used software. "It was exciting to be at the heart of an IT industry leader," he reflects, "lobbying for better IP protection policy and seeing up close the push and pull of major power interactions (U.S.-China) in international relations."

His career advice? "Learn to have faith in your journey and be alert to opportunities. It was Queen's Law that gave me the grounding, training and education that allowed me to take advantage of the opportunities I found."

QLR

"People need to trust in the trademark – that is, know the source and trust the quality of the goods."

'Indigenous law involves all law'

Savvy Mohawk entrepreneur David Sharpe teaches Queen's Law students (and others) how to negotiate in a First Nations context

BY IAN COUTTS

"I'm as comfortable in a sweat lodge as I am in a board room on Bay Street," says David Sharpe, Law'95. The CEO of Toronto's privately held lender Bridging Finance Inc. manages to combine his duties there with the work he does for Canada's First Nations – as a mentor, Chair of the Board of Governors for First Nations University of Canada in Saskatchewan, and a board member of the Economic Development Corporation of Eabametoong (Fort Hope) First Nation in Northern Ontario – and this year teaching Queen's Law students about First Nations negotiations.

Though Sharpe was raised in the Toronto area, his father hailed from Tyendinaga, the Mohawk First Nation on the Bay of Quinte. Sharpe is a member of that First Nation. "We struggled," he says, "like many Indigenous people in urban centres. I didn't know much about university because my father did not finish high school and my mother only made it to grade 8."

A hockey scholarship that took him to university in the U.S. got him interested in academic work. That brought him back to Canada when he decided the school wasn't rigorous enough. He continued to play hockey, even attending an NHL training camp one summer.

At 22, certain that he didn't want to pursue hockey but still without a BA, he didn't know what to do with himself. "My agent, Pat Morris (Law'85), told me, 'You're going to go back to school, get your BA, get really high marks, and then you're going to Queen's Law.'"

He was one of just two First Nations students in his year. There was no real focus on Indigenous issues yet, "but the professors were fabulous," he says. "They made me feel very welcome. They were very liberal and in tune with what was going on in the world. I remember that one, Venkata Raman, wanted me to do a master's degree. He knew Canada would need Indigenous scholars."

After Queen's, while working on Bay Street, Sharpe did an LLM – in securities law – at Osgoode Hall, followed by an MBA at Western's Ivey School. His work in the financial sector was "usually as the cop" (chief compliance officer or chief risk officer).

Four years ago he had a desire to become more of an entrepreneur. His wife had started Bridging Finance with another partner. "I saw what they were doing, and I thought we had a chance to take it national. Now we are one of the largest private lenders in Canada.

"We are also the biggest bridge lender to First Nations that I know of.

Under the *Indian Act*, First Nations can't use their land as security/collateral for loans. That makes it hard to create wealth. We have found a way to get comfortable lending money to First Nations for infrastructure and other projects. I am proud of that."


Sharpe's knowledge of business, combined with his understanding of First Nations, has made him a sought-after negotiator. "I've been asked by companies and communities to come in and be the go-between for the two cultures." He's sharing that with Queen's Law students this year in his course about negotiation in a First Nations' context.

"I tell my students they are all going to be practising Indigenous law, because it touches on every aspect of law – family, corporate, constitutional, labour – it really does. Culturally, the way you address elders, the way you handle the situation, they're all so important today. So you'd better know something about it."

Sharpe also acts as an alumni ambassador to First Nations youth contemplating Queen's Law. And there are a lot of them now, he says. It's a change from his day, one he credits largely to Dean Bill Flanagan.

"He gets it," says Sharpe. "Something positive is happening here."

QLR



"I tell my students
they are all going to be
practising Indigenous law
because it touches on
every aspect of law."

Grad puts her global reputation to work for Amnesty

Influential victims' advocate Jayne Stoyles now tackling human rights abuses with Amnesty International Canada

BY EMILY LIEFFERS

For Jayne Stoyles, Law'96 (Artsci'91), a passion for justice has always been undeniable, driving her to help victims of human rights violations in Canada and around the world. In September, this drive took her to a new role as Executive Director of Amnesty International Canada (English Branch), in an environment that suits her well.

"I'm an NGO person" she says, with understatement. "I just love the passion these people have and that it's not about them – it's about the issues. People are here at Amnesty International (AI) because they care."

As Executive Director based in Ottawa, Stoyles shares leadership with AI's Secretary General, Alex Neve, and puts Amnesty's broad human rights agenda into play, focusing on issues particularly important from a Canadian perspective – currently corporate abuses (mining, oil), national security and mass surveillance, refugee protection, incarceration issues, and such Indigenous concerns as violence, missing women, and ecological abuse. Every day, Stoyles sets strategic priorities, evaluates campaign targets, and manages the 50-staff organization across the country.

Extensive experience brought her here. Prior to the AI appointment, Stoyles was the first Executive Director of the non-profit Canadian Centre for International Justice and founder of its social enterprise, the Philippe Kirsch Institute. She previously worked in New York City as Program Director for the NGO

"Once you know what interests you, you have to start figuring out what your contribution will be."

Coalition for the International Criminal Court – a network of 2,000 NGOs worldwide that was twice nominated for the Nobel Peace Prize during her tenure. She has taught international law at Carleton University, volunteered in Africa, Latin America, and northern Canada, is a lifetime Ashoka Canada Fellow, and was the 2010 winner of two prestigious human rights awards named for Walter S. Tarnopolsky and the Lord Reading Law Society.

Add to her many accolades a leading role in a \$2.5-million, five-year grant from the Social Sciences and Humanities Research Council to work with academic researchers and other NGOs to improve justice for victims of international crimes. (See page 2.)

Stoyles' calling came early, and Queen's Law gave her the practical skills she needed. "Once you know what interests you, you have to start figuring out what your contribution will be," she says.

Even as a student, she was exposed to the realities of this pursuit. During an internship in Honduras, she helped to bring a women's rights perspective to the Honduran Criminal Code. When Stoyles encountered women who were facing security risks for being activists against the country's repressive regimes in the 1970s and '80s, she provided them with

leadership training in human rights. "That made them harder to target as victims and witnesses," she says.

This early exposure to people who put themselves and their families at risk to do human rights work was also a dramatic introduction to the impact of international law. "This chance to see what lawyers were doing on international issues completely changed my perspective on the importance of law," she says. "I saw how firmly people believed in using law to stop human rights abuses."

Today, she focuses on mostly big-picture, strategic work to help Amnesty implement its mandate, but, as a senior manager, she hasn't lost her zeal for the issues on the ground. "I try to stay connected in a practical way," she says. "I make sure I'm showing up to events and protests, meeting with activists and talking about the issues."

Now two decades out of law school, Stoyles enjoyed the opportunity last fall to reminisce with classmates at Homecoming and reflect on the diversity of their careers. "We often forget to stand back and really appreciate the opportunities we've been afforded and the contributions we've been able to make," she says. "Looking back over 20 years, I realized that I really am doing what I went to law school to do."

QLR

Scoring a winning legal career in 'Oil Country'

From the bleachers to the boardroom, Edmonton's Imran Hussainaly is a team player true to his Oilers

BY GEORGIE BINKS

During the 1980s, hockey fans in Edmonton had front row seats to one of the most exciting teams ever to take the ice.

Imran Hussainaly, Law'05, a born-and-raised Edmontonian, fondly remembers cheering on his hometown team. Now he's back with a new connection – as Senior Legal Counsel with Oilers Entertainment Group (OEG).

Given the club's history and promising future, you can imagine he's working his dream job. "There is no shying away from demanding hours in the legal profession, especially within the competitive sports and entertainment industry, but working for the team I grew up watching, I can't help but smile and be thankful."

Hussainaly, who studied economics at the University of Alberta before attending law school at Queen's, worked in the aerospace and telecommunications industries before joining OEG in 2014. He was also joining two other Queen's Law grads who are counsel to NHL organizations – Emilie Nicholas, Law'09 (Toronto Maple Leafs) and Chris Gear, Law'98 (Vancouver Canucks). (See *QLR* 2015)

All three enjoy the variety of working in sports and entertainment. Hussainaly negotiates sponsorship agreements for the Edmonton Oilers and the Western Hockey League's Edmonton Oil Kings and works on premium seating, new business ventures, broadcast and licensing agreements and hockey-related litigation.

But the job's not all about local hockey. OEG works with international sports and entertainment companies to develop or bring significant events to Edmonton, including

the Professional Bull Riders Global Cup, the Ivan Hlinka Memorial Cup (a Canadian, Czech and Slovak hockey collaboration), the Mackenzie TOUR-PGA TOUR Canada, and concerts ranging from Kanye West to Garth Brooks. "It's a dynamic and exciting environment!"

And yes, he can watch his beloved Oilers; the design of their new "home" makes it easy. Before moving to Rogers Place in the heart of downtown Edmonton, the Oilers played for over 30 years at Rexall Place, where management offices were separate from the arena. "Now," Hussainaly says, "if I need to reflect on some issue, I can take the stairs from OEG headquarters, walk the concourse and even watch a practice."

With the arena so close, taking in its variety of events isn't merely a perk, but an opportunity for engagement. "Any in-house counsel wants to remain connected to their business and customers. I'm just fortunate our business is sports and entertainment."

One of his favourite spots in their new digs is Ford Hall, an enclosed bridge structure leading into Rogers Place. Another is the new Oilers Hall of Fame Room, where last November he hosted Dean Bill Flanagan and a gathering of fellow Queen's Law grads (see photo on pg. 55) and organized a behind-the-scenes tour. "When we host guests from across Canada and abroad it's amazing to see their reaction to Rogers Place,"

he says. "To see it through a visitor's eyes reminds you how remarkable this building is."

He went on a tour – and enjoyed "an experience unique to Queen's" – 13 years ago at Herstonceux Castle, where he'd gone to study in the Global Law Programs directed by then-Professor Flanagan. Besides the "majestic setting" in the English countryside, the program had an impact on his outlook, as did the intellectually engaging cases he studied in Advanced Constitutional Law, taught by the "creative and committed litigator" David Stratas, Law'84 (*Justice Stratas* since 2009).

It wasn't any particular course that prepared him for the job he's doing now but rather, he says, "the Queen's environment, which is really collegial."

That camaraderie is part of his new job too. "Teamwork is part of our DNA here at Oilers Entertainment Group, along with integrity, innovation and excellence. For us, success isn't just on-ice performance, although that's important, but our entire organization is constantly striving for excellence and taking it to the next level."

And as far as he's concerned, what better team could he be on? **QLR**

"Any in-house counsel wants to remain connected to their business and customers. I'm just fortunate our business is sports and entertainment."



"It was an important time in the early '90s to be at Queen's Law – a place to have the freedom to be who you were and to learn things about what you could do with the law to make the world a better place."

– From Justice Lucy McSweeney's swearing-in speech

Law'93 alumna's SCJ appointment celebrated by fellow grads

Lucy McSweeney, Law'93 (third left), previously the Children's Lawyer for Ontario, was sworn in as a judge of the Superior Court of Justice in Brampton on July 21, 2016. Joining her after the ceremony are friends Pam MacEachern, Law'92; Cidalia Faria, Law'94, Ida Bianchi, Law'93; Sean Kearney, Law'93; and Fiona Sampson, Law'93. (See also p. 54.)

1964

Alan Sullivan, Law'64, former Canadian Ambassador to Austria, Ireland and Italy – and, following retirement from the foreign service, Consul General in NYC and Assistant Secretary to Cabinet for foreign affairs and defense policy – had a misadventure in late December on a street in Montreal. While completing a "pirouette sur glace," he fell and fractured his hip. Alan is again mobile and at home in Williamstown after a six-week hospital and physio retreat over the holidays. He's grateful for the assistance of his many friends, including Robin Ritchie, Law'65.

1966

Justice Donald Downie, Law'66 (Arts'62), a proud judge for 30 of his 76 years, passed away on Jan. 6 in Kitchener, Ont. His survivors include wife Gerri (Mallins), (Arts'63), and children Mary-Jo, David and Karen.

Donald William "Bill" Mutch, QC, Law'66

(Arts'63), known as a "proud alumnus of Queen's University," died on July 15, 2016, at the age of 75. Following a long career practising corporate and commercial law as a partner with Gowlings in Toronto, he and wife Heather retired to Kingston in 2004. Other survivors include children Cathy, Rob and David (Artsci'93).

1967

Gordon James "Jim" Shearn, Law'67

(Sc'59), passed away in Toronto on Aug. 7, 2016, following a long illness. During his career, he had opened his own patent and trademark practice while acting as patent counsel for Borden Ladner Gervais. The "avid Queen'sman" played varsity hockey and football as a student. Survivors include wife Marjorie and children Gordon (Artsci'93) and Jennifer.

1968

Gerald E. "Gerry" Langlois, Law'68, died suddenly of heart complications at his home in North Hatley, Que., on Feb. 7. He was 78. Gerry led a successful practice in Hawkesbury, Ont., for more than 45 years before retiring. He is survived by wife Marielle, children Veronique (Artsci'98) and Jordan, and extended family.

1973

Thomas Barber, Law'73 (Arts'70), died at the Ottawa Civic Hospital in his 67th year on June 12, 2016. He became a partner at Burke-Robertson in 1980 and, during his career there, specialized in civil litigation, sports law and arbitration. Of his many awards and honours, he was proudest to receive the LSUC Bicentennial Award of Merit (1997), the United Way Community Builder Award (2000) and the County of Carleton Law Association Gordon F. Henderson Award for volunteerism (2001). His survivors include his wife, Justice Jennifer Blishen, Law'77 (Arts'74), and sons Nicholas (Artsci'06) and Christopher.



John Hill, Law'73, LLM, who retired from his prison law practice in December 2015, continues to serve on his Legal Aid Area Committee. He also volunteers with the news and public affairs

department of community radio station Northumberland 89.7 FM, where he was re-elected chair for a second term on Jan. 14. John lives in Cobourg, Ont., with his wife Roxann, and their English Cocker Spaniel, Hedy, and can be contacted at johnlornehill@hotmail.com.

David Mather, LLM'73, has published *Parole in New Zealand, Law and Practice* (Thomson Reuters). At Queens, he studied criminology under Professor Ronald Price, writing his thesis on prison disciplinary decision-making. David has been a District Court Judge in New Zealand for the last 20 years and a member of the New Zealand Parole Board since 2012. Read more about the book at <https://goo.gl/fvQRY6>.

1974

Elizabeth Patterson, Law'74 (Arts'71), of Toronto died at 67 on Oct. 20, 2016, while travelling in Asia. Her career included serving as Assistant Deputy Minister of Finance and Assistant Deputy General for Ontario's Family Justice Services Division.

1979



T.G. 'Ted' Giesbrecht, Law'79, specializing for 30+ years in residential real estate, estate planning, adoption and elder law as founding partner of Giesbrecht Griffin Funk & Irvine in

Kitchener-Waterloo, Ont., received the Waterloo Law Association's 2016 Coulter A. Osborne Award for outstanding contributions to law and public life. Ted has also won Ontario's Adoption Award and Outstanding Volunteer Award and contributed the adoptions chapter to the 2004 textbook *Canadian Child Welfare Law*. He has been legal advisor to the region's Elder Abuse Team (25+ years) and continues dealing with social justice and affordable housing issues. In 2009, he travelled to Ethiopia on two missions: stabilizing a children's transition home and completing adoption papers for 47 stranded children. He is now fully into a sub-specialty: emergency international adoption crises. Watch for a profile in the next *QLR Online*. ►



SGT. JOHANIE MAJEU, RIDEAU HALL

Governor General Johnstone, Queen's Law grad, welcomes the young Royals to Canada

Their Excellencies **David Johnstone, Law'66, LLD'91**, and his wife, Sharon Johnstone, greeted members of the Royal Family as they stepped off the plane in Victoria, B.C., to start their Canadian tour on Sept. 24, 2016. For their second visit together during the Johnstones' tenure, Prince William and Catherine, the Duke and Duchess of Cambridge, brought their children – Prince George (3) and Princess Charlotte of Cambridge (16 months) – for their *first* visit to Canada. During the eight-day tour, Their Excellencies also joined their royal guests on three occasions: in Bella Bella, B.C., to announce environmental protection for the Great Bear Rainforest; in Whitehorse, Yukon, for two days showcasing arts, history, and culture; and again in Victoria to bid farewell on Oct. 1.

Triple honours for criminal bar giant

While he may have been winding down last summer following his successful defence of Senator Mike Duffy in the two-year high-profile case, the accolades have continued to pour in for **Donald Bayne, Law'69** (Arts'66, EMBA'01).

During the Opening of the Courts for Ontario ceremony in Toronto on Sept. 13, 2016, The Advocates' Society presented him the 2016 Catzman Award for Professionalism & Civility. "It's wonderful to be acknowledged by one's peers for these qualities," says Don, a partner at Bayne Sellar LLP in Ottawa who has practised criminal law for 40-plus years.

"Don has tremendous integrity and a deep concern with fairness," says Alan Riddell of Soloway Wright in Ottawa. "His habitual civility and professionalism and his courage, generosity, strong work ethic and unflagging dedication to his clients, colleagues and to the legal profession itself serve as an important source of inspiration to both young lawyers and his other colleagues."

Canadian Lawyer named him one of 2016's Top 25 Most Influential in the justice system and legal profession in Canada. "Donald Bayne was a fierce advocate and tactically brilliant lawyer on Duffy," wrote voters. "There is no one else like him."

On June 9, Don will receive an honorary Doctor of Laws degree at Law's Spring Convocation.

— KM AND LG

Law'72 grad is Ontario's ethics chief

Justice David Wake, Law'72,

is now serving the second year of his five-year term as Ontario's Integrity Commissioner. "It is a big role, one that has grown over the years," says David of his



COUVRETTE/OTTAWA

position as an independent ethics officer tasked with ensuring high ethical standards in the Ontario government.

Originally, the role dealt only with confidential advice for MPPs – "the foundational mandate," as he calls it. Now his office deals with close to 400 inquiries from MPPs per year. He's also the lobbyist registrar, and he monitors and approves the expenses of cabinet, opposition leaders, and their staff. That involves more than 450 people and thousands of expenses per year. Staffers go to him with ethical questions, and most public service whistleblowers bring complaints (a file that has grown "exponentially") directly to him. David is also responsible for reviewing expenses for 180 boards, agencies and commissions in the province on a rotational basis. Auditing aside, he says most work he does is very comparable to the work he did as Associate Chief Justice of the Ontario Court of Justice. Indeed, his reports read like mini-judgments, right down to the numbered paragraphs.

His job has been thrust into the spotlight by recent public and media interest in lobbying and conflict of interest in Ontario, but he says, "I quite enjoy the work, I enjoy the people, I enjoy the challenges."

On April 7, he returned to Queen's Law to deliver the McCarthy Tétrault LLP Lecture in Legal Ethics and Professionalism, titled "Conflicts for Lawyers, Judges and in the Public Service: Overlapping Legal and Ethical Challenges."

– JEREMY MUTTON

1982

Jeremy Freedman, Law'82, retired as President and CEO of Gluskin Sheff + Associates Inc. on June 30, 2016. He first joined that firm, and the investment industry, in 2000 after a 14-year career as a litigation partner with the law firm then known as Davies, Ward & Beck. He spent last summer traveling and golfing and the fall getting settled in Naples, Florida, where he and wife Judith lived this winter and where their family will spend considerable time. Jeremy continues to be actively involved in charitable endeavours and membership on four charitable boards: The Jerusalem Foundation, Friends of Simon Wiesenthal, Diabetes Hope Foundation and the North York General Hospital Foundation. After recently revisiting Queen's Law for the third annual Laskin Lecture, he says, "It was great to see the vibrant energy within the school and on campus!"

1983



Diane Kelly, Law'83, who served many years as Queen's Legal Counsel, advises that litigating disputes that arise in a university context is not always effective. "With issues where there is human interaction," she says, "I favour approaches that rely on mediation, conciliation, and education." That collaborative and cooperative attitude – a hallmark of Diane and her career at Queen's – earned her the 2016 Queen's Human Rights Initiative Award. Watch for a feature story in the next issue of *Queen's Law Reports Online*.

Two grads honoured for distinguished service to Queen's



David Pattenden,
Law'71, LLD'03, DSA

David Pattenden, Law'71, LLD'03 (Arts'67, MA'69, MEd'74) and **Ken Cuthbertson, Law'83** (Arts'74), have been recognized for making Queen's a better place. The University Council presented them with Distinguished Service Awards at a gala dinner in Ban Righ Hall on Nov. 5.

David, a former CEO of the Ontario Medical Association and of UTDC Inc. (a Lavalin/Bombardier division), has served on both Queen's Board of Trustees and University Council and has been a strong advocate of student wellness. As a board member of the W.J. Henderson Foundation, he has helped direct millions of dollars to Queen's for medical projects. His multifaceted contributions have also involved him in Queen's Human Mobility Research Centre (chair), the Dean's Committee

for Queen's Law's 50th anniversary celebrations (chair), teaching, several university organizations and a number of Kingston charities. His dedication to Queen's has earned him several other honours, including his recent appointment as Trustee Emeritus (lifetime membership) by the Board of Trustees and last year's Padre Laverty Award from the Kingston Alumni Branch.

For 25 of Ken Cuthbertson's 28 years with Alumni Affairs, he served as Editor of the *Queen's Alumni Review* – a cornerstone for outreach to alumni since 1927 – stepping down in 2014.

In addition to his standard-setting direction of the *Review*, Ken edited the book *Queen's Goes to War* and wrote three literary biographies (John Gunther, Emily Hahn, William Shirer) and a humorous historical novel. His 1992 biography of American journalist John Gunther was shortlisted for a Governor General's Literary Award (non-fiction). He has just completed *The Halifax Explosion: Canada's Worst Disaster* for HarperCollins. He's also a regular contributor to *Queen's Law Reports*.

Ken's hard work and long dedication to Queen's Advancement earned him the John J. Heney Award in 2001, and the unique Class of Sc'48½ awarded him honorary membership.



Ken Cuthbertson,
Law'83, DSA

– MICHAEL ONESI

1987

Margaret (Flindall) Waddell, Law'87, is forming the new firm Waddell Phillips PC in Toronto, where she will be continuing her practice in class actions (plaintiffs' side), commercial litigation and providing independent mediation services. Margaret is recognized as a leading lawyer in class

actions (*Lexpert, Chambers Global Canada* and *Benchmark Canada*) and in class action and commercial litigation (*Best Lawyers in Canada*).

Jeannette Tramhel, Law'87, a Senior Legal Officer with the Organization of American States, managed a Canadian-funded project to build local capacity for secured transactions law reform in countries in Latin

America and the Caribbean in order to improve access to credit (watch a video clip at <https://goo.gl/22FeBC>). Jeannette is also orchestrating a new course, Achieving Food Security through Public Private Partnerships, to be launched at the International Law Institute in Washington, D.C., July 10–21. For more information, see <https://goo.gl/oVIR67>. ►

Golden football legends reminisce at Richardson Stadium's grand re-opening

The rain drenching the stands on Sept. 17, 2016, was a bad omen for Queen's Gaels playing their first game on the pristine turf of the revitalized Richardson Stadium; they fell 27-13 to the Western Mustangs.

But for Queen's Football Hall of Famers **Bill Sirman, Law'72** (Arts'63, MA'06), and **Peter C.P. Thompson, QC, Law'65** (Arts'62), invited to the pregame ceremony honouring Gaels glories past, neither weather nor scoreboard could dampen their spirits. They were celebrating what historic Queen's football is all about.

When undergraduate Bill played, "there were four teams – Toronto, Western, McGill and Queen's – and very strong rivalries," he says: "6,000 to 8,000 regularly attended home games."

"Home" for the Golden Gaels was the original George Richardson Stadium (1921-1971), right in the heart of student life on main campus, site of today's (Frank) Tindall Field. "The stadium wasn't that big," Bill notes, "but it held several thousand people, and the field was very close to the stands. Quite an atmosphere!"

On November 4, 1961, while Queen's played Toronto at the old Varsity Stadium on Bloor Street, the Argos were playing downtown at the old CNE stadium. "Varsity football outdrew the Argos!" exclaims Bill. "We had 15,000 fans!" Queen's had under 5,000 students then. "Over half the school went to that game."

That 1961 team later won the Yates Cup against McGill, which fielded several seasoned U.S. players in Canada for grad school. In 1960 and '62, Queen's lost to McGill in playoffs, but then triumphed with Yates Cups in 1963 and '64.

Peter Thompson played for six years during that run, several with Bill. He likes the new stadium's "great feel," deliberately designed to duplicate the traditions of his time.



Bill Sirman, Law'72, and wife Carol (Arts'64) in the stands of the newly revitalized Richardson Stadium on Sept. 17.

"My wife Fran (Arts'64) and I sat just behind the Western bench – perfectly positioned to heckle," he laughs. "The covered concourse/promenade on the stadium's top level is a fantastic feature," he adds. Fans fled there in the downpour.

Peter managed to balance law school, elite football and a young family both at Queen's and in Ottawa, playing a few CFL years with the Rough Riders, 1966's Grey Cup winners. "I did all this while articling, passing the bar, and even in my first year practising. Then I



Peter Thompson, Law'65, seated in the stands with wife Fran (Arts'64), checks out the program before kickoff of the Gaels' home opener.

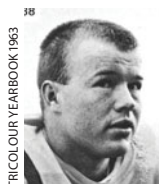
ran out of gas. Football was good to me, it really was."

He plays down his 1962 Johnny Evans MVP Memorial Trophy, crediting his teammates. "A lot of great guys played at Queen's. It was an honour then and now," and he cherishes the "lifelong camaraderie."

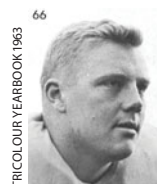
It's a sentiment Bill Sirman shares. "Some of the guys you play with become friends virtually for life. For me, one of them is Peter Thompson."

Read more at <https://goo.gl/becAeR>.

– JEREMY MUTTON



Bill Sirman, Law'72 (Arts'63, MA'06), who in 1961 led the OQAA in scoring with 42 points, was selected as a First Team All-Star, and set a school record for receiving touchdowns that lasted 17 seasons. Though he was drafted by the Saskatchewan Roughriders, he returned to Queen's in 1969 to study law, and went on to enjoy a successful four-decade career as a lawyer in Napanee, Ont. He came back to his alma mater again in 2006 to complete a Master's degree in Classics. Bill has made a life-long commitment to Queen's and to the football program.



Peter Thompson, Law'65 (Arts'62), played offensive end and tackle during Queen's most successful football decade since the 1920s. A competent receiver and "devastating" blocker, he contributed greatly to the Gaels' championships of '61, '63 and '64 and won the 1962 Johnny Evans MVP Memorial Trophy. Following law school, he played for the CFL's Ottawa Rough Riders and began a successful law practice that culminated in his becoming managing partner with Borden Ladner Gervais LLP's Ottawa office. He now runs a mediation service and sits on the Ontario Energy Board.

1989

UNIVERSITY OF FRASER VALLEY



Halldor Bjarnason, Law'89, an advocate for people with disabilities, was awarded an honorary Doctor of Laws degree from the University of Fraser Valley in spring 2016. Born with cerebral palsy, he has had to overcome many obstacles, but along the way he has also thrived in his 25-year law practice and in community service. He's a lawyer with Access Law Group, an advocate for people (particularly lawyers) with disabilities, and the founding chair of the Law Society of British Columbia's Disability Working Group. "Open your eyes and start watching for opportunities. They are out there – everywhere – but many folks don't notice them," he told graduands in his Convocation address. "If you're willing to spot the opportunity, and say 'yes' (within reason), these experiences often lead to interesting adventures."

1990

GREG BLACK



David Kerzner, Law'90, PhD'15, has coauthored a book on tax information exchange agreements: *International Tax Evasion in the Global Information Age* (Irwin Law, 2015; Palgrave Macmillan, 2016; Springer Publishing online, 2017). His book approaches the topic from two perspectives. It is policy-oriented in that it helps governments understand how to fight offshore tax evasion, but it also provides a technical discussion of relevant Canadian and U.S. international tax laws and administrative practices. Retired Supreme Court Justice Marshall Rothstein has called it "an invaluable resource." Read more at <http://kerznerlaw.com>.

1992



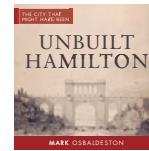
Linda Mantia, Law'92, took up her new position last October as Senior Executive VP and COO at Manulife, working with the CEO and his team. In addition to being involved in "a global company with a global footprint" and expanding it in Asia, she told *QLR* her focus

on innovation made Manulife a good fit. She now leads a team of more than 7,000 people around the world, providing leadership in a variety of areas, including new strategies to tackle those modern problems. Watch for a feature story in the next issue of *Queen's Law Reports Online*.

1994

Daina (Groskaufmanis) Selvig, Law'94, is now Assistant General Counsel, R&D and Commercial, for Sunovion Pharmaceuticals Inc. Sunovion is a global biopharmaceutical company headquartered in Marlborough, Mass., and an indirect, wholly owned subsidiary of Sumitomo Dainippon Pharma Co., Ltd. Daina and her family live just outside of Boston.

Mark Osbaldeston, Law'94, wrote *Unbuilt Hamilton* (Dundurn Press, 2016), a book that



explores 200 years of unrealized building, planning and transit proposals in the city's history. It follows the publication of Mark's earlier books, *Unbuilt Toronto* (2008) and *Unbuilt Toronto 2* (2011), and was launched in conjunction with a companion exhibition at the Art Gallery of Hamilton. Read more at <https://www.dundurn.com/books/Unbuilt-Hamilton>.

2000

Barbara Korenkiewicz, Law'00, was appointed to the British Columbia Human Rights Tribunal as an adjudicator on June 8, 2016. Previously she practised workplace law for 14 years, specializing in human rights, privacy and administrative law.

Three grads saluted for diversity and inclusion initiatives

Frank Walwyn, Law'93, and **Scott Jolliffe, Law'76**, were among *Lexpert's* 2016 Zenith Awards winners for advancing diversity and inclusion in the legal profession and in society.

Frank, a partner with WeirFoulds, is one of the few black law partners on Bay Street. *Lexpert* credits him with embracing opportunities to mentor, inspire and educate and for devoting many hours to increasing the number of minority practitioners in law.

Scott, Gowling WLG's Head of International Development, initiated and led the firm's diversity and inclusion initiative, ensuring that it became an essential part of company culture. Some of his other achievements as Chair and CEO in 2015 also involved greater diversity in senior management positions. Scott is also on the board of Legal Leaders for Diversity (LLD), a group of Canadian General Counsel who support a more inclusive legal profession.

Last August, LLD awarded a \$3,000 scholarship to **Julie Harmgardt, Law'16**, for promoting awareness, education and support for young adults living with hidden, chronic illnesses. Julie, who suffers from arthritis, is Executive Director of InvisAbilities, a registered Canadian charity she founded as a student at *Queen's*.

According to Scott, "She has transformed the initiative from essentially a university club into a registered Canadian charity with chapters now on several university campuses and is now working to add a chapter that will serve young professionals in Toronto."



Frank Walwyn, Law'93



Scott Jolliffe, Law'76



Julie Harmgardt, Law'16

2002



Gregory Sullivan, Law'02 (Artsci'99), has returned to the Legal Project Solutions team in Deloitte's Toronto office following a two-year assignment as Head of Offshore Forensic Services in

Deloitte's office in Mumbai, India. Gregory can be reached at grsullivan@deloitte.ca or 416-518-3265.

2003



Sarah (Atkinson) Schumacher, Law'03 (Artsci'00), and husband Karl welcomed a baby boy on June 2, 2016. Wilhelm James Schumacher weighed in at 8lbs/14oz.

2007

Jon Fuller, Law'07 (see Saginar, 2009)

Aliya Ramji, Law'07, was named one of 2016's Top 30-Somethings by the Association of Corporate Counsel. She's the General Counsel with Figure 1, an app that allows medical professionals around the world to connect and share medical images, and to teach other healthcare providers, as well as learn from them and seek their opinions. Aliya helped develop a built-in consent form tailored to each jurisdiction and available in 40+ languages to give doctors all the jurisdiction-specific tools necessary to obtain consent from their patients. She also teaches the Legal Aspects of International Business at Ryerson University. Watch for a story in the next *Queen's Law Reports Online*.

2008



Sean Warshawski, Law'08, became a partner last year with Ritzen Olivieri LLP in St. Albert, Alberta, where he focuses on solicitor's work, including real estate and commercial transactions.

2009

Mat Good, Law'09, continues to practise commercial litigation with Blake, Cassels & Graydon LLP in Vancouver. Last May, he welcomed a daughter, Zoë Hunter-Good – first grandchild for Ed Good, Law'82, and Anna Maddison, Law'81.



Jonathan Keslassy and Adam Freedman, both Law'09, are thrilled to announce the opening of Keslassy Freedman LLP. Located in uptown Toronto, the new firm focuses on corporate law, estate matters and civil litigation. Adam and Jonathan say, "We are excited to commence this chapter of our legal careers and remain grateful to Queen's Law for providing us with the education and confidence to hang our own shingle!" ▶

Stephen Sigurdson – 'Great friend, guiding voice' Remembering former Dean's Council Vice-Chair



Stephen Sigurdson, 1959–2016

The Queen's Law community was deeply saddened by the passing of Stephen Sigurdson, Law'84, on Nov. 16, 2016.

"A beloved member of his class, Steve went on to a storied career as one of Canada's leading corporate counsels, becoming a lawyer of national renown and always remaining a great friend of the law school," says Dean Bill Flanagan. "As a guiding voice on our Dean's Council, he was instrumental in helping shape both the present and future of Queen's Law. Ever the consummate professional, with his warm and generous nature, Steve was a cherished colleague, mentor and friend to so many. He will be greatly missed by all of us."

Stephen began his distinguished career at Osler, Hoskin & Harcourt LLP. Over his 20 years at the firm, he took on a variety of leadership roles, including Managing Partner of the New York office (2000–2004) and one of Osler's two National Managing Partners (2004–2008).

Following his time at Osler, Stephen joined Manulife in 2010 and was appointed Manulife's Executive VP and General Counsel in 2014. He is remembered by Manulife President and CEO Donald Guloien for having "a remarkable career, but more significantly, he was a remarkable man. I soon came to know that he had a brilliant mind and great sense of humour, and that he was friendly, collaborative, and morally and ethically as straight as an arrow."

At Manulife, Stephen oversaw the company's worldwide law, compliance, internal audit and corporate secretary functions. He served on its executive committee and as the Chief Legal Officer for Manulife globally. He first joined the company as General Counsel Canada, temporarily relocated to Hong Kong in 2011 to serve as interim General Counsel for Asia in addition to his Canadian responsibilities, and also served as Manulife's Corporate Secretary (2013–2014).

In 2015, Chambers and Partners awarded him the inaugural Chambers Canada Award for Outstanding Contribution to the Legal Profession: In-House after he helped lead "a transformative acquisition." In this complicated multinational transaction in a highly regulated industry, Manulife acquired Standard Life Canada for CA\$4 billion, almost doubling Manulife's assets in the group retirement business and bumping its rank up to second place nationally.

Donald Guloien adds that "as hard as he worked, Steve was never more excited than when it was time to head home to see his family, whom he clearly loved." That surviving family includes wife Leslie (Black), Law'84, and daughters Laura, Law'13, Claire (Com'12), Amy (Com'15) and Heather.

In a tribute to Stephen, the generous contributions of Queen's Law alumni and donors have created the Stephen Sigurdson Professorship in Corporate Law and Finance. With a \$1.5-million endowment to support the position, this new Professorship will further enhance the school's business law program.

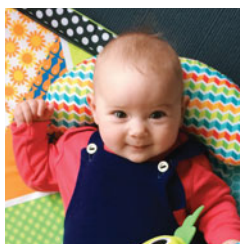
– LG



Marcus family tribute raises \$165K for cancer research

In a September 2016 event to honour the memory of Pearl Marcus, husband **Paul Marcus, Law'85**, and daughters Michelle and Jaclyn (above) raised funds for the Panov Program in Precision Chemotherapy at Mount Sinai Hospital. The sold-out *Pearls of Wisdom* brunch, which celebrated mentorship in the community, featured keynote remarks by Canadian astronaut Steve MacLean and a performance by award-winning singer/songwriter Amy Sky. After being diagnosed with pancreatic cancer in 2012, Pearl had hoped to benefit from the groundbreaking Panov Program's "personalized" treatment herself but, sadly, died before it could be tried. Even while undergoing chemotherapy, though, she still found a way to help her daughters plan for the future: she penned a diary with advice and observations on life. These "pearls of wisdom" have resulted in a \$165,000 donation to the Panov Program to help families facing cancer. A surgical bay at Mount Sinai is being named for the Pearl Marcus Foundation.

– LG



Alexandra Saginur, Law'09 (Artsci'06), and **Jon Fuller, Law'07**, welcomed baby Dahlia into their lives in June 2016.

2010



Gerard Kennedy, Law'10, received a 2016 Trudeau Scholarship, a top academic award given to exceptional Canadian students for doctoral studies, valued at \$60,000 for each of the next three years. As a Trudeau Scholar, he is exploring how civil procedure can be reformed to improve access to

justice in Canada. "The expense and unpredictability of civil litigation result in meritorious actions not being brought, or defendants feeling obliged to pay settlements simply to avoid it," he told *QLR*. Gerard practised in the field as an associate with Osler, Hoskin & Harcourt LLP and is now pursuing his doctoral degree at Osgoode. "I want to see what is – and what is not – working in the realm of civil procedure reform, with a goal to seeing how to improve things."

Bryan West, Law'10, has had his book, *Builders' Liens in Alberta: Procedure, Law and the Annotated Act*, published by Carswell, which calls it "a first-of-its-kind practical and streamlined review of a complex provincial liens system." Reviewers have referred to Bryan's "expert annotation" and called his guide "an essential tool" for a building industry "burdened by bulky regulatory legislation" to achieve its goals. Read more at <https://goo.gl/40ohTA>.

Walking 500 miles – New York to Toronto – and raising \$800k to fight Parkinson's

Harry McMurtry, Law'89 (Artsci'85), has always put up a big fight against the Parkinson's disease he suffers from, but last May and June he mounted an epic battle: "500 Miles for Parkinson's," a fundraising walk in which Harry and two others traveled up to 15 miles a day for 45 days from New York City to Toronto. "We started this project with a *very* lofty goal of \$500,000 to build the largest Parkinson's fundraising project in history by bridging two great countries in an effort to fight and bring awareness to the disease," he says. The trio surpassed their goal, delivering more than CA\$800,000 for Parkinson's research. Thanking many people across the continent, he says, "We could not have done this without your tremendous support!" These people include Law'89 classmates Jerry De Melo (who volunteered for the entire trip), Jeremy Sheppard (co-organizer of a Vancouver event), Mike Akey, Ed Boomer, John Pratt, and Paul and Lorna St. Louis. To see Harry with some of them in photos and videos, visit <https://goo.gl/BqBhg6>.



Harry McMurtry, Law'89 (2nd right), with classmates Jerry De Melo, Lorna St. Louis and Paul St. Louis at a basketball tournament held at the Queen's Athletic and Recreation Centre on June 5, 2016, in support of the 500 Miles fundraiser.

2011



Erin Durant, Law'11, a member of the Queen's varsity softball team in her student days, has continued to play her sport while she practises law, earning two top honours in 2016. She was named an All-Canadian Outfielder at the Canadian National Championships in O'Leary, PEI, and won the City of Ottawa's award for top softball athlete of the year.

Erin Pleet, MPA'08/Law'11, was awarded The Advocates' Society's 2016 David Stockwood Memorial Prize for her article "All's Fair in Love and Court: The Use of Wrongfully Obtained Evidence in Civil Proceedings." The article was published in the Fall 2016 issue of *The Advocates' Journal*.

2012



Brooke MacKenzie, Law'12, co-founded MacKenzie Barristers, a litigation boutique in Toronto, with her father, Gavin. Their practice concentrates on civil appeals and advising and representing lawyers and law firms on issues of professional responsibility. Since setting up shop in June 2016, they have argued appeals before the Supreme Court of Canada and the Ontario Court of Appeal. Brooke was previously a litigation associate at McCarthy Tétrault. Contact her at brooke@mackenziebarristers.com. ►

Lexpert salutes grads of Law'02 and '04 as 'Rising Stars'

Andrea Bector, Law'02 (Com'99), and **Kate Crawford, Law'04**, were named to Canadian publisher *Lexpert's* 2016 honour roll of "Rising Stars – Leading Lawyers Under 40" for achievement in challenging, fast-evolving fields – pension law and health law, respectively.

Andrea, a partner in the Toronto office of Stikeman Elliott LLP, heads the firm's national pensions and benefits group and co-chairs the Toronto office's Community Involvement and Pro Bono Committee. Among her work recognized by *Lexpert* was her contribution to pension regulations achieved on behalf of Essar Steel Algoma in 2013 and 2014, a first for an employer not involved in court-supervised restructuring proceedings and an outcome that enabled the company, its employees and their community to stave off a potential financial crisis. She has also been involved in many other pension "firsts," including her work in a high-stakes, complex case for an appointed administrator of a pension plan, Eckler Ltd., following the insolvency of the employer-sponsor.

Kate is a partner in the health law group at Borden Ladner Gervais LLP in Toronto, where her practice includes civil litigation in complex medical malpractice actions, class actions and administrative law. She also serves as general counsel to hospitals, long-term care facilities and retirement homes, providing strategic day-to-day advice on risk management and policy issues and advocating for them before tribunals, public inquiries, inquests and other proceedings.

Lexpert noted her high-profile role representing Toronto's Hospital for Sick Children (SickKids) over several months of hearings during the Inquiry into Pediatric Forensic Pathology in Ontario, which focused on SickKids pathologist Charles Smith's work for the Office of the Chief Coroner. *Lexpert* also cited her work representing SickKids in the Provincial Review into toxicological hair testing at the hospital's Motherisk Drug Testing Laboratory (led by retired Justice Susan Lang), and her recent appointment as SickKids' lead counsel in the proposed class action litigation relating to the lab's work.



"Rising Stars" Andrea Bector, Law'02, and Kate Crawford, Law'04



– KIRSTEEN MACLEOD

Law'92 grad part of National Inquiry to protect Indigenous women and girls

Brian Eyolfson, Law'92 (Arts'89), says he's "very honoured" to serve as a commissioner on the National Inquiry into Missing and Murdered Indigenous Women and Girls. A human rights lawyer and member of Couchiching First Nation (Ontario), he is one of five commissioners from across the country appointed last August by the federal government after years of public calls for an independent public inquiry.

The commissioners are examining and will be reporting on the systemic violence against Indigenous women and girls in Canada, as well as the underlying causes. They are also investigating institutional policies and practices responding to this issue, and will duly recommend concrete and effective action to end such violence, increase the safety of Indigenous women and girls, and commemorate those missing and murdered.

Watch for a feature story in the next issue of *Queen's Law Reports Online*.

– EMILY LIEFFERS



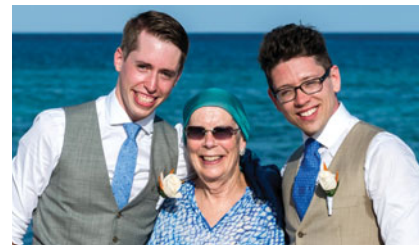
Joy Wakefield, Law'12, began working for Legal Aid Ontario in Thunder Bay following her 2013–14 clerkship there with the Ontario Superior Court of Justice. Last fall she co-taught Poverty and the Law at Lakehead's Law Faculty and this winter she taught Domestic Violence Law, a course based on the Law Commission of Ontario's model curriculum on violence against women. Joy's also involved in a number of community projects and encourages anyone interested in working

up north to get in touch with her at joy.wakefield@gmail.com.

2014

John McIntyre and **Anthony Gatensby**, both **Law'14**, were married in Mexico on a Mayan Riviera beach on June 28, 2016. The ceremony was officiated by retired faculty member Sue Miklas, Law'88 (middle). Joining them were family members and friends, including five classmates: Julia

Lauwers, Michelle Butlin, Dina Peat, Sapna Thakker and Vanessa Wynn-Williams.



Two young grads are Precedent Setters

Jackie Swaisland, Law'06, and **Peter Aprile, Law'05**, have both made names for themselves as movers and shakers. Now they are members of *Precedent* magazine's exclusive A-List. In June 2016, they were presented with Precedent Setter Awards recognizing their excellent work and leadership within their first 10 years of practice.



PRECEDENT

Jackie, an immigration lawyer at Lorne Waldman Professional Corporation, co-founded the Refugee Sponsorship Support Program in October 2015. In a network that continues to grow, 1,300 lawyers across the country are now available to provide pro bono services to Canadians who want to sponsor refugees to come to Canada. The Advocates' Society also presented her with its 2016 Arleen Goss Young Advocates' Award.



PRECEDENT

Peter, founder of Counter Tax Lawyers, has built his firm into a leading tax-dispute litigation law firm using leading-edge technology, including its proprietary tax litigation software. CounterPoint (described as a "GPS for tax litigation – only smarter"), helps map out complex tax files, pinpoints risks, describes probabilities and adjusts as the matter unfolds.

– LG

Queen's Law alumni dominate Canadian General Counsel Awards

At the 2016 Canadian General Counsel Awards (CGCA) gala, '80s grads took three of the seven awards for being tops in their field. The awards, established by the *National Post* and ZSA Legal Recruitment, were presented on June 1 in Toronto.



Betty DelBianco, Law'84



Hugh Kerr, Law'88



Sheila Murray, Law'82

Betty DelBianco, Law'84, won for Litigation Management, having successfully managed a complex, cross-border securities class action that went to the Supreme Court of Canada. She was representing Celestica Inc., the company for which she is Chief Legal and Administrative Officer.

Hugh Kerr, Law'88, VP and Associate General Counsel of Sun Life Assurance Co. of Canada, received the Deal Making Award for two complicated, high-profile, pension-risk transfer transactions he managed as the chief legal advisor for the pensions business unit at Sun Life.

Sheila Murray, Law'82 (Com'79), winner of the Business Achievement Award, successfully made the leap in 2008 from in-house counsel to President and General Counsel of CI Financial Corp., one of the country's largest independent investment fund companies (assets of \$141 billion).

Sheila was also honoured by

Queen's Alumni Association last November with the Toronto Branch Award for professional excellence, volunteer service, and support for Queen's. She has given back to her alma mater through the Law Dean's Council and the Initiative Campaign Cabinet directing Queen's recent campaign that raised more than \$640 million. As for community service, Sheila is an appointed member of Ontario's New Business Law Advisory Council, created to modernize the province's business laws, and was named an honorary chair for the 2016 "One Walk to Conquer Cancer" in support of Princess Margaret Cancer Centre. "Queen's is a very special part of my life," she says. "I know I could not have had the professional career I have been able to have without the benefit of my Queen's education."

Read more about our CGCA winners at <https://goo.gl/Xwoobd>.

– GEORGIE BINKS AND MICHAEL BELEZA

More ways to stay in touch!



Queen's Law Reports Online, an exclusive digital magazine for alumni, will be delivered to your inbox three times a year. To get on our e-mailing list, contact Dianne Butler at butlerd@queensu.ca.

Supporting Excellence, a separate magazine that includes the annual Honour Roll of Donors, is bundled with the November issue of Queen's Alumni Review.

Send your news for

Queen's | **LAW REPORTS**
2018

Have you recently married, become a parent, relocated, been promoted or honoured? Are you starting a new job, a new position, or perhaps retiring?

Then please send your news and high-resolution digital photo to editor Lisa Graham, grahaml@queensu.ca for publication in the 2018 issue of Queen's Law Reports.

Judicial Appointments

Order of Military Merit honoree appointed judge

Commander Sandra (MacLeod) Sukstorf, OMM, CD, LLM'12, was appointed a military judge by Governor General David Johnston, Law'66, LLD'91, on Feb. 17. Two years earlier, he had appointed her an Officer of the Order of Military Merit, recognizing her service and devotion to duty with the Canadian Armed Forces (CAF). Previously, she was a manager at the Law Society of British Columbia. During her 35-year military career, she completed two international deployments (Bosnia and South West Asia) and from 2012 to 2015, she supervised the delivery of military justice, military law and general legal advice to CAF units located in Ontario. Watch for a profile on Justice Sukstorf in the next issue of *Queen's Law Reports Online*.



Commander Sandra Sukstorf, LLM'12, now a judge, receives her insignia for the Order of Military Merit from Governor General David Johnston, Law'66, LLD'91, in a Rideau Hall ceremony on June 8, 2015.



Norman Boxall, Law'78, was appointed on Feb. 17 to the Ontario Court of Justice, presiding in Ottawa. Throughout his 37 years practising criminal law, he has appeared before all court levels. He was designated a Special Advocate by the Ministry of Justice and has served as president of both the Defence Counsel Association of Ontario and the Criminal Lawyers' Association and as a member of Legal Aid Ontario's Criminal Law Advisory Board.



Calum MacLeod, Law'80 (Artsci'77), a Case Management Master of the Superior Court of Justice in Toronto and Ottawa since 1998, was appointed a judge of the Ontario Superior Court of Justice in Ottawa on June 17, 2016. He spent his earlier career as a lawyer in Toronto, Markham, and Barrie, Ontario, and had a province-wide practice in dispute resolution as a mediator and arbitrator.



Bonnie Warkentin, Law'89, a judge of the Ontario Superior Court of Justice since 2008, who had been sitting in Ottawa since 2011, was promoted to Regional Senior Judge of the Northwest Region on Dec. 31, 2016. She is also a Deputy Judge of the Territory of Nunavut and was re-appointed to chair the Judicial Advisory Committee for Ontario-East and North in February. A former Law Society of Upper Canada benchler, she was also its first woman Chair of Finance.



Lucy McSweeney, Law'93, the Children's Lawyer for Ontario since 2010, was appointed a judge of the Ontario Superior Court of Justice in Brampton on June 17, 2016. Previously she was litigation counsel and Deputy Legal Director of both the Strategic Planning Unit and the Crown Law Office – Civil with the Ministry of the Attorney General (2000-2010) and an associate with Ebert Symes Street and Corbett in Toronto (1995-2000). At her swearing-in, attended by several fellow alumni, Justice McSweeney spoke of the inspiring influence of her Queen's Law days (see page 44).

Debra Kinsella, Law'95 (Artsci'91), was appointed a judge of the Ontario Court of Justice presiding in Cornwall on Sept. 7, 2016. For the previous 19 years, she had been an Assistant Crown Attorney in Brantford, Thunder Bay, Welland and Etobicoke. As a member of the Ontario Crown Attorneys' Association, she served on the Education Committee and was part of the Experts' Evidence Program.

Triple appeal court appointments for Law'80 alumna



After judging on the Court of Queen's Bench since 2007, last September **Justice Jo'Anne Strekaf, Law'80**, was appointed to the Courts of Appeal for Alberta, the Northwest Territories, and Nunavut. Previously she spent her entire career with Bennett Jones in Calgary, first as an articling student, then as associate and then a partner, practising litigation in competition law. She worked on such major cases as the ICG-Superior Propane and Air Canada-Canadian Airlines mergers. During that time, she also was involved in running the firm's legal research group, earned an LLM from Cambridge (1986) and co-founded the Janus Academy (Grades 1-12) to provide specialized learning for children with autism.

As a trial judge, she adjudicated such high-profile cases as the Arthur Kent libel case (dubbed "the Dud Scud lawsuit") last June and tried the newsworthy *Pridgen v University of Calgary* case in 2010, where she ruled that universities are subject to the *Charter* (i.e., that when the university disciplined students for posting on Facebook about a professor, it breached the students' Section 2 right to freedom of expression).

In 2013, Justice Strekaf won the H.R.S. Ryan Alumni Award for significant contributions to Queen's Law, the legal profession and the broader community.

Alumni celebrate Queen's Law at autumn receptions



OTTAWA
October 26, 2016
PHOTOS: VIKI ANDREVSKA

CALGARY
November 14, 2016
PHOTOS: GLEN CO

MONTREAL
November 10, 2016
PHOTO: VIKI ANDREVSKA



EDMONTON
November 16, 2016
PHOTO: GRANT CREE



QUEEN'S HOMECOMING 2016



LAW'66

RAI ALLEN



LAW'71

VIKI ANDREWSKA



LAW'76

RAI ALLEN



LAW'86

RAI ALLEN

LAW'91



TIMOTHY FORBES



LAW'96

TIMOTHY FORBES

LAW'01



RAI ALLEN



LAW'06

RAI ALLEN

LAW'11



RAI ALLEN

Queen's Law Homecoming 2017

All classes are invited to celebrate the 60th anniversary of Queen's Law!
September 8–10

homecoming.queenslaw.ca



Special events scheduled for our standalone Law Homecoming Weekend include:

- Symposium in honour of recently retired SCC Justice Thomas Cromwell, Law'76
- Gala reception and dinner in Ban Righ Hall (alumni seated by class)
- Cocktail reception at the Isabel Bader Centre for the Performing Arts
- Open House at the downtown Queen's Law Clinics
- Lunch and student-guided tours of Macdonald Hall

Law's Homecoming Weekend 2017 takes place earlier than the traditional Queen's Homecoming in mid-October. Greater numbers of Law alumni are returning, and our dedicated reunion allows for more accommodations in downtown Kingston and exclusive access to select campus venues. And, as you remember, early September is a beautiful time on campus.



Queen's | **LAW**

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Queen's University
Kingston, Ontario
Canada K7L 3N6