

Queen's | LAW REPORTS ONLINE

JANUARY 2017

RETIRED SCC JUSTICE CROMWELL GETS CANDID

[SEE PG. 18](#)

MORE JUDICIAL NEWS

[SEE PG. 20](#)

ALUMNA AND PROFESSOR
HELP STRENGTHEN JUSTICE FOR
INTERNATIONAL CRIMES

[SEE PG. 8](#)

ALUMNI CELEBRATE QUEEN'S LAW
AT FALL RECEPTIONS

[SEE PG. 56](#)

REMEMBERING FORMER
DEAN'S COUNCIL VICE-CHAIR,
STEPHEN SIGURDSON, LAW'84

[SEE PG. 34](#)



Queen's
UNIVERSITY

Staying in Touch

How are we doing so far?



In 2016, Queen's Law produced three types of magazines:

- *Queen's Law Reports* (print);
- Three *Queen's Law Reports Online* (digital);
- The new *Supporting Excellence* (print).

We would like your feedback!

You can take a short one-question survey, and then choose whether to take a longer survey that addresses them in detail. If you complete the longer survey (up to 15 minutes), you can enter a draw for one of three toque-and- scarf bundles. Survey closes on January 30.

[Take Survey Now!](#)

DEAN'S COUNCIL MEMBERS

Sheila A. Murray, Law'82 (Com'79)
Chair
President and General Counsel
CI Financial Corp.

David Allgood, Law'74 (Arts'70)
Past Chair
Counsel
Dentons Canada LLP

Betty DelBianco, Law'84
Executive VP, Chief Legal & Administrative Officer
and Corporate Secretary
Celestica Inc.

Janet Fuhrer, Law'85
Partner
Ridout & Maybee LLP

Peter Griffin, Law'77
Managing Partner, Toronto Office
Lenczner Slaght Royce Smith Griffin LLP

Thomas A. Houston, Law'78 (Com'75)
Managing Partner, Ottawa Office
Dentons Canada LLP

Kelley McKinnon, Law'88 (Arts'85)
Partner and Head of Securities Litigation Practice
Gowling WLG (Canada) LLP

James M. Parks, Law'71
Counsel
Gardiner Roberts LLP

David Sharpe, Law'95
President and Chief Operating Officer
Bridging Finance Inc.

R. Paul Steep, Law'80 (Arts'77)
VP and Chief Compliance Officer
BMO Capital Markets

Patrice Walch-Watson, Law'91
Senior Managing Director, General Counsel &
Corporate Secretary
Canada Pension Plan Investment Board

Frank E. Walwyn, Law'93
Partner
WeirFoulds LLP

Alan Whyte, Law'79 (Arts'76)
Partner
Cunningham, Swan, Carty, Little & Bonham LLP



Queen's Law Reports Online is a periodic electronic update of *Queen's Law Reports* magazine published by

QUEEN'S FACULTY OF LAW
MARKETING AND COMMUNICATIONS
Matt Shepherd, Director
Macdonald Hall
Queen's University
Kingston ON Canada K7L 3N6
law.queensu.ca

Editor
Lisa Graham, Com'88, Arts'92, MPA'08
Manager of Communications
Tel: 613.533.6000, ext. 74259
Fax: 613.533.6611
Email: grahaml@queensu.ca

Contributors
Emily Liefers, Law'16
Kirsteen MacLeod
Anthony Pugh
Jeremy Mutton, Law'19
Dirk Rodenburg

Design + Production
Base design:
Larry Harris, Queen's University Marketing
Production and layout:
Sarah Spriggs, Spriggs Design



ON THE COVER:
Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73), participated in a Q&A during his visit to Queen's Law in November. (Photo by Andrew Van Overbeke)

Class of '66
Governor General David
Johnston...30, 31

Class of '70
George Windsor...56

Class of '71
David Pattenden...35

Class of '72
Michel Picher...30-31
Justice David Wake...24-25

Class of '76
Justice Thomas Cromwell
...18-19, 22

Class of '77
Dave McInnis...68

Class of '78
Laurie McInnis...68-69

Class of '79
Greg Richards...14-15

Class of '80
Justice Harvey
Brownstone...52-53
Justice JoAnne Strekaf...26-27
Brigadier-General Ken Watkin
(LLM '90)...32

Class of '81
Susan Charlesworth...12-13

Class of '82
Sheila Murray...39

Class of '83
Ken Cuthbertson...36-37
Justice Dame Ellen France (LLM)
...20-21
Simon France (LLM)...20

Class of '84
Leslie Sigurdson...34
Stephen Sigurdson...34
Justice David Stratas...28

Class of '90
Robert Emblem...60
David Kerzner (PhD '15)...33

Class of '91
Priscilla Ferrazzi (LLM'07)...38

Class of '92
Marie Beyette...42
Sunita Doobay...42
Pam MacEachern...28
Jana Mills...17

Class of '93
Ida Bianchi...28
Gary Clarke...65
Professor Arthur Cockfield
...33, 43

Barbara Johnston...64
Sean Kearney...28
Lucy McSweeney...28
Fiona Sampson...28, 31

Class of '94
Joe Bradford...64
Cidalia Faria...28

Class of '95
Martin Masse...56

Class of '96
Jayne Stoyles...8-9

Class of '01
Sean Ellacott...10-11
Kathy Ferreira...10-11

Class of '02
Andrea Bector...40-41

Class of '04
Kate Crawford...40-41

Class of '05
Jonathan Goode...44-45
Imram Hussainaly...68-69
Trevor Shaw...28

Class of '09
Major Dylan Kerr...57
Paul Quick...10-11

Class of '10
Patrick Welsh...5

Class of '12
Brianna Guenther...64-65
Kevin Guenther...64-65

Class of '13
Karla McGrath (LLM)...16
Laura Sigurdsson...34

Class of '14
Douglass Dawson...5
Brandon Kerstens...5

Class of '15
Rachel Eichholtz...11

Class of '16
Nancy Brar...11
James Clinton...5
William McDiarmid...12-13

Class of '17
Brody Appotive...54
Mark Asfar...55
Sarah Black...51
Alice Colquhoun...22
Katie Ling...52-53
Graeme Macpherson...54
Geneve Say...54
Kate Withers...46-47

Class of '18
Erin Keogh...54
Olga Michtchouk...12-13
Jill Whitehead...54

Class of '19
Kevin Bailie...50-51
Daniel Baum...7
Zac Cooper...7
Claire Davis...46-47
Jennifer Mak...7
Josh Sherkin...7
Diane Wu...7

PhD Candidates
Ana Patricia Chuc Gamboa...48
Maseeh Haseeb...49



Professor Darryl Robinson

GREG BLACK

Queen's professor receives \$91K grant to research contemporary crimes against humanity

Professor Darryl Robinson helped draft the current leading definition of crimes against humanity. Now he wants to modernize this area of law to deal with contemporary non-state actors, such as terrorist groups or corporations. A \$91,000 research grant from the Social Sciences and Humanities Research Council (SSHRC) will help him do just that.

"Situations of mass atrocity, such as in Syria and Iraq, currently threaten thousands of human beings and have dislocated millions," says Robinson. "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 judges are struggling to fill in gaps. Some of their impressionistic tests have led to the collapse of meritorious cases for terrible atrocities."

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

In this vein, Robinson has submitted amicus briefs before the International Criminal Court (ICC) and the Cambodian chambers prosecuting the Khmer Rouge. One of his arguments is that judges should not construct models based only on the highly bureaucratic crimes of the Nazis – what the law should reflect

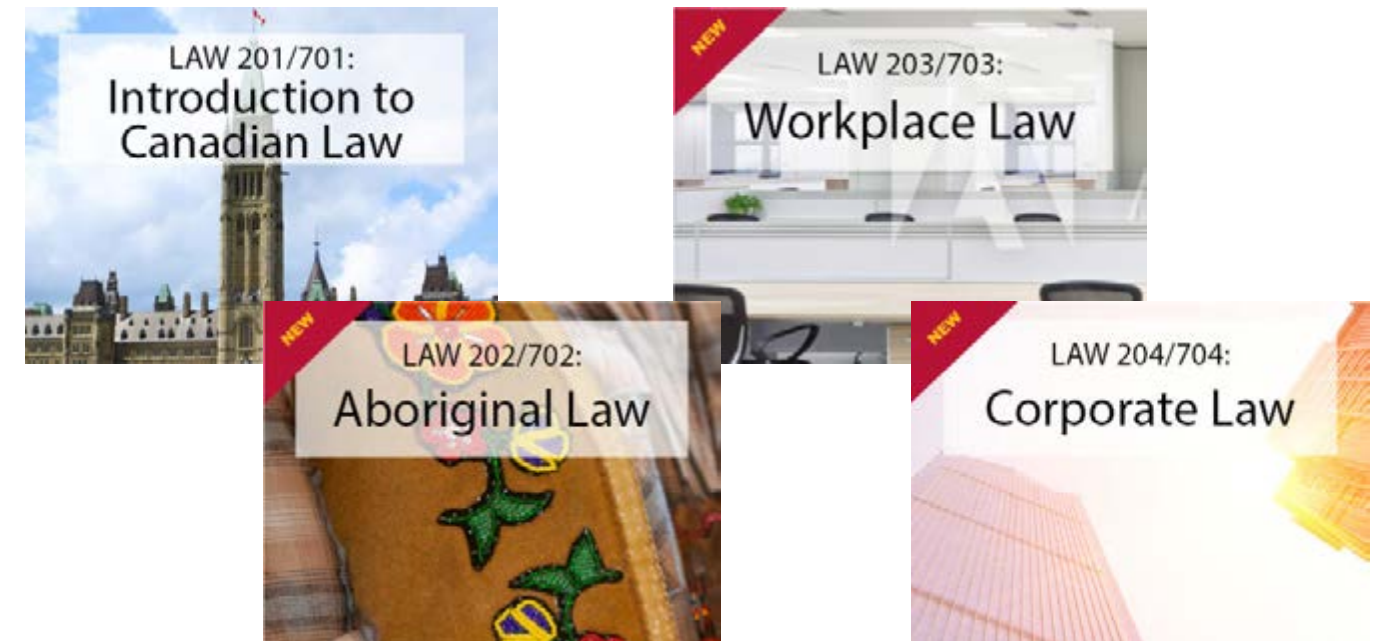
is the diverse range of human organizations that can unleash widespread violence against civilians.

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

For his research, the majority of his grant funds are being used to hire JD and PhD students as research assistants to aid in the project. "This is crucial because cases from foreign jurisdictions are difficult to access and search." Students are also helping to make the research data and main findings available on the "Legal Tools" Database, a tool now accessed by several thousand lawyers in all regions of the world.

In addition, the money will be used to interview national and international prosecutors about challenging cases. "As much as academics try to come up with difficult hypotheticals to test ideas," says Robinson, "the most perplexing and unforeseen questions still arise from actual cases." — **ANTHONY PUGH**

Read about Professor Robinson's involvement in a \$2.5-million research project to help strengthen justice for international crimes. See [pp. 8-9](#).



Queen's Law offers new undergraduate 'Certificate in Law'

Queen's Law has launched one of the first academic programs specifically directed at undergraduate students to be offered, and taught, directly by a law faculty.

The program, the Queen's Certificate in Law, is available to undergraduates at Queen's and, as a fully online program accessible through eCampus Ontario, to undergraduates in universities and colleges across Ontario and Canada.

Designed to introduce undergraduate students to the study of law, the program builds on the success of LAW-201: Introduction to Canadian Law, and includes courses dealing with some of the most important issues in contemporary society: Aboriginal Law, Workplace Law and Corporate Law. The 12-credit program will provide students with a comprehensive overview of each target area of law from a range of perspectives, the opportunity to learn and apply the basic concepts of legal reasoning, evaluate fact scenarios, and develop and justify a legal position.

"We're tremendously excited to be offering this new undergraduate Certificate in Law," says Dean Bill Flanagan. "LAW-201, our flagship undergraduate course, has been a hit with Queen's students, both on-campus and online. When we asked undergraduate students if they wanted us to offer additional courses and an academic credential such as the Certificate, the response was overwhelmingly positive."

"One of the really attractive features of this program is its applicability to a wide range of career paths, from business to public service," Dean Flanagan continued.

"With the knowledge provided by the Certificate, students will be able to bring a level of legal literacy to the workplace that can distinguish them and open doors for them professionally."

"For example, engineering and commerce students, especially those seeking to pursue careers in entrepreneurship, would benefit from both Corporate and Workplace Law. Engineering students, particularly those involved in resource development, would benefit from Aboriginal Law. Students with an interest in human resources would benefit from a course offering a focus on contemporary Workplace Law."

"It's not just the topic areas themselves, however, that will make these courses of interest to students," says Associate Dean Cherie Metcalf, Law'01. "We've really focused on making the structure and content of the courses as engaging as possible, whether students are taking them on-campus or online. We've integrated student inquiry and case-based activities that focus on diverse perspectives and real-life issues."

"Longer term, depending on student interest and demand, we see the opportunity to expand the courses being offered as part of the Certificate, including Constitutional and Public Law, Intellectual Property Law, Health Care Law, Criminal Justice, Immigration Law, Family Law and International Law. It will be exciting to see how the program evolves."

Read more about the [Certificate in Law program](#).

— **DIRK RODENBURG**

New director steps up career-building for Queen's Law students



"Moving forward, I'm excited about the opportunity to enhance and expand Queen's Law's relationships with alumni and employers."

Julie Banting, Director of Career Development

ANDREW VAN OVERBEKE

The Career Development Office (CDO) at Queen's Law is a fundamental part of ensuring students' future success. Julie Banting (Artsci'00, MIR'01), who began a new challenge last August as the school's Director of Career Development, says she wants to create an even longer list of career and practical training opportunities for students.

"We have a solid foundation with our career management plan, which provides a customized overview for students to know what they need to do to stay on track with their career planning," she says. Banting was previously a career counsellor at the CDO for four years. Prior to that, she worked in the same field at Queen's Smith School of Business and at the University of Toronto, where she earned her MEd in counselling psychology in 2005.

"Moving forward, I'm excited about the opportunity to enhance and expand Queen's Law's relationships with alumni and employers."

So what will that look like?

"We reach out to our core corporate partners, we have touchpoints for them when they come down to Queen's and we organize events like Careers Day," she says. "We do connect casually as well."

She sees this as a continuation of the work that she started as a counsellor.

"When I first started, I had a target list of in-house employers that might be able to take summer students," she says, listing examples such as Johnson & Johnson and Brookfield Energy. "To me it seems like a natural connecting point."

She gauges the needs that these companies have for summer law students and pitches the advantages that Queen's Law students bring to the table. Banting says the first step is securing summer opportunities, after which companies hopefully decide that they could more habitually take on articling students. "That will be something we will look to expand as well."

"We will be developing our strategic plan, ensuring it aligns with the law school and with Queen's University more broadly." But it is still in the early days, she says.

One potential avenue that Banting sees is the strong group of alumni who remain involved with the law school and who link Queen's with the firms and organizations they work for. "We have existing programs like ProNet (a network of alumni who have agreed to be contacted for the purpose of informational interviews) and a

Shadow Program through which students spend the day with a lawyer practising in an area they are interested in learning more about."

In terms of programming on campus, Banting says there is a wide array of events and workshops that will give law students an edge when it comes to building a career after law school. She highlights the new Resume Labs, where upper-year teams review first-year students' resumes and give feedback on how to improve them, a LinkedIn starter session, and the Osler BizBasics seminars run by Osler, Hoskin and Harcourt LLP.

The BizBasics seminar series is meant to help law students gain an overview of the hard and soft skills necessary for careers in law. Banting says Queen's CDO has a flexibility and ability to test out ideas that allows these sorts of unique opportunities for students.

That's not all. Queen's Law also offers students one-on-one counselling, as well as opportunities to explore career options with counsellors and alumni who make themselves available to students for this purpose.

"In the customized experience students have with the CDO," says Banting, "Queen's has a competitive advantage over other law schools."

— JEREMY MUTTON

Osler BizBasics launches

Four representatives from Osler, Hoskin & Harcourt LLP kicked off Osler BizBasics, a four-part series organized and hosted by the firm to provide first-year Queen's Law students with foundational insight into the knowledge, skills and acumen necessary for the successful practice of law.



Speaking on "Demystifying Business Law" in Macdonald Hall on October 24 were (l-r) Brandon Kerstens, Law'14, Douglass Dawson, Law'14, Patrick Welsh, Law'10, and James Clinton, Law'16.

ANDREW VAN OVERBEKE



Ann Deer, Indigenous Access and Recruitment Coordinator (Professional Programs)

ANDREW VAN OVERBEKE

Queen's extends outreach to Indigenous JD prospects

Ann Deer began hitting the road in early 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 that is a joint effort between 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 Queens," she says. "I believe Indigenous people achieving higher education can be the change we seek."

She says many potential applicants just don't know all of what Queen's offers them, and she wants to fill that void. She's highlighting facilities like the Four Directions Aboriginal Student Centre and the events it hosts. These have included the 18th Annual Indigenous Research Symposium that dealt with responses to the Truth and Reconciliation Commission and featured a keynote address by Mark Dockstator, President of First Nations University of Canada; and the third annual Graduate & Professional Day. The Law Faculty always participates in this event to meet Indigenous prospective students who want to learn more about advanced studies at Queen's.

"When you compare the numbers of Aboriginal students to those of traditional students, our numbers are very low. Getting Aboriginal students who have gone to university for their undergrad to think about law school as a possibility – to get them to the next level – is what we want."

Many potential applicants may not have written the LSAT, or have even been thinking of law school. "They may not apply this year, but I'm also hoping to reach out and make relationships with people who might be

a year away from applying. I can answer questions, invite them to events, possibly connect them with a mentor, keep them updated on any relevant scholarships that they can apply to. Just build that relationship with them, let them know how Queen's is a community," Deer says.

Deer is from Akwesasne, the Mohawk community straddling the borders of Quebec, Ontario and New York. She has worked with both young Indigenous students and adult learners during her experience at the Akwesasne Area Management Board and the Akwesasne Mohawk Board of Education.

"I'm Mohawk and I'm from the wolf clan, and I worked for the school board quite a bit. I understand how people learn and how everyone has different learning techniques. So when you come to a big school like Queen's, there can be a culture shock."

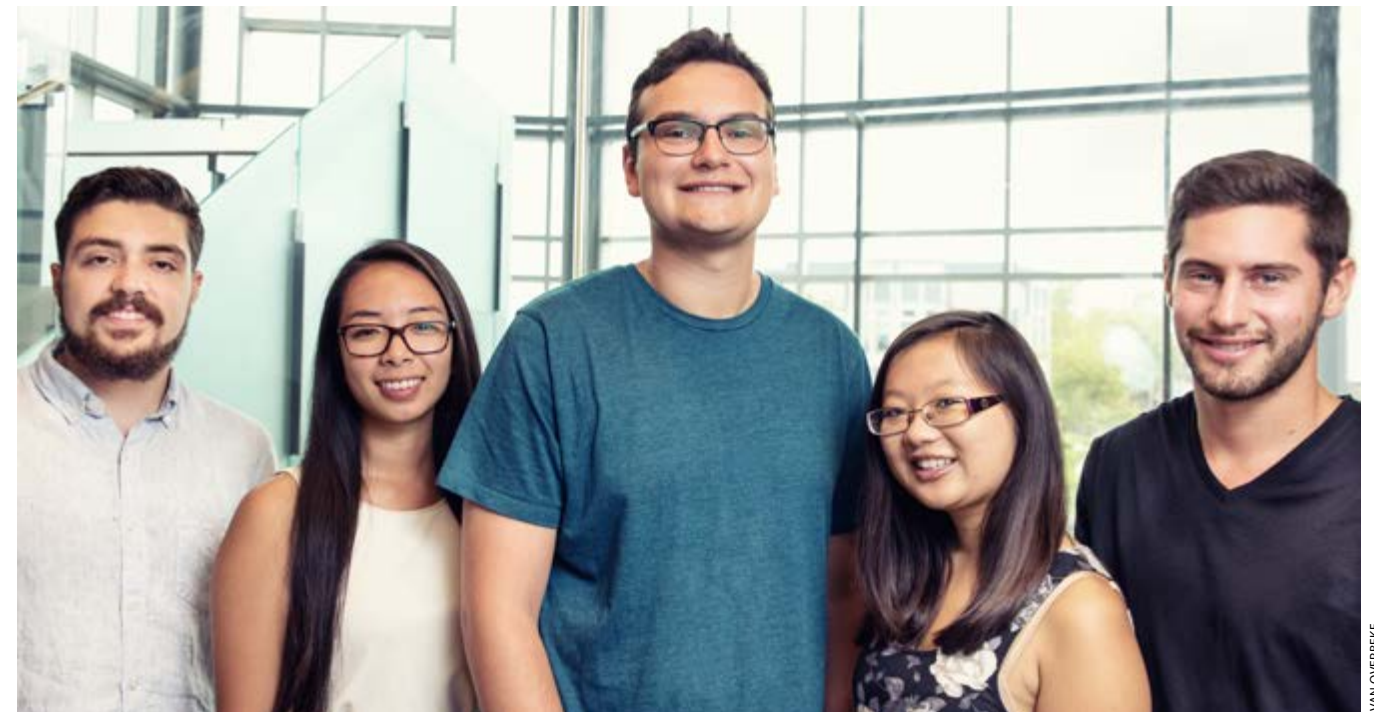
Even urban Aboriginals, who might not have that problem, "might still want the cultural relevance," she says.

More generally, Deer says, Indigenous students can acquire skills at law school to better their communities. "For instance, Akwesasne has the challenge of being a border town. But it's hard to understand if you don't live that life every day."

"If we can get people from those areas to come and learn the law, then they can go back and help their communities with whatever challenges they have, whether its matrimony, land issues, elder abuse, parental rights," Deer says.

"If you have lawyers from the community who can deal with that, people would feel more comfortable."

— JEREMY MUTTON



The first BCom/JD students – Zac Cooper, Diane Wu, Josh Sherkin, Jennifer Mak and Daniel Baum – in the atrium of Macdonald Hall, where they have begun their law studies in the new combined program

ANDREW VAN OVERBEKE

Combined BCom/JD program opens doors for Queen's Commerce and Law Students

Queen's Law and Smith School of Business launched a new combined program last fall, positioning the first cohort of students to be key players in corporate law. Five Commerce students are now the first [BCom/JD](#) students.

"It's three years of Commerce and three years of JD studies, with one semester of overlap between the two," says Aimee Burtch, Queen's Law recruitment and admissions manager. "So the five students in the combined program right now are first-year law students set to graduate with both degrees in only six years – that's one year earlier than if they took each program separately."

The program allows students to merge their study of business with the study of law, broadening their academic background and enriching their educational experience.

Diane Wu, Com'18/Law'19, is in the program and says she was drawn to it as soon as the opportunity arose. "I always knew I wanted to go to law school, and in my second year I was thinking about writing the LSAT, and at some point ... an email went out about this program and I said, 'Now I have to do this.'"

She says a third year business law course in undergrad also piqued her interest in that field. "It's a

little overwhelming. Everyone's high-caliber, and one thing I realized is that I don't know how to take notes on cases!"

Wu says while the learning curve is challenging, the opportunity is rewarding. Being able to get here quicker – "and shave off a year of tuition," she adds – is worth it.

Any third-year commerce student can apply, and there is no application fee. The regular standards of admission for law school still apply – Queen's will evaluate LSAT scores, academic records, extracurricular activities, letters of reference and personal statements.

Daniel Baum, Com'18/Law'19, says he chose the program both because he wanted to stay at Queen's and for the ability to market his skills to future employers.

"I'm still considering whether I will actually practice corporate law, but law school teaches you a way to think that you can also use in the business world," Baum says. "There are a lot of similarities between the skills you need in business and the skills you need in law school."

"Let me put it this way: it didn't close any doors, but it sure will open a lot of them."

— JEREMY MUTTON

Queen's Law to help strengthen justice for international crimes

Alumna and professor part of \$2.5M SSHRC-funded project

A partnership of leading Canadian organizations and academics, involving Jayne Stoyles of Law'96 and Professor Darryl Robinson, has been awarded a \$2.5-million, five-year grant from the Social Sciences and Humanities Research Council (SSHRC) to improve justice for victims of war crimes, crimes against humanity and genocide. Within a network of 22 academic researchers and 12 institutions and non-governmental organizations (NGOs), the partners will investigate criminal, civil, and administrative law remedies for victims of international crimes.

Stoyles, the project's co-director, was involved in its genesis several years ago when the organization she led, the Canadian Centre for International Justice, was researching international crimes for a database launched by the International Criminal Court in The Hague. She and her colleagues from various clinics, NGOs and academic institutions across Canada decided to formalize their partnership and apply for additional funding.

Their reaction when the grant was awarded? "We were thrilled, primarily because of this sense of enormous potential for impact. This work is ultimately about helping end mass atrocities and contributing to international peace and security," she says.

Part of this sense of possibility stems from the project's scope; it goes far beyond any one research project to comprehensively examine all forms of redress for international atrocities. Most importantly, the research will be put into practice with the project's partner organizations.

Robinson, chair of the partnership's criminal response axis and recipient of a separate [SSHRC grant to research contemporary crimes against humanity](#), says the collaborative nature of the project is key. "We plan to propose and test innovations that have practical impact," he says. "Research and new ideas will assist jurists and lawmakers, and the experiences in turn will fuel new research questions."

While working with such a big team of NGOs, clinics and academics can be logistically challenging, it is also an opportunity for coor-



Professor Darryl Robinson and Jayne Stoyles, Law'96

"Research and new ideas will assist jurists and lawmakers, and the experiences in turn will fuel new research questions."
— Professor Darryl Robinson

ordinated and effective work among Canadian leaders in this field. Indeed, one of the core aims of the project is to solidify Canadian contributions to this area of international law.

"Canada played a central role in early efforts to strengthen justice for victims of atrocities," says Robinson. "Our project aims to re-invigorate that Canadian contribution of expertise and ideas."

Stoyles, who is currently Executive Director of Amnesty International Canada, agrees that an overarching goal of the project is to put Canada back on the map in international law. "Individual Canadians and NGOs have done tremendous work, but this will ensure that Canadian expertise on this issue is offered in a more coordinated and effective way to allow for the best possible contribution we can make."

Law students can also get excited about the project, with Robinson underlining that "a central priority is to provide training and opportunities for students." Stoyles herself completed an internship in Honduras during her time at Queen's Law and encourages students to get involved with the project's partner clinics and NGOs, or to become research assistants with the universities involved.

Students will surely find that a common denominator among all these different partners is a deep passion for international law and a drive to secure justice for victims. Right from the beginning, Stoyles emphasizes, "We didn't want just research for its own sake, but for it to actually be used in a way that helps survivors get justice." It certainly seems off to a good start.

— EMILY LIEFFERS

Watch for an alumni profile on Jayne Stoyles in *Queen's Law Reports* 2017.

New leader expands Prison Law Clinic's mandate and introduces students to litigation experience

With a new director in place as of January 2, Queen's Prison Law Clinic (PLC) is gearing up to deepen its commitment to serving the needs of those incarcerated in the Kingston area's six federal penitentiaries and enhance students' real-life opportunities to provide legal assistance and representation to them. **Sean Ellacott, Law'01**, has been part-time review counsel with the PLC since September, supervising four students while finishing off cases at his private practice, Ellacott Law Office, in Kingston.

As leader of the clinic, he's getting it started on furthering the clinic's litigation mandate. The clinic's responsibilities already demand a lot from the student caseworkers it selects each year: 18 for the academic year and four for the summer. Supervised by the clinic's lawyer-advisors, students learn to manage the solicitor/client relationship, interview inmates (always called clients), conduct case-specific research, draft legal submissions, represent clients at hearings, and prepare examinations and cross-examinations of witnesses. In the course of this work, they have opportunities to draft grievances, provide legal opinions, represent clients at Disciplinary Court or Parole Board hearings, and conduct on-site meetings with inmate groups. Ellacott hopes to add the opportunity for them to be a part of more complex litigation as well.

"That means adding a layer to what was already a remarkable opportunity for law students," Ellacott says. "You get your own client files before tribunals. Just in itself, that's 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.

"Most legal clinics at law schools don't do that," he says. "Review counsel generally help students conduct their matters. I want to introduce judicial reviews, especially in areas the staff thinks are important to a really underserved community."

Ellacott, who worked with the then-Correctional Law Project while a student himself, comes back to it well prepared to direct. He has appeared regularly before the Superior Court of Justice, the Ontario Court



"Nowhere else in Canada does the volume of prison law this Queen's clinic does. 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 as of January 2, 2017, at the Queen's Law Clinics in downtown Kingston: Kathy Ferreira, Law'01, Paul Quick, Law'09, new leader Sean Ellacott, Law'01, articling student Nancy Brar, Law'16, and Rachel Eichholz, Law'15.

of Justice, the Federal Court of Canada, the Parole Board of Canada, the Parole Board of Ontario, and the Ontario Review Board. That extensive criminal and correctional litigation experience makes him a natural fit to lead future litigation at the clinic. So does his empathy.

"People who are incarcerated tend to suffer in greater numbers from mental illness and substance abuse, and they have a significantly lower level of literacy, so as a group they're fairly vulnerable" Ellacott says. "When we see issues that are important to them, especially systemic ones, I think we'll be keen to be involved in litigation that addresses those issues."

"In legal terms, I think it will be more 'consequential,'" he adds. "A real goal for us is to intervene in important cases at the Ontario Court of Appeal or the Supreme Court of Canada."

Noting the amount of movement in prison law over the last few years, Ellacott says now is the time for the clinic to get directly involved. "Kathy, Paul and I want to run test cases, bringing judicial reviews on things like mental health, proper mental health care, and other duties to accommodate. Different prisoners have different problems, given their age, health, disability or sexual orientation. Obviously, if correctional facilities are not accommodating properly, or procedural fairness is lacking, there may be rights abuses going on."

Since October, Ellacott's former associate **Paul Quick, Law'09**, has been working at the clinic on litigation. Quick received the Medal in Law for highest standing in his graduating class. He articulated and practised law with Klippensteins Barristers and Solicitors in Toronto before returning to Kingston in 2012.

Rachel Eichholz, Law'15, has been a staff lawyer since August, on a contract basis. She articulated with a small criminal defence firm in Hamilton, which fostered her interest in prison law work.

This fall, the PLC hired its first articling student, **Nancy Brar, Law'16**. Her primary role is to assist clients with mental health challenges at Consent and Capacity Board Hearings and to help ensure the clinic provides client services to prisoners year-round, not just during the academic year.

Ellacott calls **Kathy Ferreira, Law'01**, "the heart of the clinic." She has served as acting director since July, when Elizabeth Thomas retired. Thomas's achievements in advancing the PLC mandate included involving students in Supreme Court of Canada test-case litigation. In January, Ferreira will return to her role as full-time review counsel. She was a clerk at the Superior Court of Justice Central West before being called to the bar in 2002. After a brief stint with Legal Aid Ontario in Toronto, she joined the clinic in 2003 as a staff lawyer.

"Kathy deserves a ton of credit for keeping the clinic running in superb shape," says her new boss; "really we're just adding a layer to what Kathy's already done."

He points out that "nowhere else in Canada does the volume of prison law this Queen's clinic does. That's why it should have, and could have, a really strong voice in correctional issues. With six prisons, we just see more than anyone else."

In 2017, Ellacott hopes the clinic will either be directly litigating several cases or will have intervener status. "It's going to be really valuable for students because they'll play a big role in small files and a small role in bigger files," Ellacott says.

"If I was a student, I'd be all over it."

— JEREMY MUTTON

Queen's Legal Aid bail program furthers access to justice

Bail reform is a hot topic in Canada right now: pre-trial detention is blamed for overcrowding in provincial jails. The subject has recently attracted the attention of both the Ontario Attorney General and the federal government. To tackle these problems, Queen's Legal Aid (QLA) began offering the first and only student bail program in Canada last June to reduce overcrowding at Quinte Detention Centre.

The program sees Queen's Law students helping women who have been accused of crimes and who are held in pre-trial detention get a release. To date, its student caseworkers have already assisted on 31 bail matters.

"Prior to our program starting, Quinte Detention Centre had 29 women in custody," said **Jodie-Lee Primeau**, the QLA review counsel who founded the program and supervised it until she left the clinic earlier this month. "The Detention Centre only has room for 19 so this meant that women were regularly being triple-bunked (two women in bunk-beds and one beneath a metal table on a thin mattress on the floor) or even held in segregation simply for want of space," she explained. "Even more importantly, all 29 of those women had not yet had a trial or plea; in other words, they were legally innocent. Within three months of our program only nine were being held."

Working on bail matters is a unique and valuable opportunity for Queen's Law students. They receive specialized training from QLA review counsel and are granted access into Quinte Detention Centre through the Elizabeth Fry Society. The end product is a lengthy memorandum detailing a bail plan, avenues of support and legal issues that may hinder the client's access to bail.

The process is one that requires a great deal of communication with clients, local lawyers and community organizations. "The students meet clients in the cell block and interview them about their current social supports and areas where they may have issues getting bail; for example, problems with mental health, finances, addiction and housing," Primeau described. "They help explain the bail process to clients and begin to brainstorm strategies. Many clients may not even be aware of the possibility of or the procedure for being released before trial. It is apparent that people we have not helped individually have learned about their bail rights through our representation of their cellmates."

The caseworkers then liaise with the client's private bar lawyer, the Elizabeth Fry Society, the John Howard Society and other community organizations. "Law schools across Canada have fewer and fewer criminal law practice opportunities," said Primeau. "Getting criminal law articles is extremely difficult and students are regularly hired based on practice-readiness. In this program, students work in partnership with local private lawyers, creating networking opportunities and mentorship relationships."

The program's clients are provided access to justice in a system that Primeau described as unfair to marginalized people. "Persons charged with criminal offences can only meet with duty counsel in court on the date of their hearing," she says. "This means that virtually no time is

allotted for them to create a bail plan that will give them a chance to be released pending their trial."

"Even for the clients who do have a legal aid lawyer, the certificate does not come close to affording the lawyer enough paid time to work on a bail plan," she continued. "When clients cannot work with their legal counsel in a meaningful way on a release plan, it means they are much less likely to convince a court that they will not pose a risk to the public while on bail; and so, they will likely be detained until their trial."

The most rewarding part of Primeau's work in the bail program was seeing students take ownership of it so as to now direct and continue it under the supervision of **Susan Charlesworth, Law'81**, QLA Senior Review Counsel. "Together, we have put in place systems and students to ensure the ongoing work of the program even on very limited funding. Watching students direct themselves and the program to ensure social justice for those in dire need of assistance gives me a great deal of faith that we are molding motivated, socially-conscious and innovative lawyers in the clinical education system."

"Queen's Legal Aid is delighted to have this valuable service added to the other legal assistance that we provide to the community," says Charlesworth. "The bail program anticipated the Ontario government's new plan to make the judicial system faster and fairer, and it has been extremely well received by the many women incarcerated while awaiting trial. The local lawyers representing those women also appreciate the student's assistance in arranging sureties and services in the community to help with bail planning."

— ANTHONY PUGH



QLA's Jodie-Lee Primeau (standing), Sue Charlesworth, Law'81, Olga Michtchouk, Law'18, and articling student William McDiarmid, Law'16, at the Queen's Law Clinics in downtown Kingston.

MARC CHAPUT

Law'79 grad gives back to clinical programs at Queen's

Forty years after he entered first year at Queen's Law, Greg Richards has become a permanent fixture – literally.

The Queen's Law Clinics student workroom has been named for **Richards, Law'79**, whose generous \$100,000 donation to the Experiential Learning Fund caps off many years of commitment to the law school.

"Greg is very supportive of what we're doing at the clinics and we wanted to name the student workroom in recognition of his generous contribution to the school," Dean Flanagan said at the unveiling ceremony.

Richards, a partner at WeirFoulds LLP, says his support for the Fund stems from two factors: skills such as advocacy and dealing with clients that he learned from the clinics; and the Law Faculty's desire to further enhance the program.

"I wanted to respond by giving back in some way," Richards says.

"The real story is how wonderful it is that the school has established those five clinics (legal aid and the elder, business, prison and family law clinics). I understand students really want that opportunity for hands-on learning. If the school says, 'we could use some support here,' I'm happy to do what I can."

Richards has fond memories working for Queen's Legal Aid in the late '70s.

"It was not nearly as elaborate and extensive as the facilities are now. There were offices in the school and north of Princess on Montreal Street, where students and Kingston residents would visit," Richards says.

"Then there was rural legal aid, which operated with a van that drove up old Highway 38 to Sharbot Lake, stopping at little communities along the way."

Richards says the van was nothing fancy; just a regular delivery van with 'Queen's Rural Legal Aid' on the side.

"One thing that sticks out in my mind is driving up in the winter. For some reason with this van, the heater, at one point wasn't working," Richards recalls. "That was one cold trip!"

Richards says rural legal aid at that time could consist of anything – whether it was tax returns or helping someone navigate a court case.

"The court at Sharbot Lake was held in a community hall. The judge would sit up on a platform and preside from there."

"The downtown legal aid clinic in Kingston had a



Greg Richards, Law'79, with Dean Bill Flanagan at the September 24 unveiling of the Queen's Law Clinics Student Workroom named in his honour.

variety of cases too: small claims court actions, drafting pleadings, landlord-tenant issues."

Richards recalls helping students fight landlord-tenant cases in which landlords were trying to take advantage of them – such as selling them heating oil at inflated prices as a term of their lease.

"The law isn't something that just sits on a bookshelf. It's a part of our society, and to see how it works you've got to get out there and give it a try. There's nothing quite like learning by doing. You have to interact with real people who've got real problems and who raise legal issues. It's a whole other set of skills – and you're helping other people at the same time. It's the practice of law, really. There's no substitute for actually doing it."

Richards' investment is just one part of his commitment to Queen's Law. From 2003 to 2013, he served on the Dean's Council, including one year as chair. He says the investment is worthwhile in order to help students continue to benefit from clinical education.

"It certainly did a lot for me. I've had a very interesting career in the practice of law, and that never would have happened if I hadn't had all the support and grounding from Queen's Law. I feel I'd like to give back as much as I can."

— JEREMY MUTTON



Greg Richards, Law'79, was celebrated by Queen's Law students at Homecoming 2014, when he was presented with the H.R.S. Ryan Alumni Award for significant contributions to his alma mater and the legal profession.

LLM alumna gives Queen's Law Clinics a further boost



Karla McGrath, LLM'13, is the first Executive Director of the Queen's Law Clinics

Queen's Law Clinics has taken another step forward with the appointment of **Karla McGrath, LLM'13**, as its first Executive Director. While continuing to serve as Director of the Family Law Clinic, she also now oversees the school's five clinical programs and streamlines them by implementing common policies and procedures when appropriate.

"Securing a fantastic space on the top floor of a downtown office building has brought all the clinical programs together," explains McGrath, referring to legal aid and the business, elder, family and prison law clinics.

"This co-location has created tremendous opportunities for all five clinics to share resources and learn from one another so that we can better serve their dual goals: access to justice and providing superior experiential learning opportunities to students. To date we've done an excellent job of that but all the great ideas beget more great ideas so the next logical step was to make the coordination of that effort the responsibility one person."

McGrath, who holds a JD from the University of Kentucky in addition to her LLM from Queen's, has been called to the bars in both Ontario and New York. From 2008 to 2015 she acted as an Independent Chairperson presiding over disciplinary court proceedings at federal penitentiaries in the Kingston area. Her private practice has focused on family law and included seven years litigating for a local children's aid society.

"Being in a position to improve access to justice on both an individual and a systemic level has been an important part of my law practice for nearly 20 years now," McGrath says. "As the founding director of the Family Law Clinic, I have been able to develop a unique program that is integrated with its community partners. Now, as Executive Director, I have the opportunity to do even more. There is tremendous demand for the services that we provide – both from the community members seeking legal services and the students seeking the experience."

McGrath adds that the opportunity to work with Queen's Law students is a privilege. "It is so rewarding to be here with them as they spread their wings as legal professionals. They all bring so much energy and enthusiasm to their tasks and, while I know it sounds terribly cliché, they really do keep me young."

— ANTHONY PUGH

Clinic Briefs

Queen's Business Law Clinic

InnovationXL, a partnership between Queen's University, PARTEQ Innovations and Launch Lab, receives funding from the Canada Accelerator and Incubator Program (CAIP), delivered by National Research Council-Industrial Research Assistance Program (NRC-IRAP), to provide programs and services to accelerate the growth and retention of high potential startups and SMEs. Recently, InnovationXL received approval to include QBLC's services in the suite of programs they offer to eligible clients under the CAIP program. Since the collaboration began in August, QBLC has assisted 16 unique clients with 25 matters being allocated amongst 13 student caseworkers. QBLC's partnership with InnovationXL will continue in 2017, providing up to \$10,000 in funding to assist with the clinic's operational expenses.

Queen's Elder Law Clinic

QELC has recently broadened its geographic reach through collaboration with The Help & Legal Centre of Northumberland. Once a month, two student caseworkers and two review counsel travel from Kingston to Cobourg to provide legal assistance to seniors who lack the financial means to retain a lawyer. Under the supervision of review counsel, student caseworkers take instructions from clients, draft wills and powers of attorney, and facilitate the execution of these documents. This is the first year for this collaboration, which will run until April. In January, QELC received a \$25,000 grant from the United Way. Watch for the full story in the June 2017 issue of *Queen's Law Reports Online*.

Queen's Family Law Clinic

Relying on an unbundled service approach to assisting Family Court litigants, QFLC is able to assist more self-representing litigants than would be possible offering the traditional representation approach. Credit students and volunteers work under the supervision of review counsel and in partnership with Legal Aid Ontario's duty and advice counsel services to prepare court documents and navigate qualifying self-representing litigants through the complex family justice system. Unique in the province, QFLC opened its doors in September 2014 and recently served its 500th client.



Jana Mills, Law'92 (middle), shown discussing a case with students caseworkers, marked her tenth anniversary as Review Counsel with Queen's Legal Aid.

Queen's Legal Aid

Congratulations to Jana Mills, Law'92, who is celebrating her tenth anniversary as QLA review counsel!

As the first "litigation clinic" at Queen's Law, QLA regularly appears before 11 different courts and tribunals. During the fall term, students went to the Social Benefits Tribunal 22 times, had 11 hearings before the Landlord and Tenant Board, attended 10 criminal or Provincial Offences Act trials or guilty pleas (plus numerous counsel and judicial pre-trials!) and 10 Criminal Injuries Compensation Board hearings. QLA clients benefit from the hard work the students put in to preparing for these hearings.

Queen's Prison Law Clinic

Following the recent hiring of new director, Sean Ellacott, Law'01, QPLC now has three full-time lawyers, more than ever before. Students are actively engaged in judicial reviews at the Federal Court and in other litigation. With its first-ever articling student, QPLC has increased its presence at the Regional Treatment Centres at Bath Institution and Millhaven Institution, gaining access to high-need incarcerated clients who have mental health challenges. Read more about QPLC lawyers and the clinic's expanded mandate on [pp. 10-11](#).

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](#), 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 discuss what comes next professionally, and to talk about his continuing involvement with his alma mater.

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.



“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 Queen’s Law Reports interview in the Macdonald Hall faculty lounge on November 2.

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 are your other plans for the future?

Cromwell: I still have a quite lot of judicial work to finish up. Supreme Court members have up to six months to participate in matters that were heard before retirement; that will take me to the end of February – if I need all of that time. I’m hoping I’ll have concluded all the matters I’m involved in by late this year. After that, I hope to find a new professional

home, but I can’t think too concretely about that, given that I’m still very involved in my judicial 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.

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 at Queen’s.

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 said, ‘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.

LLM alumna continues to make New Zealand history

Damehood AND Supreme Court appointment for Ellen France

2016 has been an incredible year for one of the most remarkable jurists to come out of Queen's Law's Master's program. For New Zealand's **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 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."

"I am 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 also 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 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!

— KIRSTEEN MACLEOD



New Zealand's Honourable Justice Dame Ellen France, LLM'83



ANDREW VAN OVERBEKE

Retired Supreme Court Justice returns to Queen's Law, emphasizes access to justice

Focus on outcomes.

That was a key message presented by **Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73)**, in his talk to Queen's Law students, faculty and staff on November 4.

Cromwell, Chair of the National Action Committee on Access to Justice in Civil and Family Matters, noted there are "mountains of reports on access to justice," but seeing real change remains a challenge. "We see a very large 'implementation gap' between what exists and what ought to exist to provide meaningful access to justice," he said. "We don't pay enough attention to the bigger question: how do we actually make this happen on the ground?"

His talk focused on many of the barriers for 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. He suggested these are big challenges, but persistent effort could bring about real change. "There's a huge underserved market out there. There are many people who need legal services, and many lawyers who need more business," he said. "Why wouldn't we do everything we can to bring these two groups together?"

Cromwell, recently retired from the Supreme Court of Canada, is now focusing his time on chairing the National Action Committee and bringing more attention to access to justice issues. "The Chief Justice (Beverley McLachlin) asked me to continue chairing the Committee after my retirement," he said. "I'm grateful for the opportunity to have more time to continue devoting to this work."

The talk wrapped up a four-day visit to his alma mater, where he guest-lectured in five classes, gave an interview for the [Q&A cover story](#), and attended a reception for local lawyers and judges, as well as a roundtable with graduate students.

His schedule also included a visit to the Queen's Law Clinics in downtown Kingston. "I believe strongly in clinical legal education, and I was a product of it," he said, referencing his time in the early days of the Correctional Law Project (now Prison Law Clinic). "Queen's clinics are contributing to access to justice in a concrete way," he said, adding that other dimensions to access to information should be highlighted in law school courses and research.

Alice Colquhoun, Law'17, attended the talk and agrees the topic is a critical one for law students. "The issue of access to justice comes up in nearly every discussion about law and the legal profession," she says. "It was important to hear Justice Cromwell's insights on what needs to be done to address this issue."

Cromwell's talk helped attendees consider the importance of public support for change, and how individuals' grievances and experiences with the justice system can be redefined as community problems. "We need to transform those individual instances into a collective call for systemic change," he said. "It's a challenge for all of us to consider how we can contribute to this movement."

— EMILY LIEFFERS

Watch a video of [Justice Cromwell's Lecture](#).



ANDREW VAN OVERBEKE



ANDREW VAN OVERBEKE

Students get up close and personal with Supreme Court justice

Addressing the Queen's Law community on November 18, **Justice Rosalie Abella** of the Supreme Court of Canada (SCC) shared stories on 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.

"When I was one of five women in a class of 150 law students," Abella said, "if someone told me I would be on the bench, I would've said 'that's ridiculous.'"

Abella was appointed to the Ontario Family Court in 1976. She said she never thought about whether career choices she made would adhere to any path. "I never say no to anything, as long as it sounds interesting."

That led her to stints at the Ontario Labour Relations Board, Ontario Law Reform Commission, Ontario Human Rights Commission, teaching law at McGill, and, most famously, chairing the royal commission that coined the term "employment equity."

Appointed to the Ontario Court of Appeal in 1992 and the Supreme Court of Canada in 2004, Abella is known for her strong defence of human rights. For instance, one of her early SCC judgments in *R. v D.B.* struck down *Youth Criminal Justice Act* offences that automatically charge young people as adults, arguing they have a "presumption of diminished moral blame-worthiness based on age." She also authored the landmark 2015 decision in *Saskatchewan Federation*

of Labour v Saskatchewan, which found the *Charter's* freedom of association includes the right to strike.

In a special question-and-answer session, students quizzed Abella about her views on a variety of topics.

On judicial activism, she said judges must confront their own views and referred to discourse on the issue as being merely a cloak for attacking opinions that critics didn't like. "We don't want judges with views," they said. Which meant they didn't want feminists," Abella explained. "The trick as a judge is understanding and acknowledging you have opinions and then having an open mind about them."

Responding to a question about increasing diversity on the SCC, she said: "We have things to fix, and we will. Everybody's talking about it. That's a good thing. It means it will happen."

Asked about the state of the world today, she spoke of a "global trend that worries [her]," the breakdown of "many of the democratic values that emerged as consensus after WWII."

"If we don't have free speech, the right to dissent, diversity and respect for difference, I don't know what kind of world we'll have."

She concluded that she's hopeful the foundation of our Canadian social and political institutions will be more resilient than we expect. "I don't think it's fragile – it hasn't been in my lifetime."

— JEREMY MUTTON

Law'72 grad's role as Ontario's ethics chief is to strengthen the government's integrity

Looking out his Bloor Street window in Toronto, the Ontario Integrity Commissioner, **Justice David Wake, Law'72**, says, "That's where my office was in 1972, when I left Queen's to article for a firm of criminal and family lawyers. If I swivel my chair and look down Yonge Street I can see another old office at 1 Queen Street." In that building, he served as Associate Chief Justice of the Ontario Court of Justice from 1999 to 2005. "My whole life is spread out before me here."

Since last February, life for this Queen's Law grad is serving a five-year term as Ontario's Integrity Commissioner. "It is a big role, one that has grown over the years," says Wake of his 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 Wake calls it.

"These days we deal with between 300 and 400 Member's inquiries per year, roughly two a day in session. We receive some pretty novel inquiries. There are wrinkles to many of them we haven't seen before." He smiles at the thought.

Wake also serves as the lobbyist registrar, and it's he who monitors and approves the expenses of cabinet, opposition leaders and their staff.

"It involves more than 450 people and thousands of expenses per year ... and we take action where we find there's a problem."

If any of those staffers has an ethical question, they also come to Wake as their ethics executive. Additionally, instead of bringing complaints to their deputy minister, most public service whistleblowers go directly to him. Wake says the file has grown "exponentially."

"The approach one has to take with whistleblowing, even if the complaint comes in on a piece of foolscap, is to treat it as if it's *prima facie* valid and must be looked into."

Wake is also responsible for auditing expenses for all 180 boards, agencies and commissions in the province. "Every time a cheque is written by the Government of Ontario, we have to follow it up and make sure it was issued appropriately," he says.

Auditing aside, he says most work he does is "very comparable to the work I did as a judge when I was Associate Chief Justice." Indeed, his reports read like mini-judgments, right down to the numbered paragraphs.

That's not surprising, given Wake's extensive experience. After articling in Toronto, he practised law in Ottawa for 20 years at a number of firms.

"Then I was appointed to the Ontario Court of Justice in Brampton. Everybody had told me, 'Don't go to Brampton. Stay in Ottawa or Toronto, but whatever you do, don't go to Brampton.' So of course, I went to Brampton. I love a challenge. It was already the busiest jurisdiction in Canada, and gave rise to a decision under section 11 of the *Charter in R v Askov*." (That case is famous for establishing how and when an accused's *Charter* right to be tried within a reasonable time is infringed.)

It was after Brampton that Wake became Associate Chief Justice of the Ontario Court of Justice.

"I was originally approached to be Integrity Commissioner while I was still a judge, just after I left the Chief Justice's Office. I was looking to see what I was going to do next when I was approached about this position. At that time, it didn't work because I hadn't attained the right age to be able to retire appropriately from the Court.

When the Queen's Park offer fell through, Wake decided to return to Ottawa. "I was happily working away there for five years as a judge and three more as Vice-Chair of the



Justice David Wake, Law'72, is the Ontario Integrity Commissioner.

federal Social Security Tribunal. Then this job came up again. At that point I was well over 65 and in a position to take it."

"In the meantime, more things had been added to the Commissioner's job, so it was even more interesting," he says. "It felt like unfinished business, so I wanted to get back to it. And I'm thrilled I did."

His job has been thrust into the spotlight, given recent public interest in lobbying and conflict of interest in Ontario.

"It's somewhat ironic that I have the power to investigate a lobbyist for creating a potential conflict of interest for an MPP, but I don't have the power to investigate an MPP for a potential conflict of interest under the *Members' Integrity Act* unless another member files a request for an opinion. I can't initiate."

That legislation, unlike the B.C. equivalent, prohibits only the actual conflict of interest, not any *perceived* conflict. Wake maintains it is up to the legislature to make changes, not him. He also maintains that despite the intense public interest, his role is not to be an intermediary between Queen's Park and the media.

"As a judge," he points out, "it doesn't fall on you to make comments on the administration of justice." Similarly, the Commissioner's role is to stick to the individual cases.

It's a challenge, but Wake says taking it on was a no-brainer for him.

"I quite enjoy the work, I enjoy the people, I enjoy the challenges."

— JEREMY MUTTON

"It's somewhat ironic that I have the power to investigate a lobbyist for creating a potential conflict of interest for an MPP, but not to investigate an MPP ... unless another member files a request for an opinion."

The challenges: Scarce resources; strict time limits

Triple appeal court appointments for Law'80 alumna

After judging on the Court of Queen's Bench since 2007, **Justice Jo'Anne Strekaf, Law'80**, has been appointed to the Courts of Appeal for Alberta, the Northwest Territories, and Nunavut. She says she's ready for the challenge, and colleagues say her intelligence and analytical skills suit her well for a role focused on questions of law rather than the facts of the case.

"It is a different mindset," Strekaf agrees. "One of the things I really enjoyed as a trial judge was making findings of fact. Watching and hearing witnesses was interesting and challenging."

A Queen's Bench colleague and long-time friend, Justice Karen Horner, says Strekaf will fit right into her new role. The two have shared several experiences since childhood in Regina, Saskatchewan. Both did undergrad studies at the University of Regina, accepted early admittance to law school, graduated at age 22, and began articling with Bennett Jones LLP in 1980.

Strekaf was called to the Alberta bar in 1981. She was an associate and then a partner with Bennett Jones from 1981 to 2007, practising litigation in competition law. She worked on several big cases, such as the ICG-Superior Propane and Air Canada-Canadian Airlines mergers. While partner, she also was involved in running the firm's legal research group. She earned an LLM from Cambridge in 1986. When she was called to the bench in 2007, she and Justice Horner once again became colleagues.

Justice Strekaf's family includes three children. Her eldest, Mary, was diagnosed with autism. As reported in *Queen's Law Reports* 2013, there was no adequate school for her in Calgary at the time, so Strekaf and her husband, Chris Archer, and a group of other parents started the Janus Academy to provide specialized learning for children with autism from grades one through 12.

"I've met people from outside the city who actually moved to Calgary so their kids could be in the Janus program. It's really, really successful," Horner says with admiration. "For Jo'Anne to have done that while maintaining a partnership at a very prestigious firm, and accomplishing what she did academically at Cambridge is pretty amazing."

Another colleague, Justice Rosemary Nation, describes Strekaf as a team player who is very involved in the work of the court, as well as socially. "She was great as a trial judge and she will be excellent on the Courts of Appeal," Nation says. Horner praises her "prodigious" work ethic.

As a trial judge, Justice Strekaf adjudicated such high-profile cases as the Arthur Kent libel case (dubbed "the Dud Scud lawsuit") last June. She awarded Kent, a former NBC-TV war correspondent, \$200,000 in damages for defamatory statements in a column by Don Martin, then a *National Post* columnist. The newspaper had given Kent no opportunity to respond to the comments; then it left the column on Postmedia websites for four years.

Despite the media attention around the case and the always acrimonious debate over freedom of the press, Strekaf says she didn't let herself be distracted. "You can't get caught up in what other people are thinking about cases," she says.

Another newsworthy case she tried was *Pridgen v University of Calgary* in 2010, where she ruled that universities are subject to the *Charter*. When the university disciplined students for posting on Facebook about a professor, it breached the students' Section 2 right to freedom of expression.

One of the major challenges Strekaf, and all Canadian appellate judges, is now facing is a backlog in criminal cases that are at risk of being stayed after a 2016 Supreme Court decision in *R v Jordan*. That SCC decision set hard time limits for getting cases to trial: 18 months for provincial court trials; 30 months for superior court trials. If cases go longer than that, they breach an accused's *Charter* right to be tried within a reasonable time under Section 11(b).



Jo'Anne Strekaf, Law'80, is now Justice of the Alberta, Northwest Territories and Nunavut appeal courts.

"As with any decision, it will take some time for the practical implications to unfold and evolve," Strekaf observes. "Everybody will have to deal with the fact that this is a *significant* change in the way criminal matters will go through the system." Just in November, a first degree murder charge in Ontario was thrown out for violating the time limit. The seriousness of the charge being stayed caused a prosecution and media uproar, proving Justice Strekaf is right about time being needed to absorb such a major change.

"Some of the challenges involve coping with the limited resources available to the parties," she points out. "I don't think any one part of the justice system can deal with those kinds of systemic issues on its own; the solution has to combine all aspects of the system. The Crown, defence and the courts all have a role to play."

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. To celebrate her award, legal community friends set up an education equity fund in her name at the school. Its income supports a program that hires upper-year law students to tutor first-years. For more information and to make a donation, visit <https://www.givetoqueens.ca/strekaf>.

— JEREMY MUTTON



Justice Gary Trotter, shown in 2008, has been promoted to the Court of Appeal for Ontario

Former Queen's criminal law professor appointed to Ontario Court of Appeal

"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 latest Court of Appeal for Ontario (OCA) appointee.

Beginning his career as a practitioner, Trotter served as Crown Counsel for the Ministry of the Attorney General of Ontario from 1988 to 2000, arguing many cases before the OCA and also the Supreme Court of Canada. He then joined Queen's Law, quickly becoming a popular and highly respected faculty member. His judicial career came calling in 2005, when he left academia for the Ontario Court of Justice in Toronto. Three years later he was appointed to the Ontario Superior Court in 2008.

October 20 saw Justice Trotter join his friend of 20 years, Justice John Laskin, on the OCA and Laskin is delighted with this reunion. "Trotter's appointment to the Court has been applauded by the bar and the judiciary for good reasons. Gary has sound judgment,

he is an expert in criminal law and he is a first-class writer."

Trotter has several publications, including his most recent book, *Understanding Bail in Canada*, which is written with both practitioners and laypeople in mind.

"Equally importantly, Gary is decent, fair-minded and compassionate," says Laskin. "He is a superb addition to our court."

Trevor Shaw, Law'05, recalls his former professor's remarkable ability to engage students in criminal law and criminal procedure classes. "A lot of the cases we were learning about were ones that he had taken up to the Supreme Court of Canada. Not only were we listening to someone who was great at articulating the law but who also had the lived experience."

Adding that Trotter is one of the country's greatest experts in the field, Stratas is thrilled to see him appointed to what is arguably the country's most important criminal court. "Some appellate judges are smart, some have a nose for the practical, many work hard and many write well," Stratas says. "Once or twice every couple of years we see a new appointee with all these traits. Justice Trotter has them all in spades."

— ANTHONY PUGH

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.

Queen's to co-host Toronto symposium on law, work and family care



Elizabeth Shilton, Senior Fellow, responding to a question at a previous Queen's Centre for Law in the Contemporary Workplace event.

The intersection between work and family life is one of the most challenging issues confronting the law of the workplace. On February 17–18, Queen's Centre for the Law in the Contemporary Workplace (CLCW) is co-sponsoring a symposium, "Law, Work and Family Care," to discuss how the law currently addresses these issues and how it can be reshaped.

"The problem the symposium focuses on is the clash between work and family, between production and reproduction and the issue of what discrimination on the basis of family status means for the Canadian workplace," says Elizabeth Shilton, Senior Fellow for the CLCW.

Previously, family care issues were treated as purely private matters. "This is no longer realistic," says Shilton. "The breakdown of the male breadwinner family and the fact that women are now in the workforce in almost equal numbers to men make it no longer possible for employers and policy-makers to leave solutions to the family care problem in the private realm. These are clearly issues with significant public dimensions."

"What makes it a hot issue for lawyers is the impact of provisions in human rights codes prohibiting discrimination on the grounds of family status," she continues. "In what ways do these require employers to reorganize workplaces and revisit workplace rules that have been standard for more than a century? Recent Federal Court decisions have highlighted the potential for dramatic and disruptive change."

Speaking at the symposium will be a wide variety of academics, lawyers and policy-makers from Canada and elsewhere. "The objective is to bring together lawyers and social scientists to discuss the problems," Shilton says. The keynote presentation, given by Nora Spinks, CEO of the Vanier Institute for the Family, will give an overview of changes in family life and the issues that those changes raise for work and workplaces. Six panels will discuss topics such as the status of precarious workers, the limits of litigation and how law can and should evolve to accommodate family care in the workplace.

People who will benefit from the symposium include: lawyers dealing with workplace family status discrimination problems, union professionals and members involved in work/family issues, workplace human rights professionals, human resource management professionals, academics in law and the social sciences, government employees and policy-makers involved in work/family issues and in-house and corporate counsel dealing with employment issues and accommodation.

Taking place at York University, Toronto, from February 17–18, the symposium is hosted in partnership with Comparative Research in Law & Political Economy at Osgoode Hall Law School, the Women's Legal Education and Action Fund (LEAF) and the Canadian Human Rights Commission.

For more information and to register online, visit the [CLCW website](#).

— ANTHONY PUGH

Law'72 grad receives Order of Canada for outstanding leadership in labour law

"It was unexpected – and very much appreciated," says Michel Picher, Law'72, of his recent 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 was awarded 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, LLD'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 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.

— KIRSTEEN MACLEOD



Michel Picher, Law'72

Governor General invests another fellow grad into Order of Canada

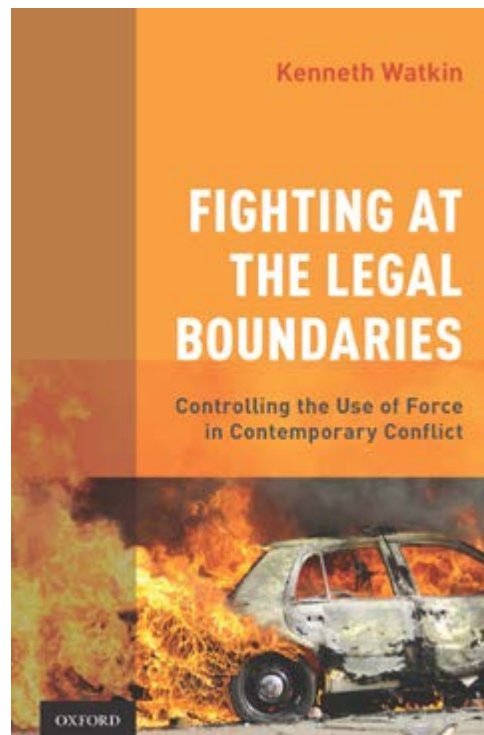
Fiona Sampson, CM, Law'93, received her insignia from **Governor General David Johnston, Law'66, LLD'91**, at the Order of Canada investiture ceremony held on November 17 in Rideau Hall. Sampson, executive director of *the equality effect*, was appointed a Member of the Order of Canada in 2015. Read her alumni profile, "[An agent of justice for human rights victims](#)," in *Queen's Law Reports* 2016.





[*Fighting at the Legal Boundaries: Controlling the Use of Force in Contemporary Conflict*](#) is published by Oxford University Press. ▶

◀ Brigadier-General (Ret'd) Ken Watkin, OMM, CD, QC, Law'80, LLM'90



Queen's Law grad publishes 'outstanding' book on contemporary armed conflict

Brigadier-General (Ret'd) Ken Watkin, Law'80, LLM'90, was a military legal officer in the Canadian Armed forces for 28 years, finishing his career as the Judge Advocate General. He has now written a new book arising from his experience advising on international and domestic security operations. In its [first review](#), *Fighting at the Legal Boundaries: Controlling the Use of Force in Contemporary Conflict*, was called "outstanding" and "the most important single-author International Humanitarian Law (IHL) monograph written in many years."

The text overviews the interaction between the State right to self-defence, IHL, International Human Rights Law (IHRL) and domestic law, illustrated by practical examples such as the use of drone strikes. It then plots a holistic way forward to reconcile the historically separate application of these bodies of law into a general "operational law" for the international community.

"I wrote the book largely because of my experiences in the post 9/11 security environment," Watkin says. "The Canadian operation in Afghanistan was a complex counter-insurgency and we were in an armed conflict. However, all counter-insurgencies require effective governance and soldiers were being asked daily to use varying levels of force."

Typically, armed conflicts in the world today are

asymmetrical affairs between states and non-state actors. However, it has been 40 years since the Additional Protocols to the Geneva Conventions were produced and it can be a struggle to make the existing law relevant. "I found myself trying to apply 20th-century law to 21st-century security challenges," Watkin continues. "9/11 brought into cold relief what states are facing this century."

Along with his experience in the Canadian forces, Watkin was a foreign observer for the Israeli Public Commission into the Gaza flotilla raid. Most recently he was the Charles H. Stockton Professor of International Law at the United States Naval War College in Newport, Rhode Island.

For his part, Watkin hopes the book will help practitioners and academics work together in order to develop a more coherent law governing armed conflicts. "I hope readers learn that the complexity of the security system is far more nuanced than favouring one body of law over another. Human rights advocates favour IHRL and a law enforcement approach. States and state advisors mostly view it through an IHL lens. It is far more layered than that. However, this is the type of conflict that will only be won if you privilege a law enforcement approach."

— ANTHONY PUGH

Queen's PhD grad coauthors invaluable book to combat illegal tax practices

David Kerzner, Law'90, PhD'15, has used his doctoral research at Queen's Law to make a timely contribution to a subject in the public spotlight. He is the coauthor of a new book, [International Tax Evasion in the Global Information Age](#), focused on tax information exchange agreements (TIEAs). Called "an invaluable resource" by retired Supreme Court Justice Marshall Rothstein, the text was published by Irwin Law last summer and is now being published internationally by Palgrave Macmillan in London and by Springer Publishing online.

Thanks to a series of banking scandals and leaks, most recently the publication of the Panama Papers, this topic has been featured heavily in the media. "Illegal tax practices such as tax evasion cost governments billions of dollars in lost revenues," explains Kerzner. "The Panama Papers solidify the conclusions of this book that the OECD (Organisation for Economic Co-operation and Development) has been papering over the challenges posed by exchange of information. They are evidence of flaws in the strategies to combat tax evasion, strategies that governments like Canada's have come to rely on."

"TIEAs are typically negotiated between an OECD country and countries that are sometimes labelled tax havens," clarifies Professor Art Cockfield, Law'93, Kerzner's PhD supervisor at Queen's. However, due to high-profile tax leaks, the 2008 financial crisis and an aggressive U.S. foreign tax evasion strategy, countries are additionally adopting agreements to automatically share large data sets of taxpayer information.

Kerzner's 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. "This study," says Cockfield, "contributes in a significant way both to the ongoing policy debate and to a tax practitioner's ability to effectively advise clients."

Kerzner is certainly in a position to offer both a theoretical and practical examination on the topic. In addition to his doctoral work, he has been an international tax practitioner for 24 years, is a member of both the Ontario and New York State bars and was a sessional instructor at Queen's Law from 2008 to 2011.



David Kerzner, Law'90, PhD'15, on Queen's campus for his graduation in spring 2015

His co-author, David Chodikoff, a partner at Miller Thomson LLP and leading scholar in tax law, contributed chapters on enforcement of international tax law and voluntary disclosures in Canada.

"Our conclusions reveal why automatic exchange of information is not the magic bullet that the OECD claims it to be," says Kerzner. "It shows why countries like Canada need to be resilient, innovative and aggressive in adopting new homegrown strategies to defeat tax cheats."

— ANTHONY PUGH



Stephen Sigurdson, 1959-2016

In Memoriam: Stephen Sigurdson, Law'84

The Queen's Law community is deeply saddened by the passing of Dean's Council Vice-Chair, Stephen Sigurdson, Law'84, on November 16, 2016.

"A beloved member of his class, Steve went on to a storied career as one of Canada's leading corporate counsel, becoming a lawyer of national renown and always remaining a great friend of the law school," says Bill Flanagan, Dean of Queen's Law. "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."

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

Following his time at Osler, Sigurdson 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 Arthur Guloien for having "a remarkable career, but more significantly, he was a remarkable man."

At Manulife, Sigurdson 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 to serve as interim General Counsel for Asia in addition to his Canadian responsibilities in 2011, and also served as Manulife's Corporate Secretary from 2013 to 2014.

For helping to lead a transformative acquisition, in 2015 Sigurdson was awarded the inaugural Chambers Canada Award for Outstanding Contribution to the Legal Profession: In-House by Chambers and Partners. In a complicated multinational transaction in a highly regulated industry, Manulife acquired Standard Life Canada for CAD\$4 billion, almost doubling Manulife's assets in the group retirement business and bumping its rank up to second place nationally. It also added more than \$6 billion in assets to Manulife's Canadian mutual fund business. "If I had to have a GC on my side in a big transaction, it would be Steve," wrote one of his nominators. ([Read the full story](#)).

"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," Guloien recalled. "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."

Sigurdson is survived by wife Leslie, Law'84, and daughters Laura, Law'13, Claire (Com'12), Amy (Com'15) and Heather.

— LISA GRAHAM



Stephen Sigurdson, Law'84 (middle), pictured at a Toronto alumni reception in 2015 with daughter Laura, Law'13, and wife Leslie, Law'84.



David Pattenden, Law'71, LLD'03, accepts his Distinguished Service Award from Chancellor Jim Leech and Principal Daniel Woolf, at the University Council Dinner in Ban Righ Hall on Nov. 5.

GARRETT ELLIOTT

Law'71 alumnus honoured for distinguished service to Queen's

David Pattenden, the holder of five Queen's degrees (BA'67, MA'69, **LLB'71**, MEd'74 and an honorary doctorate, LLD'03), has a new distinction from his alma mater. He is one of six members of the Queen's community (two from Law) who received the [Distinguished Service Award](#) on November 5. The award, presented by University Council, recognizes individuals who have made Queen's a better place.

"David is a dedicated volunteer who has served the Queen's community in so many ways, whether it is as a part-time teacher, board member or mentor," says Chancellor Jim Leech, who hosted this year's awards dinner. "The university is fortunate to have such an enthusiastic and generous supporter."

Pattenden, a former CEO of the Ontario Medical Association and of UTDC Inc. (a Lavalin/Bombardier division), has served on both the Queen's Board of Trustees and University Council and has been a strong advocate of student wellness. As a member of the W.J. Henderson Foundation Board, he has helped to direct millions of dollars to Queen's for medical projects. He has also chaired both the Queen's Human Mobility Research Centre and the Dean's Committee for Queen's Law's 50th anniversary celebrations, taught students, served on many university organizations and volunteered with a number of Kingston community charities.

His dedication to Queen's has earned him several other honours. These include his recent appointment as Trustee Emeritus by the Board of Trustees (making him a lifetime member) and winning and last year's [Padre Lavery Award](#) from the Kingston Alumni Branch.

Pattenden's motive to give back to Queen's stems from his roots. Coming from a poor, Irish-Canadian background, he says he never thought he would have a university degree.

"I felt very much like I wanted to contribute to the system that allowed me to change my life entirely," says Pattenden. "You realize along the way that you need to help others too."

— MICHAEL ONESI

Former *Queen's Alumni Review* editor saluted for distinguished service

Ken Cuthbertson, Law'83 (Arts'74), is one of six members of the Queen's University community (and one of two from Law) who were honoured on November 5 with the [Distinguished Service Award](#). Presented by the University Council, the award recognizes individuals who have made Queen's a better place.

For 28 years Cuthbertson served as editor of the [Queen's Alumni Review magazine](#) – a cornerstone for outreach to alumni since 1927 – before stepping down in 2014.

In addition to his efforts at the *Review*, Cuthbertson is also the editor of two books and the author of four others (with a fifth coming in 2017). His editing credits include *Queen's Goes to War*, a 1995 collection of wartime reminiscences by alumni that was published to commemorate the 50th anniversary of the end of WWII, and a reissue of *Congo Solo*, a classic 1932 African travel book by *New Yorker* writer Emily Hahn.

Cuthbertson's own writing includes three literary biographies and a historical novel. His 1992 biography of American journalist John Gunther was shortlisted for a Governor General's Literary Award in the non-fiction category. *Nobody Said Not to Go*, his 1998 biography of Emily Hahn, and *A Complex Fate*, his 2014 biography of the American journalist-broadcaster William L. Shirer, received favourable reviews in the *New York Times* and other major publications. Ken is now busy putting the finishing touches on a book titled *Hell Hath No Limits: The Great Halifax Explosion of 1917*, to be published by HarperCollins in the fall of 2017. He's also a regular contributor to *Queen's Law Reports*.

Cuthbertson's hard work and dedication to Queen's Advancement over the years earned him the John J. Heney Award in 2001, and he was made an honorary member of the Class of Sc'48-1/2.

In October, he took time out to answer a few questions about receiving this year's Distinguished Service Award and to reflect on his time at Queen's.

Question: How does it feel to receive the Distinguished Service Award?

Answer: Knowing a bit about the history of the DSA award and the fact that it's bestowed by University Council I'm delighted. I'm also honoured and humbled to be included among such a distinguished and worthy group of 2016 recipients. Adding to my delight is the realization that I've been admitted to a very elite club that has among its ranks my predecessors at the *Review* – longtime editors (and friends/mentors) Herb Hamilton and Cathy Perkins (Arts'58), as well as such Queen's Law legends as Professors Stuart Ryan (LLD'91), Don Carter (Law'66, Arts'63), Dan Soberman, (LLD'08), and Bill Lederman, and longtime registrar Mary-Alice ("Ma") Murray (Law'60). (Quick . . . someone pinch me. I can't believe I'm included in such a select and august company!)



Ken Cuthbertson, Law'83, accepts his Distinguished Service Award from Chancellor Jim Leech and Principal Daniel Woolf, at the University Council Dinner in Ban Righ Hall on Nov. 5.

Question: What did you like best about working for the *Review*?

Answer: I was forever fascinated by the accomplishments of the members of the Queen's family – past and present. For 28 years I was fortunate enough to work among, get to know, and to become friends with some of the brightest, most talented, accomplished, and engaging people I could ever have hoped to meet. Working at the *Review* was never "work." I was paid to do a job that I loved.

Question: What accomplishment have you achieved that you are most proud of at Queen's?

Answer: I'm most proud of the evolution of the *Review*, which has evolved to become a vibrant, interesting, beautifully designed, and thoroughly professional publication. The *Review* enables members of the incredibly diverse and far-flung Queen's family to keep in touch with each other and with their university. At the same time, the magazine offers the world a window on the great things that are happening here at Queen's and in our alumni community. Like my predecessors, Herb and Cathy, I always felt the *Review* was special and that it played a vital role in keeping alumni in touch with their alma mater and vice versa. And I took great pride in the notion that unlike the magazines published by so many other Canadian universities, the *Review* recognized that Queen's people don't "leave their brains behind" when they graduate. With the support and encouragement of the administration and the Queen's University Alumni Association (QUAA), the *Review* was more than just a marketing tool. It was a publication that was willing to take chances, to celebrate the opinions, activities, and accomplishments of the Queen's community in all its diversity. The magazine reflected the maturity and self-confidence of one of Canada's greatest academic institutions, one that didn't shy away from airing and dealing with important issues. I'm thinking of the debates about allowing prison inmates to take Queen's correspondence courses, recognizing gay rights on campus, the "No Mean No" controversy, and street parties . . . to name just a few. I like to think – and anecdotal evidence certainly supports me in this view – that the *Review* has been an integral part of what it means to belong to the Queen's family; since 1927, it has helped readers to carry a bit of Tricolour spirit, fraternity, and intellectual vitality with them wherever they go in the world. I hope it will always continue to do so.

Question: What do you think makes Queen's a special place?

Answer: That's easy. In a word it's "people." It is people who are at the core of any great institution, and nowhere is that more true than at Queen's.

— MICHAEL ONESI

Priscilla Ferrazzi, Law'91, LLM'07, is working to improve mental health programs for people in Arctic communities.



Considering culture in criminal courts

Alumna Priscilla Ferrazzi examines criminal court programs for people with mental illness in Nunavut

Queen's University researcher Priscilla Ferrazzi, Law'91, LLM'07 (PhD'15) says Inuit culture is a key consideration when planning criminal court programs for people with mental illness in Nunavut. Rehabilitation-oriented criminal court programs to reduce the number of people with mental illness caught in the criminal justice system exist in many North American cities and elsewhere but not in the mainly Inuit Canadian Arctic territory of Nunavut.

Ferrazzi's study explored whether the therapeutic aims of these resource-intensive, mainly urban court programs could be achieved in criminal courts in Nunavut's resource constrained, culturally distinct and geographically remote communities.

Interviews conducted in the North revealed the best ways to improve court responses to people with mental illness in Nunavut align well with the principles behind the court programs in the south. However, Ferrazzi adds, Inuit culture holds the key to under-

standing how these principles and their objectives should be interpreted in Arctic communities.

The study involved interviews with more than 50 lawyers, judges, police, elders, community workers, nurses, psychiatrists and others across three communities to hear their views about what's possible.

"In practical terms, this means anyone planning to set up a criminal court program for people with mental illness in Nunavut must make sure their plans are culturally responsive," says Ferrazzi, who conducted the study while at Queen's and is now on faculty at the University of Alberta. "Any effort to simply replicate the programs of the south, or even to apply their principles as they are, will achieve the same result as trying to fit a square peg into a round hole."

Criminal court mental health programs do three things: first, they identify people with mental illness eligible for the programs; second, they impose rehabilitation-focused treatment regimens rather than prosecution or jail; and third, they work collaboratively with community mental health service providers and others.

"But what if Inuit and Western ideas about what it means to be mentally ill are fundamentally different?" says Ferrazzi. "What if the concept of mental health rehabilitation diverges in important ways between these two cultures? And what if approaches to collaboration are not entirely aligned? These are questions raised by this research."

"Anyone who is thinking about ways to improve how courts deal with mental illness in a territory that is 85 per cent Inuit needs to understand that the fundamental principles behind these initiatives look different in the North."

As a follow up to her research, Ferrazzi is leading a large, two-year, collaborative research project funded by the Social Science and Humanities Research Council of Canada (SSHRC) and The Law Foundation of Ontario to examine the ideas she uncovered more closely. The project will explore how young Inuit men view the concept of "rehabilitation" in the criminal law context.

Ferrazzi completed this research under the supervision of Terry Krupa (School of Rehabilitation Therapy). Financial support for this project was facilitated with the help of the late Professor Stan Corbett, LLB'95 (BA'66, MA'72, PhD'82). The project also benefited from the support of Diane Davies (Office of Research Services).

The research was published in [Social Science and Medicine](#).

— ANNE CRAIG



Sheila Murray, Law'82 (Com'79), named 2016 Toronto Branch Award recipient

A successful corporate lawyer and business leader who is known for giving back to the community was honoured by the Toronto Branch of the Queen's University Alumni Association on November 30.

Sheila Murray, Law'82 (Com'79) – the president of the independent wealth management company of CI Financial – is the recipient of this year's [Toronto Branch Award](#).

"Sheila Murray's commitment to mentoring young professionals and her continued advocating to Queen's made her the ideal recipient of this year's Toronto Branch Award," says the branch's president, Theresa Wetzel (Artsci'07).

Murray is honoured to be this year's recipient and feels her experiences at Queen's helped prepare her for a successful career.

"Queen's is a very special part of my life. I know that I could not have achieved and had the professional career I have been able to have without the benefit of my Queen's education," says Murray.

She started her career as a Bay Street lawyer with an emphasis on mergers and acquisitions. Her experience with securities law has helped her transition into the role of business executive. In February, she was named president of CI Financial (a company with \$141 billion in assets).

Murray has also given back to her alma mater, sitting on the [Queen's Law Dean's Council](#) and [Initiative Campaign Cabinet](#), the university's recent fundraising drive that raised more than \$640 million.

She also donates her time to organizations outside of Queen's. Last year, Murray was appointed to Ontario's New Business Law Advisory Council that was created to modernize the province's business laws and she was named one of the honorary chairs for the [One Walk to Conquer Cancer](#) in support of Princess Margaret Cancer Centre.

The Toronto Branch Award is given to Toronto-area alumni who have distinguished themselves in their careers, in their volunteer work, in the arts, or in other ways they have contributed to society.

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.

"I find pension law fascinating because we don't yet have answers to all of the interesting questions facing the practice," says Bector, a partner in the Toronto office of Stikeman Elliott LLP. She heads the firm's national pensions and benefits group and co-chairs the Toronto office's Community Involvement and Pro Bono Committee.

Among Bector's 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.

Bector's also recognized in *Chambers Global* and *Chambers Canada* directories as a leading lawyer in Pensions & Benefits; by *Canadian Legal Lexpert Directory* under Pensions & Employee Benefits (Employer); and by *Best Lawyers in Canada* for Employee Benefits Law.

Asked what's most gratifying about her field, she says: "I like the complexity. My work involves advising on questions that range from the very straightforward to interesting, academic, law-school-type problems, and because pension law touches so many other areas of law, I am constantly learning new things. It certainly keeps me on my toes."

Queen's Law – and one inspiring professor in particular – helped set her direction, Bector adds. "I thought I wanted to be a labour and employment lawyer, but then I took Bernie Adell's pension law seminar and changed my mind. I'm grateful to Queen's for setting me on that path."

Her co-honoree and fellow Torontonians, Kate Crawford, is a partner in the health law group at Borden Ladner Gervais LLP. 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.

"I love representing public organizations whose missions are patient care and medical research," Crawford says. "I love that through my work, I get to assist in resolving issues that arise and putting in place changes aimed at avoiding similar issues recurring. Every day is different, the work is always challenging and the results matter."

Two other honours attest to just how much those results matter to her clients and her peers. *The Canadian Legal Lexpert Directory* listed her as a "Leading Lawyer – Medical Negligence" and *The Best Lawyers in Canada* recognized her under Health Care Law, Medical Negligence.

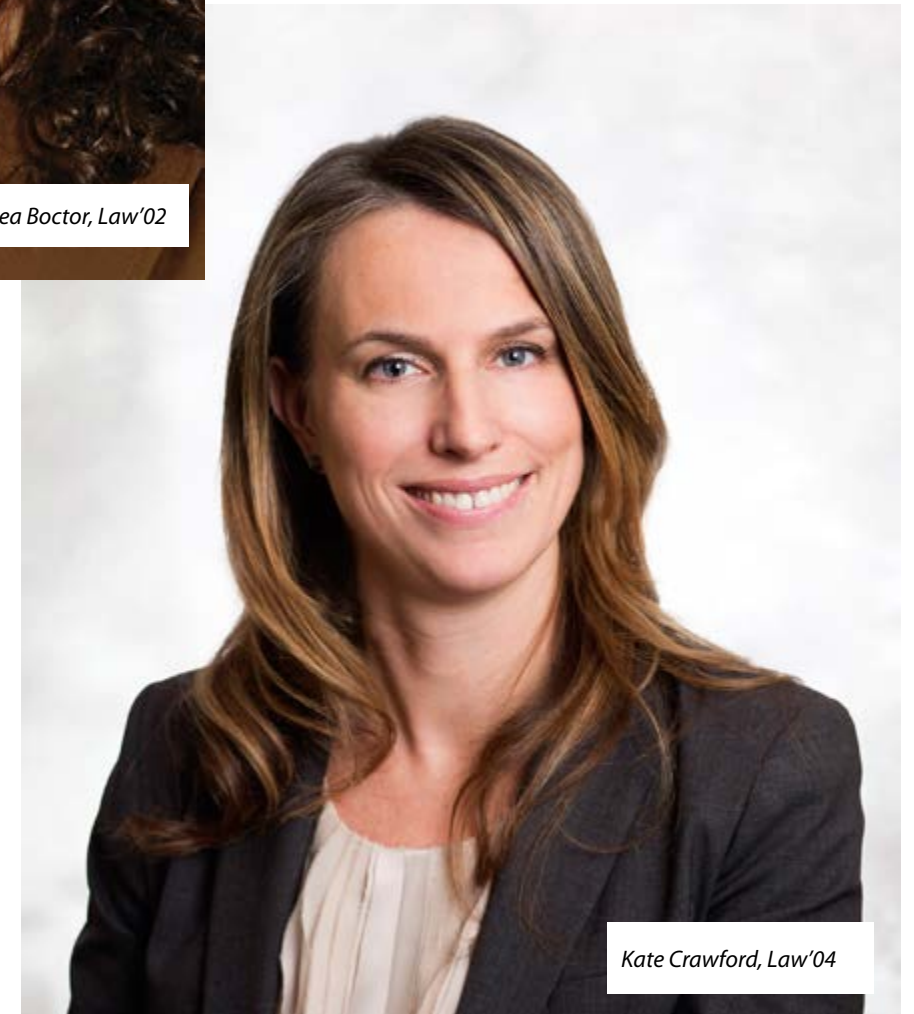
Where did this passion for health law come from? Crawford says it was kindled by three Queen's professors who made a "huge" impression: Patricia Peppin, Law'78, whose small-section Torts class focused on health law cases; Health Law with the late Stan Corbett, Law'95; and Advanced Health Law with then-Dean (now Justice) Alison Harvison-Young. "While these three had very different teaching styles, they uniformly gave me a solid foundation in the basics and piqued my curiosity to learn, and do, more."

People who know Andrea Bector and Kate Crawford aren't expecting any slow-down when they cross that "over 40" line.

— KIRSTEEN MACLEOD



Andrea Bector, Law'02



Kate Crawford, Law'04

Then & Now

1992



Sunita Doobay, Law'92 (right), and friend **Marie Beyette, Law'92**, shown in a study session in Macdonald Hall. These keeners took every tax course available at Queen's Law. Marie would go on to become Senior VP, General Counsel & Corporate Secretary with Torstar Corporation. Sunita would continue to pursue her passion for tax law.

2016



Sunita Doobay, Law'92, returned to her alma mater on November 4 to guest-lecture in Law'93 grad Professor Art Cockfield's Taxation class. Now a cross-border U.S. and Canadian tax partner with Tax Chambers LLP, the Toronto-based firm she co-founded, she spoke on business and partnership taxation and responded to questions about practising tax law.

Nominate your peers for Queen's Law 2017 alumni awards!



There are four Queen's Law alumni awards:

- H.R.S. Ryan Law Alumni Award of Distinction;
- Dan Soberman Outstanding Young Alumni Award;
- Justice Thomas Cromwell Distinguished Public Service Award; and
- J.A. (Alec) Corry Distinguished Alumni Award.

Nominations for all our awards are open until February 1, 2017. Visit [Queen's Law alumni awards](#) for descriptions of all four categories.

The nomination process is simple and straightforward – a letter, two cosigners and the nominee's CV or biography are all that's required. If you have any questions about nominations, feel free to contact [Dianne Butler](#)

We look forward to hearing from you!

Tortfeasors: 2016 squad vs. alumni

It was “game on” in Toronto on October 29. The current student roster of the Queen’s Law Tortfeasors faced off against former members of the school’s rugby team. Led by Tortfeasors’ founder Jonathan Goode, Law’05 (shown top row, third left), the alumni squad was rounded out with players from Bay Street RFC. This Toronto-based team, composed of many Queen’s grads, filled the spots of some Tortfeasors alum who were forced out of the line-up due to work commitments.

Demonstrating their youthful energy, the students (in blue shirts) came out strong in the first half. Experience was the deciding factor in the second half, though, as the alumni (in green- and pink-striped shirts) took control and defeated their younger counterparts, 58-32.

This was the first student/alumni game since 2007 (and the students are now 0 and 2 against alumni!).

Both sides now plan to make it an annual competition.



Students witness Supreme Court history in the making

Claire Davis, Law'19, and Kate Withers, Law'17, had front row seats to watch Supreme Court of Canada (SCC) nominee Justice Malcolm Rowe be vetted for his suitability to serve on the nation's top court. They were Queen's Law's student representatives at an October 25 session at the University of Ottawa, where Rowe answered questions from MPs and senators. This Q&A was part of the federal government's new appointment process aimed at openness and transparency.

Prime Minister Justin Trudeau nominated Rowe, a justice of Newfoundland and Labrador's Court of Appeal and the first nominee from that province, to replace Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73), who retired on September 1.

Upon their return, *Queen's Law Reports* interviewed Davis and Withers about their observations of the special event.

QLR: What was it like to witness the Q&A with SCC nominee Justice Malcolm Rowe?

Withers: It was fascinating to have the opportunity to essentially see public law in action. There was some controversy leading up to the announcement of Justice Rowe's nomination regarding the relevance of regional representation and bilingualism, and both of these issues were dealt with head on (as well as several other sensitive issues like rape shield laws and First Nations issues). It was a formal occasion, but at the same time the questioners made their thoughts very clear and were not afraid to ask the difficult questions. Justice Rowe was able to answer these very challenging questions deftly (in both English and French), and with sincerity, candidness and humor.

Davis: In his introduction, Justice Rowe discussed his upbringing in Newfoundland and his parents' lives, notably on Fogo Island, which made me feel like the shared experiences of many Newfoundlanders were being recognized and validated. It was also a relief to hear Justice Rowe converse – and even make jokes – in French, in light of the fact that certain MPs were critical of his bilingual credentials.

QLR: Do you think Justice Rowe should be appointed to the SCC, and if so, why?

Davis: I feel he should be appointed to the Supreme Court because having regional representation in every branch of government is the best way to keep this massive landmass politically unified. With this being said, I also believe that this end could be achieved through cultural, not regional, representation. This concern was raised during the parliamentary hearing. However, even if the Supreme Court was culturally representative, I would still support the appointment of Justice Rowe, because the Atlantic provinces do genuinely have a distinct culture of their own. Furthermore, Justice Rowe assured MPs that he was committed to listening to concerns raised by people of different backgrounds and fulfilling his role with an open mind and an awareness of the different experiences within, as he called it, the mosaic.



Claire Davis, Law'19, and Kate Withers, Law'17, stand before the table where Justice Malcolm Rowe sat while answering questions from MPs and senators in the University of Ottawa's Tabaret Hall on Oct. 25.

Withers: After hearing Justice Rowe's answers at the hearing, I believe he is very much worthy of appointment to the Supreme Court of Canada. He is a humble but very accomplished individual, and I believe his answers were very thoughtful and demonstrated his awareness of and sensitivity to contentious issues ranging from victims' rights to the proper relationship between the judiciary and legislature. Justice Rowe freely admitted to some of his own weaknesses (such as his experience in civil law), and I feel that his self-awareness and commitment to continuing to learn are crucial traits. The sincerity, candidness and empathy with which Justice Rowe answered the questions and addressed controversy reassured me that he is an excellent choice to serve as a justice at our highest court.

QLR: What stood out for you from the Q&A session MPs and senators had with Justice Rowe?

Withers: I was most struck by the concern among the questioners regarding the need for the Supreme Court of Canada to address the evolving demographics of Canada. The role of regional representation given Canada's changing demographics was debated before the nomination, and Justice Rowe addressed this issue in a very thoughtful manner that demonstrated his commitment to both our constitutional conventions and ensuring that the court is sensitive to the experiences of minority groups. Several questions were asked regarding First Nations, rape shield laws and sentencing were also asked that touched on these themes, and Justice Rowe's answers (in both French and English) emphasized his appreciation for Canada's diversity and the need for courts to give adequate weight to it.

Davis: A couple of Justice Rowe's answers stood out to me. When asked what guides his decisions, he responded simply by saying, "the law." When asked how he would interact with Indigenous legal issues, he summarized his answer by saying, "By listening." And finally, when Justice Rowe was asked why he wanted to be on the Supreme Court, he expressed his initial reluctance and then his realization that Canada is a wonderful country and he wanted to do his part.



Ontario Trillium Scholarship recipient Ana Patricia Chuc Gamboa, shown in Paris in the summer of 2015, when she was preparing her admission application to Queen's PhD in Law program

PhD student wins provincial scholarship for work linking free trade and human rights

For three years, **Ana Patricia Chuc Gamboa** worked as a lawyer advising foreign companies that import and export raw materials in her native Mexico. Now she has been awarded an Ontario Trillium Scholarship for her doctoral work at Queen's Law to study the trade agreements those companies rely on. The scholarship, valued at \$40,000 annually for three years, is given to help the best doctoral students from around the world study in the province.

"While I was in private practice I saw firsthand the importance of free trade agreements because of their economic impact on my country's development," says Chuc Gamboa. "However, I also saw how multinational and transnational companies could worsen serious human rights problems."

This is the reason why she decided to embark on further academic studies. "My Master's studies showed me that nowadays countries are more concerned about their international reputation and sign international treaties without creating the right conditions for their implementation."

At Queen's she is further developing this research. "I have new questions that must be answered: why is the phenomenon of free trade so uneven and what should governments do about this situation? These questions motivate me to continue." She is answering them together with her supervisor Professor Bitá Amani, an expert in intellectual property, feminist legal theory and private international law.

Chuc Gamboa has a Master's degree in International Law from the Graduate School of Government and Public Policy – now called the School of Government and Public Transformation – at the Monterrey Institute of Technology and Higher Education and a second Master's degree in Constitutional Law from the Autonomous University of Yucatan, where she focused on human rights.

She views education as an investment in her future. "Queen's is the ideal place for me to make that investment. It is not only a great university to study at but is also an amazing place with people from around the world that enriches my cultural and social growth."

The school's supportive academic staff also stand out to her. "Last summer I came to the university and I met Professor Michael Pratt, the Law Faculty's Associate Dean of Graduate Studies and Research at the time, and a wonderful person. He encouraged me to apply and was very helpful during the admission process. If it wasn't for his help I might not be here today."

— ANTHONY PUGH



Maseeh Haseeb, Queen's PhD in Law student

Law doctoral student wins teaching award

Maseeh Haseeb, PhD'18, has long wanted to become a professor and now he has evidence of his ability to instruct students. Queen's Society of Graduate and Professional Students (SGPS) have recognized his hard work and dedication as a teaching assistant (TA) by presenting him the 2016 Teaching Assistant/ Teaching Fellow Excellence Award.

"My students were passionate and very engaged when discussing law-related topics in class," says Haseeb, crediting their integral role in inspiring him to do the best job possible.

Those students were in LAW-201: Introduction to Canadian Law, which he continues to teach in both online and blended formats. The course, offered by Queen's Law to undergraduates, provides an engaging and comprehensive overview of the fundamentals of Canadian law. As a TA, Haseeb led tutorial discussions, marked assignments and assisted students with learning the material.

With the award, the SGPS recognizes the winner's commitment to teaching and his or her contribution to student wellbeing. "It is highly competitive; there is only one award per year in this category," says Haseeb. "However, most importantly the recognition from the students makes winning this award incredibly rewarding. I would like to thank the course professor Mary-Jo Maur (Law'85, LLM'93) for creating a very supportive environment for both the students and the teaching assistants."

That's the type of environment Haseeb aims to provide to his future students.

For now, he's working on his doctoral dissertation concerning national security law, surveillance and migration. He has presented his research on the federal government's Anti-Terrorism Act to both Osgoode and McGill law schools and presented a project about migration to the Centre of Culture and Cultural Studies Third International Conference in Skopje, Macedonia. In addition, he is a research assistant at both Queen's and the Royal Military College of Canada, where his work concerns cross-border financing of terrorism.

Someday there are sure to be law students intrigued with this work and inspired by the award-winning TA.

— ANTHONY PUGH

Law'19 student selected to play on world stage of hockey



Kevin Bailie, Law'19 (second left) at the Team Canada training camp at Centre d'Excellence Sports Rousseau in Boisbriand, Québec with U Sports and Queen's coach Brett Gibson, team-mate Spencer Abraham, and U Sports and Queen's athletic therapist James Sawchuk.

While most first-year students were holed up in the library last month, Kevin Bailie, Law'19, was on the ice. Balancing hockey with exams, Bailie began December training with some of the best young players in the world, and ended it earning a spot on Team Canada for an international competition for student athletes.

"I was looking forward to wiping my schedule and focusing only on law, but then it was probably my busiest month in university," he says.

His hard work paid off. The Queen's goaltender will represent Canada – and Queen's Law – at the 2017 Winter Universiade in Almaty, Kazakhstan.

"It will be my first time getting to wear the Canadian jersey," Bailie says. "It's going to be a special moment."

The tournament starts on January 22, and lasts three weeks.

"It's a mini-Olympics, with opening and closing ceremonies," Bailie says. "It's the second largest congregation of athletes behind the Olympics."

Bailie has played for Queen's since 2013, when he won Rookie of the Year and had the second-highest save percentage in the nation.

"It's a big deal for me, it's a big deal for Queen's," Bailie says. "It's also a part of the world I otherwise wouldn't get to see."

Bailie says he came close during his time as the last line of defence for the Oshawa Generals and the London Knights during his five-year junior career with the Ontario Hockey League.

I didn't think I would get an opportunity like this again," he says. "That's kind of what pushed me towards it."

Earlier in the month, Bailie suited up to practice with the darlings of the holiday hockey schedule, the Canadian National Junior Team ("all those guys are going to play in the NHL"). In their preparation for the 2017 IIHF World Junior Championship, the Canadian team faced off in a series of games against the U Sports all-star team, made up of the best of university hockey players from around the country.

Bailie, for the second year in a row, was one of the goaltenders selected to the team.

"It's always interesting to see how the game has changed. It shows my age. And I'm only four years removed from the OHL," says Bailie. The camp lasted four days in early December, right after Bailie's first law school exam.

With the Junior coaches still evaluating players to finalize their roster, Bailie and the other U Sports goalies didn't get to play in the games. Though disappointed, Bailie still calls the experience rewarding. He trained with the team, networked with coaching staff, and was considered by professional scouts.

"There were probably 100 to 150 scouts there. It's a good showcase," he says.

That showcase led to a Team Canada training camp at the end of December, where he was selected as a goaltender for Team Canada's university-level team.

Choosing to spend three weeks in Kazakhstan in the middle of the winter term was a hard choice, but Bailie is no stranger to hard choices. Last spring, he was mulling over a potential contract with the Edmonton Oilers. He picked Queen's Law over professional hockey.

"I evaluated it with my family and ultimately chose law school," he says. "It was the smartest decision I could've made. I don't regret it."

"It's a much less glamorous lifestyle, studying," Bailie says, adding that pro hockey is an unpredictable career.

This time, Bailie sought advice from partners at firms he's interested in working for, all former student-athletes, on whether to attend the Universiade.

"Every single one of them said, 'You'll regret it if you don't go.'"

Watch our [Facebook page](#) for photos and updates of Kevin Bailie's experiences at the Winter Universiade.

— JEREMY MUTTON



Prime Minister Justin Trudeau poses for a selfie with Sarah Black, Law'17.

Law'17 student meets PM Trudeau during Kingston visit

Prime Minister Justin Trudeau kicked off his cross-country town hall speaking tour with a stop in Kingston on January 12. **Sarah Black, Law'17**, was one of 800 people who pre-registered for the event, eager to participate in the 90-minute question-and-answer session at City Hall.

"I admire Prime Minister Trudeau for taking the time and effort to travel to cities and towns across the country in order to hear, first-hand, the questions and concerns of Canadian citizens," she says. "It shows that he is truly attempting to connect with the people, and to understand their thoughts and ideas on how to improve their country."

A capacity crowd of 265 packed the City Hall room, where Trudeau responded to questions on such issues as prison farms, veterans' disability benefits, aboriginal issues, health care, the Phoenix pay system, democratic reform and his thoughts on what his government's relationship will be with U.S. president-elect Donald Trump's incoming administration.

While disappointed that she wasn't able to take part in the session due to the very small venue and despite arriving early, she did get to meet the prime minister. "He took the time to shake everyone's hand and he posed for pictures. I was very impressed."

— LISA GRAHAM

Queen's Law students kick off new era of pro bono service



Many volunteers involved with the Pro Bono Students Canada Queen's team met in the Macdonald Hall student lounge on Sept. 26.



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

Pro Bono Students Canada (PBSC) turned 20 last fall and its Queen's Chapter celebrated this milestone in style. The PBSC Queen's team has just launched an [anniversary website](#) and on September 26 they hosted a volunteer welcome reception featuring a special guest. Justice Harvey Brownstone, Law'80, who inspired the PBSC Family Law Project and gave an inspiring keynote address to student volunteers, supervising lawyers and faculty members involved with the program in the Kingston area.

"We wanted everyone to get to know the PBSC Queen's team: student volunteers, coordinators, supervising lawyers and supporters," says Katie Ling, Law'17, a PBSC Program Coordinator. "Our new website, which is part of our marketing campaign for PBSC's 20th anniversary, features each project we are working on this year, the public-interest organizations we are working with and profiles of our team members."

This year the program is involved in 29 projects, meeting an organizational goal to expand the number of opportunities in different areas of the law. These include: public legal education for newcomers to Canada, people with disabilities and small business owners; the Family Law Project, which helps self-represented clients navigate the court process; and legal research for local public-interest organizations.

"What has always been unique about PBSC is that students get to experience working in an area of the law that they are particularly interested in and to network within that field while promoting access to justice," Ling says.

"It is important for our volunteers to understand how our chapter fits within the national organization. As our program expands, there is an increasing need to establish a community feel."

The PBSC 20th Anniversary Volunteer Welcome Reception, held in the Macdonald Hall student lounge, familiarized volunteers with the PBSC Queen's team, and showed them how much their work is appreciated by the broader legal community. After being introduced by Dean Bill Flanagan and Tali Golombek, Program Officer with the PBSC National Office, Justice Brownstone reflected on PBSC's accomplishments over the last two decades and spoke about the importance of everyone contributing to PBSC's work.

"Working with PBSC Queen's has exposed me to uniquely engaging opportunities and like-minded individuals – it has been the most rewarding experience of my law school career," says Ling. "The active involvement of the Queen's Law community and local lawyers with PBSC reflects the legal community's commitment to giving back. I am proud of the work that we do and excited to continue our tradition of meaningful student placements that promote access to justice within our community."

— ANTHONY PUGH



Pro Bono Radio students Brody Appotive, Graeme Macpherson and Geneve Say, all Law'17, in the broadcast booth at CFRC.

New season of Pro Bono Radio premieres

Pro Bono Radio (PBR), the legal issues radio show created and produced by Queen's Law students, hit the airwaves with a new episode in November. Fans tuned in to CFRC 101.9 FM Radio at 11:30 am for an interesting discussion that answers the question "Are Good Lawyers Bad People?"

In the show, which is affiliated with Pro Bono Students Canada, law students research and talk about topical legal issues. "Generally, we try to take a subject that is in the news, research the law behind it and try to present it to our listeners in an entertaining way," says Brody Appotive, Law'17, PBR Project Lead. Other topics this year include "The Most Misunderstood Cases" such as O.J. Simpson and Amanda Knox, and "Netflix and the Law."

PBR volunteers have a unique opportunity to collaborate with their colleagues and find creative ways to explain complicated legal topics. Students are divided into teams of three and produce shows on an alternating basis. "I like how creativity and humour are encouraged," says Erin Keogh, Law '18, who is in her second year with the program. "I've researched areas of law that I would probably not have covered in my classes."

"Working on the show is a unique conversation point," she adds with a smile, "especially when drafting cover letters."

"I think Pro Bono Radio is a really constructive way for the community to have a positive interaction with the law and law students," explains Jill Whitehead, Law '18. "Most of the time people deal with lawyers and the law because of a dispute or another unhappy issue in their lives. Radio provides a way for the community to enjoy some entertaining elements of the law."

Starting this year, PBR will also be turning its recordings into podcasts. This format allows listeners to tune in whenever they want by downloading recordings to their phones or computers. "We're starting to podcast because we believe the show will be of interest to those outside the Queen's Law community as well," explains Appotive. "Podcasting allows us to target a larger audience who can listen to our show at a time of their choice."

Pro Bono Radio is broadcast on Thursdays from 11:30 am to noon. Archived shows are available through [CFRC's digital archives](#), and select episodes at the [PBR website](#).

Podcast episodes are available on the [PBR website](#) and on iTunes.

— ANTHONY PUGH



Mark Asfar, Law'17 (far right) with some of his fellow debaters at the 2016 Andrina McCulloch Public Speaking Competition.

JD student wins top university prize for public speaking

Mark Asfar, Law'17 (Artsci'14), has taken home the Grand Prize, along with its \$1,000 reward, for the 75th Annual Andrina McCulloch Public Speaking Competition. The finals of the Queen's-wide event, hosted by the School of Drama and Music and the Student Life Centre, occurred on November 12 and saw Asfar win over six other finalists.

Asfar got started early with public speaking. He won a regional competition when he was in junior high and joined the Queen's Debating Union while completing an undergraduate degree in history. "I ended up spending four years going to debate practice twice a week and spent most of my weekends out of town competing at various tournaments," he says. "I loved the challenge of arguing with brilliant people in a compelling way so debate became my passion."

"Somewhere in this period I saw the Andrina McCulloch Public Speaking competition being offered and gave it a try," he continues. "I had competed in this competition twice before and placed as a finalist both times but this was my first time taking first place (and my last chance to do so!)."

During the competition Asfar had to deliver a prepared compulsory speech on how TV ads reflect differences between Canadians and Americans. "This speech was particularly challenging because it had inconsistent lexical choices," Asfar explains. "It swapped expressions like 'audience' and 'target' or flipped references to 'Canadians' and 'Americans.' Still, it was fun to deliver."

He then chose to give impromptu speeches instead

of an original prepared speech. "Part of the reason for this is that it is a lot harder and more time-consuming to prepare a second memorized speech, especially when there are legal readings to get through each day. However, I also prefer the impromptu topics because of my background in debate. I am used to developing interesting arguments on the fly and here I just had to work with the prompts and respond to the audience's reactions. I also really got to have fun with my final impromptu topic: Bell-bottom pants are going to make a comeback."

Public speaking is useful in a broad range of settings in the legal profession according to Asfar. Last year, he was a mooter on the Queen's team for the national Mathews Dinsdale and Clark Labour Arbitration Competition and he is currently on the executive team for the student-run Minute Moot Club.

His skills, he says, also come into play in unexpected circumstances. "I think public speaking translates into being comfortable with communicating in any situation or environment. It was incredibly helpful when I volunteered with Queen's Legal Aid and had to speak to clients one-on-one about their legal situation and it also came in handy when I summered at Momentum Law in Ottawa and got to join its team for client meetings or sponsored events."

Asfar will be heading back there to article after he completes his JD degree. "I am excited to return to the one-on-one client interactions that are at the heart of the legal practice, and see what comes next!"

— ANTHONY PUGH

Alumni celebrate Queen's Law at fall receptions



Alumni in Ottawa enjoy hearing about recent developments at Queen's Law from Dean Bill Flanagan (far left) at a reception.

VIKI ANDREWSKA

Latest 'excellent event' for alumni in Ottawa

While there was a chill in the air on the evening of October 26, there was nothing but warm feelings inside the Ottawa office of Norton Rose Fulbright Canada LLP. That was where alumni gathered together with Dean Bill Flanagan for a cocktail reception hosted by Martin Masse, Law'95, a partner with the sponsoring firm.

"The company was great, the food was excellent, and I enjoyed seeing old friends and meeting new ones," says George Windsor, Law'70, a barrister and solicitor in the nation's capital.

Dean Flanagan delighted the gathering with the latest news from Queen's Law, including the appointment of Mohamed Khimji as the first holder of the David Allgood Professorship in Business Law, and the transformation of the ground floor of the Lederman Law Library into the new Learning Commons for students.

"I was entertained and intrigued by the Dean's talk about the Law Library and the school," says Windsor. "I will do my best to get down to Kingston soon to visit the school."

"Alumni receptions like this one are a great way to feel connected to Queen's Law, to learn about new developments and initiatives occurring at the school, and to network with Queen's Law grads across various fields of practice," says Major Dylan Kerr, Law'09, Appellate Counsel with the Canadian Military Prosecution Service of the Canadian Armed Forces. "I make it a habit never to miss these excellent events!"

— LISA GRAHAM

[MORE OTTAWA PHOTOS](#)





Dean Bill Flanagan (2nd right) with graduates at Queen's Law's first-ever alumni reception in Montreal on Nov. 10

WIKI ANDREWSKA

Bonjour Queen's Law alumni in la belle province!

November 10 marked a Queen's Law first: Quebec-based alumni gathered in Montreal to celebrate their alma mater. The office of Clyde & Co Canada LLP, located in the city's central business district, was the venue for the cheerful occasion.

"I really enjoyed my experience at Queen's Law!" exclaimed Robert Emblem, Law'90, event host and a partner at the sponsoring firm. "I got a solid legal education at Queen's and I'm very proud to support the school."

Alumni from across the province enjoyed good company, catching up with old friends and meeting new ones at the cocktail reception.

Many in attendance were graduates of the school's Civil Law/Common Law Joint Degree Program. In the program, students with civil law degrees from the University of Sherbrooke and other Quebec law schools can earn a common law degree after one year of studies at Queen's.

This is a program Dean Bill Flanagan wants to expand. "Our school's Civil Law/Common Law program has been a huge success," he told the enthusiastic crowd. "We are delighted to welcome civil law graduates from all Quebec law schools to come and study common law at Queen's."

The inaugural Montreal reception will be the first of many. "We have a great group of graduates here," said Dean Flanagan. "Our school is thriving and this is very much a result of the support of our alumni. I look forward to returning to Quebec for many more events."

— LISA GRAHAM

MORE MONTREAL PHOTOS





Celebrating Queen's Law at the Calgary reception on Nov. 14 are Joe Bradford, Law'94, Kevin Guenther, Law'12, and Brianna Guenther, Law'12.

GLEN CO

'Twas the season for Queen's Law alumni in Calgary

Grads in the Stampede City got into the holiday spirit as they celebrated their alma mater on November 14. This fall's reception was held in the boardroom of Dentons Canada LLP, next to the landmark Bankers Hall in downtown Calgary.

"Dentons believes strongly in the importance of fostering and supporting its relationship with Queen's Law," says event host Barbara Johnston, QC, Law'93, a partner with the sponsoring firm and Vice-Chair of the school's Alberta Alumni Council. "A number of Queen's Law graduates work at Dentons across the country. Under the leadership of Dean Flanagan, Queen's Law is one of the strongest law schools in Canada. We are proud of our ongoing relationship with the school and its Alberta alumni."

A good time was had by alumni of all ages who gathered to reminisce about their school days, catch up with old friends and connect with new ones. "The coming together of so many different generations of lawyers made the reception very special for me," says Brianna Guenther, Law'12, former LSS President and now a lawyer at Burnet, Duckworth & Palmer

LLP. "It's a neat environment to be in; one where I had the opportunity to chat with wise lawyers nearing retirement and with new articling students looking for advice."

With an intrigued audience, Dean Bill Flanagan shared recent school developments – from renowned scholar Mohamed Khimji being appointed the inaugural David Allgood Professor in Business Law to the complete renovation of the Law Library's lower floor into a Learning Commons for students.

Gary Clarke, Law'93, a partner with Stikeman Elliott LLP, was impressed. "The reception was a great opportunity to take a break from practising and get updated on all of the amazing initiatives and changes at the law school, including the move of Queen's Legal Aid (QLA) to downtown in order to create a law firm environment closer to those being served." QLA, where he was a student caseworker for two years, is now co-located with Queen's prison law, business law, elder law and family law clinics. "I am looking forward to having a chance to check out the Queen's Law Clinics in person."

[MORE CALGARY PHOTOS](#)





Dean Bill Flanagan (10th left) and alumni celebrate Queen's Law in Edmonton at Rogers Place.

GRANT CREE

Queen's Law alumni in Edmonton enter Oilers Hall of Fame

On the evening of November 16, it was unseasonably mild in the Oil Capital of Canada and especially warm in Rogers Place. The new home of one of the NHL's most storied franchises is where Queen's Law grads gathered to celebrate their alma mater.

"The reception was both interesting and delightful!" exclaims Laurie McInnes, Law'78. "We had fun engaging in lively conversation while reconnecting with many old friends and meeting new ones, including recent graduates."

Dean Bill Flanagan spoke to the enthusiastic crowd about recent developments at Queen's Law, including the appointment of Mohamed Khimji as the first David Allgood Professor in Business Law and the complete renovation of the Law Library basement into a new Learning Commons for students.

"Our school is in good hands," says Dave McInnes, Law'77. "The reception also brought back fond memories of Queen's – its people, responsibilities, the value of its education and experiences in our lives."

Imran Hussainaly, Law'05, Senior Legal Counsel with Oilers Entertainment Group, greeted Queen's Law grads spanning five decades in the Oilers Hall of Fame and Media Room. Guests enjoyed each other's company while viewing hockey artifacts showcasing the history of the Edmonton Oilers. "It was a terrific venue," says Laurie McInnes. "We were very impressed with the reception in our city."

— LISA GRAHAM

[MORE EDMONTON PHOTOS](#)



Law'81 alumni celebrate 35th anniversary reunion in Toronto

November 5 saw 60 grads from Law'81 gather at the Donalda Club to share old memories and create new ones. The crowd was brought to its feet as five women classmates dressed in lawyers' robes performed a song and dance routine in celebration of their milestone reunion. Watch them show off their school spirit to the tune of "New York, New York" in the video "[Queen's Law, Queen's Law!](#)"



Upcoming Events

Join us for an event near you!

Celebrate Queen's Law in Toronto

Thursday, May 4
CI Financial
15 York, St., 9th Floor



Hong Kong Re-Convocation Ceremony

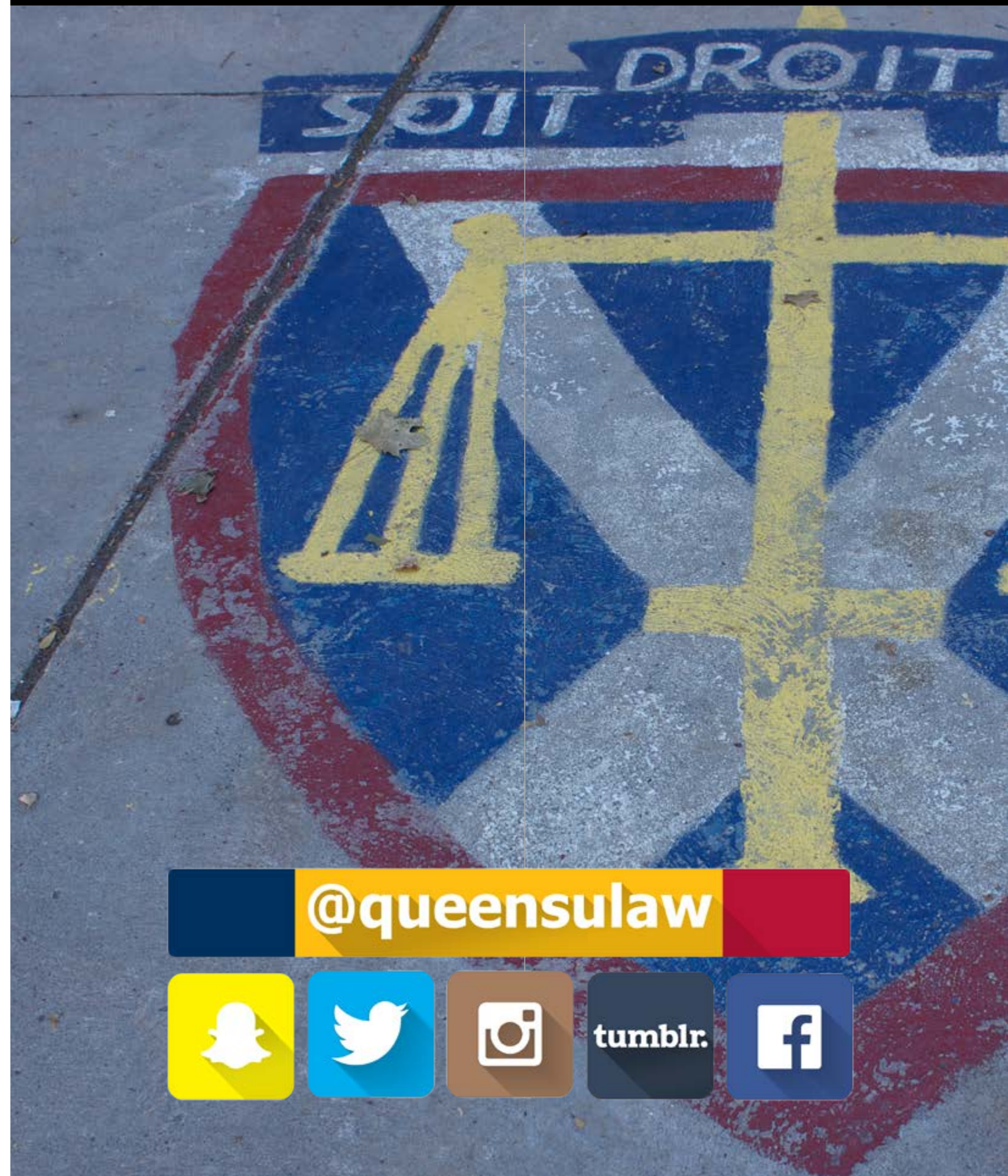
Saturday, May 20
Afternoon ceremony, evening banquet
Ritz-Carlton, Hong Kong



Queen's Law
Communications
Manager Lisa Graham
is eager for any and all
alumni news and notes
for this magazine, our
website, and more!

Contact Lisa at
grahaml@queensu.ca or
613-533-6000 ext. 74259.

Get social with Queen's Law!



@queensulaw





HOMECOMING

SEPTEMBER 8 - 10, 2017



All classes are welcome as Queen's Law celebrates our 60th anniversary!

We have a full schedule of events planned at the law school, our downtown clinics, and across the campus.

FRIDAY

7:00 pm - 9:00 pm:

Welcome Back Cocktail Reception

SATURDAY

10:00 am - 11:00 am:

Open house at the downtown Queen's Law Clinics

11:30 am - 1:00 pm:

Lunch and student guided tours of Macdonald Hall

1:00 - 3:00pm:

Symposium in honour of recently retired
Supreme Court Justice Thomas Cromwell, Law '76

- Gala reception (6:00 pm) and dinner (7:30 pm) in Ban Righ Hall for all attendees (seated by class)

FACULTY OF LAW

Macdonald Hall
128 Union Street
Queen's University
Kingston, ON, Canada K7L 3N6

Because we are anticipating larger numbers, the Faculty's Homecoming Weekend will take place earlier than the traditional Queen's University Homecoming Weekend (scheduled for mid-October). Having our own dedicated weekend makes it easier for us to block accommodations in the downtown core and secure access to facilities on campus. And early September is a beautiful time to visit Queen's!