

# Queen's | LAW REPORTS ONLINE

OCTOBER 2017



## **HOMECOMING 2017 CELEBRATING QUEEN'S LAW AT 60!**

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**Queen's**  
UNIVERSITY



## COVER STORY

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Over 250 alumni returned to campus in September to take part in special Homecoming Weekend festivities marking the school's 60th anniversary.



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*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**  
Michael Adams, LLM student  
Aschille Clarke-Mendes, LLM student  
The Hon. Thomas Cromwell, Mus'73, Law'76, LLD'10  
Ken Cuthbertson, Arts'79, Law'83  
Anthony Pugh, LLM student

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



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Recently retired Supreme Court Justice Thomas Cromwell, Law'76, LLD'10 received praise and playful criticism from friends and colleagues at this Homecoming event.



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Grads joined students for an evening of mentorship and camaraderie at the first annual reception hosted by the Queen's Chapter of the Black Law Students' Association.



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## Professor Mohamed Khimji wins SSHRC Insight Grant to study shareholder democracy



Professor Mohamed Khimji, the David Allgood Professor of Business Law at Queen's

GREG BLACK

[Professor Mohamed F. Khimji](#), the David Allgood Professor of Business Law at Queen's University, has won a Social Sciences and Humanities Research Council (SSHRC) Insight Grant as principal investigator for a project entitled "Shareholder Democracy in Public Corporations – An Empirical and Economic Analysis." The amount of the award is \$155,305 over five years. The research will have wide reaching implications for all members of the general public who invest in the capital markets.

"I think it's fair to say that shareholder democracy is the key issue in corporate governance right now," says Khimji. "While there appears to have been a surge in shareholder engagement in the governance of public corporations in recent decades, there is a lack of empirical data on how shareholder voting operates in practice and also on the extent, types and effectiveness of shareholder engagements. Thanks to SSHRC, this important study is an exciting opportunity to fill that gap."

The study will involve generating and analyzing qualitative and quantitative data about shareholder participation in corporate decision and policy making. Shareholder participation in corporate governance is an issue of current interest to law and policy makers. While enhancing shareholder participation in corporate governance is said to result in greater managerial accountability, unduly undermining the authority of management would compromise the success of the public corporation and, on balance, produce less wealth for society. The findings of the study will facilitate more informed law reforms going forward.

Under the grant, the majority of the funds will be used to hire students as research assistants to aid in the project. "Students are integral to the success of the study and will have the opportunity to contribute to all aspects of it," adds Khimji. In addition, the money will be used to interview key stakeholders in shareholder voting systems. Professor Christopher C. Nicholls, the W. Geoff Beattie Chair in Corporate Law at Western University, is a co-investigator under the grant. The study will provide a thorough empirical analysis of shareholder democracy as a fundamental accountability mechanism in corporate governance.

For more information about the project, please contact Professor Mohamed Khimji at [mohamed.khimji@queensu.ca](mailto:mohamed.khimji@queensu.ca).

## Queen's emerging scholars win SSHRC Insight Development Grant to research financial literacy education



Professor Gail Henderson and Professor Pamela Beach discuss their research.

In August 2016, [Professor Gail Henderson](#) of Queen's Faculty of Law and [Professor Pamela Beach](#) of Queen's Faculty of Education met at an orientation event for new faculty and chatted briefly about their research interests. That initial meeting resulted in a successful application for a two-year, \$67,114 Social Sciences and Humanities Research Council (SSHRC) Insight Development Grant. As both federal and provincial governments push to make financial literacy education a priority, research is crucial to ensuring that its policy goals are met.

The study, titled "This Little Piggy Went Banking: Examining Conflicts of Interest in Financial Literacy Education Resources for Elementary School Teachers," is the first empirical study focusing on financial education materials produced by the financial industry. "Our primary research question and main policy concern," explains Henderson, who is the principal investigator on the grant, "is whether these materials emphasize different lessons or different messages than materials from other sources. The expectation of regulators is that financial literacy education can empower financial consumers to make wiser decisions, but that depends on the content of that education."

The study also looks at how Ontario teachers are incorporating financial literacy into their classrooms, and the extent to which they are doing so. Beach describes teachers as "continuous learners who seek out information through professional development and accessing resources that they might find online or through other sources. It's important that all teachers

have access to the right kind of resources so that they can easily implement ideas into their classroom, they can see the connections, and they know the resources will target financial literacy."

Learn more about the research from Professor Beach and Professor Henderson in their [online interview](#).

The study is being undertaken in three phases.

First, the research team, which includes JD student Lucy Sun, Law'19, will review financial literacy education resources aimed at elementary school students and teachers submitted to the Canadian Financial Literacy Database. This Database is maintained by the Financial Literacy Consumer Agency of Canada (FCAC), the regulator responsible for protecting financial consumers.

The second phase will survey Ontario elementary school teachers on whether, in what manner, and with what means they are incorporating financial literacy into their classrooms.

The third and final phase involves more in-depth discussion with a small group of elementary school teachers. This phase will use screen-capture technology and a "think-aloud" methodology to gain insight into how teachers evaluate financial literacy education materials.

These latter two phases also will provide practical feedback to the FCAC about the Database.

The grant funding will provide research assistantships to two PhD students who will be involved in data collection, data analysis, and the dissemination of results.



## Landmark trade and labour ruling denies U.S. complaint; decision of panel led by Queen's Law professor



Professor Kevin Banks was appointed by the United States of America and the Republic of Guatemala to chair the international arbitral panel in the case of alleged non-compliance with labour provisions of an international trade agreement between the parties.

Professor Kevin Banks had the honour to chair the first ever state-to-state arbitration of an international labour law dispute and his panel released its final report this summer. The subject: a dispute between the United States and Guatemala under the Dominican Republic–Central America Free Trade Agreement on whether Guatemala had failed to enforce its own labour laws and whether that had affected U.S.-Guatemala trade.

The key finding: Guatemala failed to effectively enforce labour laws but the U.S. did not prove effects on trade. “The United States proved eight instances of Guatemala’s failure to effectively enforce labour laws,” explains Banks, Director of Queen’s Centre for Law in the Contemporary Workplace. “The panel had to consider whether those eight instances, or at least some of them, constituted a course of action or inaction that was in a manner effecting trade.”

“In our view, to affect trade there would at least need to be some effect on conditions of competition in trade by conferring some competitive advantage on an employer or employers,” Banks continues. “There was very little evidence pertaining to effects of the failures to enforce on union organizing or other working conditions. As a result, the panel concluded that there was insufficient basis in evidence to find that enough of the failures to enforce to constitute a course of inaction were ‘in a manner affecting trade’.”

Being the first time such a process was undertaken, it was very challenging to complete, says Banks. “First

and foremost, the fact-finding process was lengthy and complex. The evidence was all in documents. The panel was required to identify and consider many possible correspondences between and inferences on the basis of what was said in the documents in order to determine whether what was alleged had in fact been proven. This was difficult and time-consuming.”

“All in all, the panel considered about 700 pages of written arguments concerning the dispute settlement process, the meaning of the law, and how it should be applied to the facts. Almost every word in Article 16.2.1 of the Agreement was the object of differing interpretations from the disputing Parties and required a reasoned interpretation from the Panel.”

Will this case provide any guidance for the NAFTA negotiations between Canada, the United States and Mexico? Banks thinks it will. “Labour issues have been an important aspect of trade agreements involving Canada or the United States for over two decades now,” he says. “NAFTA states will need to consider whether they wish to require proof of effects on trade in order to establish a violation of any labour chapter of a new NAFTA.”

“That said, the causes of public skepticism about trade agreements go well beyond what can be addressed in a labour chapter,” Banks concludes. “So while the subject matter of this case is important, it is only one of many issues that governments and negotiators will have to grapple with.”

— ANTHONY PUGH

## Queen's Law professor shares international justice expertise with Kosovo judges



Professor Darryl Robinson inside the Nuremberg Palace of Justice courtroom on Sept. 16.

Professor Darryl Robinson is often called upon to speak about crimes against humanity to academics and students around the world. On September 16, he discussed the topic at a retreat for the judges of the Kosovo Specialist Chambers (KSC). The event was at the Nuremberg Palace of Justice, in the courtroom where the Nuremberg trials were held.

Created in a partnership with the European Union, the KSC are part of the judicial system of Kosovo. The Chambers, established by a constitutional amendment, have a mandate over crimes against humanity, war crimes and other crimes committed during the Kosovo conflict. The Chambers were created in response to reports of unaddressed crimes against Serbians and Albanian Kosovars, including detentions, disappearances, and trafficking in human organs. Having a seat in The Hague, the KSC are staffed with international judges and prosecutors.

The retreat allowed judges to familiarize themselves and exchange views on some contemporary legal issues. “I spoke about current controversies in the law of crimes against humanity,” says Robinson, an expert whose work on the subject has influenced international instruments and jurisprudence, and who continues to explore the outer limits of these crimes in an ongoing SSHRC-funded research project. “I showed how different legal approaches to these controversies actually reflect different underlying ways of thinking about the crimes.”

“These judges were an exceptionally highly qualified group,” he adds. “Three of them were involved in groundbreaking international decisions, and two of them are leading scholars in the topic. There were many different viewpoints. We had a lively but collegial and friendly discussion that really helped clarify the issues and the stakes.”

The historic venue is now home of the International Nuremberg Principles Academy, a forum for capacity building and knowledge exchange between judges and practitioners of various countries. It also holds thematic meetings of experts on topics like cooperation in sexual violence investigations, hate speech, deterrence, refugees as witnesses, and Islam and international criminal law.

“The retreat gave me a sense of optimism,” he reflects. “Right now the media and academic discourse focuses on the many stumbles and challenges for international justice. And yet behind the headlines, institutions like the KSC work quietly in all regions and latitudes of the world. They’re concretizing what ought to be a simple idea: that murder, mutilation or violation of thousands of people is a crime, and the persons responsible should be called to account in fair trials.”

— ASCHILLE CLARKE-MENDES



# Queen's Law issues call to Indigenous artists to create artwork for atrium

Students, instructors, guests and community members visiting Queen's Faculty of Law will soon be welcomed into the building by a display of Indigenous artwork. The piece, which is part of the Faculty's response to Calls to Action of the Truth and Reconciliation Commission of Canada and the final report of Queen's Truth and Reconciliation Task Force, will directly reflect Indigenous peoples and their relationship to the law.

A 12-person committee, including seven Indigenous members, representing all the Faculty's major stakeholders will oversee the project and has issued a [call for artists](#) to submit proposals. The committee includes Queen's Law students, alumni, university representatives and members of the local First Nations communities. Internationally renowned architect and First Nations member Douglas Cardinal, OC, who will receive an honorary degree from Queen's University at the law school's convocation in June 2018, has graciously volunteered to serve on the committee.

"Canada's greatest challenge today is to abolish the *Indian Act*, to respect the inherent rights of the Indigenous people of this land, and to fully acknowledge that they are all self-governing nations. Recognizing our Indigenous values and culture through the arts is an integral part of the reconciliation process," Cardinal says.

Prominent First Nations businessman and committee member David Sharpe, Law'95, agrees. "I've been pleased to be involved with Queen's Law for a number of years now as Aboriginal Ambassador and a member of the Dean's Council," Sharpe says. "This project represents another step forward in the school's involvement and investment in recognizing the importance of First Nations culture and contributions."

"One of the recommendations of the Queen's report was to increase the presence of Indigenous cultures on campus," says Cherie Metcalf, Associate Dean Academic, who represented the law school as part of the Queen's University Truth and Reconciliation Task

Force. "The artwork will be part of how we achieve that goal. It will also be an important visual symbol of the relationship between Indigenous people and the law. That relationship is an important element of our academic program here at the Faculty. It will be wonderful to see that every day."

The school's atrium, the chosen location of the artwork, is a high-traffic hub visible from all floors of the building as well as the street. "The location is very exciting for us," says Chantal Rousseau, Manager of International Programs and the project's coordinator. "All students go through here, all faculty go through here, as well as visitors. It is a crossroads for the law school and will have a lot of meaning and resonance."

"Queen's University is situated on traditional Anishinaabe and Haudenosaunee Territory," says Dean Bill Flanagan. "By honouring this traditional territory, we acknowledge the territory's significance for the Indigenous peoples who lived, and continue to live, upon it. Having a work of art that reflects Indigenous culture and values in the entrance to our school will be one of many ways we honour this traditional territory and embrace Indigenous engagement in all that we do the Faculty of Law."

The artist will interpret and ask viewers to look at some aspect of the law. The artwork will help create a welcoming environment for all students, but particularly for Indigenous students. "I am very pleased with the Indigenous art project initiative coming out of the Dean's office," says committee member Jason Mercredi, Law'18, a Student Senator for the law school, and a member of the Queen's Truth and Reconciliation Task Force. "This is a small but meaningful gesture of good faith towards reconciliation. This project also confirms Indigenous belonging within the law school community, which is particularly important in the study of colonial law."

— ANTHONY PUGH



"Katimavik" ("Community place: Come Together") is one of 12 new study rooms at Queen's University's Stauffer Library named to increase the visibility of the Indigenous community. (Artwork by John Palmer and Manley Elwood Jones)

# New education developer to foster innovative teaching and learning at Queen's Law

Increasing student engagement through active learning is a top priority for Queen's Law and now the school has its own in-house Education Innovation Developer. Katherine Prescott (BSc, MEng, BEd) started her new position on July 24, bringing more than 20 years of experience in designing and delivering courses at the secondary and post-secondary levels. With a multidisciplinary background in science, engineering and education, she has taught in the public school system, for Correctional Service of Canada, and at McMaster and Queen's Universities. Most recently, she was designing courses for Queen's Engineering and Applied Science.

One month into her new role, Katherine Prescott talked to *Queen's Law Reports* about how she'll be enhancing teaching and learning at Queen's Law.

**QLR: What interested you in the position of Education Innovation Developer at Queen's Law?**

**KP:** I was keen to build on my former responsibilities as an Instructional Designer as well as to explore ways to facilitate positive change in teaching and learning at Queen's University. I think there is a lot of potential for all members of the Faculty of Law to work together to improve legal education for students, and I was interested in being a part of that change.

**QLR: What did you do as an Instructional Designer with Queen's Faculty of Engineering and Applied Science?**

**KP:** In my previous role, I was part of a multidisciplinary team of people who supported teaching and learning in the Faculty of Engineering and Applied Science. As an Instructional Designer, I worked closely with instructors on the design and development of their online and blended courses. Additionally, I assisted instructors with the use of the Queen's learning management system, onQ, as well as other educational tools.

**QLR: What was your previous involvement with Queen's Certificate in Law program for undergraduate students?**

**KP:** I had the pleasure of working as the Instructional Designer and Project Manager for the Certificate in Law courses in Aboriginal Law (LAW 202) and Workplace Law (LAW 203). Together with multi-media specialists, I supported the instructors with developing learning outcomes, course activities, assessments, and instructional videos, and with navigating their courses in onQ.



Katherine Prescott, Education Innovation Developer at Queen's Law

**QLR: How are you supporting innovation and technology at Queen's Law?**

**KP:** At the moment, there are three key areas in which I am supporting innovation and technology at Queen's Law. The first area relates to the development of online and blended learning opportunities with the new undergraduate Certificate in Law and with other online courses in development. The second area involves the incorporation of innovative educational technologies, such as an artificial intelligence simulation for practising professional skills, in Queen's Law courses, and the third area involves supporting instructors with ideas for increasing student engagement in their on-campus courses.

**QLR: How are you involved with the simulation in legal education program for which our school received a \$250,000 grant from the Ontario Centre for Excellence?**

**KP:** This project is an exciting one where learners will have an opportunity to practice and hone soft skills, such as those required for effective client service, in a simulated environment before they need to employ these skills in professional practice. My role is to assist with the design, development, testing, and eventual implementation of the simulation.

**QLR: What are your priorities and goals for education innovation at the Law Faculty?**

**KP:** I think there is a desire among instructors to make Queen's Law courses more engaging for students, so an immediate priority for me will be to support faculty members who are keen to begin implementing new ideas in their classrooms. Since I'm coming to the Faculty with a background other than law, I would like to spend some time observing law classes and speaking with faculty, staff and students about what they think makes a good legal educational experience. Once I have a better sense of what the current landscape is like, I will be able to form long-term goals that best serve the needs of education programs at Queen's Law. Ultimately, I would like to foster an environment where faculty, staff, and students can share ideas for improving legal education in the 21st century.



## Baker McKenzie renews support for ground-breaking labour law research with \$60K gift



Manoj Dias-Abey, PhD'16, recipient of the 2017 Baker & McKenzie LLP Fellowship.

Improving the conditions of migrant farm workers is more challenging and critical than ever in a world with a globalized food system. Baker & McKenzie LLP, an international law firm with expertise in global issues, is helping to do just that with a new \$60,000 gift to Queen's Law to support the research of Manoj Dias-Abey, PhD'16. Since the firm's 2013 endowment gift of \$62,500 to Queen's Centre for Law in the Contemporary Workplace (CLCW), research support has been awarded annually to the Centre's designated priority.

Dias-Abey, the 2017 Baker & McKenzie LLP Fellow, is a postdoctoral researcher with the CLCW who is investigating the strategies used by non-traditional labour organizations in the agricultural sector in North America.

"I am interested in developing conceptual tools that make sense of the legal strategies adopted by such emerging organizations as innovative unions, worker centres, legal clinics, activist and advocacy bodies, trans-national advocacy networks, and social movements," he says. "I take a broad view of legal strategies – not only how these organizations engage with government laws and institutions, but also how they use law to build and coalesce movements, spread legal consciousness among workers, and develop private regulatory systems. I also conduct empirical research to study non-traditional labour organizations currently active in the field. Ultimately, I want to uncover which strategies work and why."

He calls migrant farm workers some of the most exploited employees in today's economy. "They tend to be excluded from many of the legal protections (e.g. collective bargaining) available to other types of workers, and trade unions have had very limited success in organizing them."

"This has left a space for non-traditional labour bodies to intervene to assist the migrant farm worker community," he explains. "I believe that the 'alt-labour' organizations looking after these workers' interests represent some of the most creative and energetic elements of the broader labour movement and that the rest of the labour movement can learn from them."

One product of Dias-Abey's research to date is his forthcoming article for the *Harvard Civil Rights-Civil Liberties Law Review*: "Justice on our Fields: Can 'Alt-Labor' Organizations Improve the Working Conditions of Migrant Farm Workers in Canada?" He has also presented his research at a number of academic conferences and been invited to give talks to interested faculty at places like the Cornell ILR School.

In addition to his work with the CLCW, which provides national leadership in research and teaching in labour and employment law, Dias-Abey developed and teaches an online Workplace Law course as part of Queen's Certificate in Law program for undergraduate students and non-legal professionals. He has also taught International Labour Law to upper-year JD students.

At this busy stage of his academic career, he says, "I'm very grateful that the Baker McKenzie Fellowship has secured for me the time, space and means to conduct such extensive research."

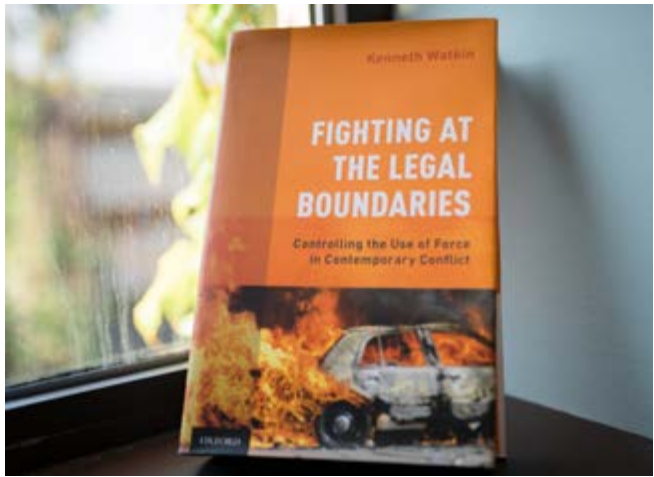
— ANTHONY PUGH

## Former Judge Advocate General brings contemporary armed conflict discussion to Queen's

Brigadier-General (Ret'd) Ken Watkin, Law'80, LLM'90, returned to his alma mater on September 25 for a panel discussion on his acclaimed book, [Fighting at the Legal Boundaries: Controlling the Use of Force in Contemporary Conflict](#) (Oxford University Press). A military legal officer in the Canadian Armed forces for 28 years, he wrote the book based on his experience advising on international and domestic security operations.



Joining author and retired Brigadier-General Ken Watkin (3rd right) at the book discussion were panelists Jonathan Somer, Canadian Red Cross; Tammy Tremblay, Director, Directorate of Law / Military Justice – Strategic, Office of the Judge Advocate General; Professor Darryl Robinson, moderator; Dean Bill Flanagan; and Philip Drew, Law'00, LLM'12, ANU College of Law.



PHOTOS BY ANDREW VAN OVERBEKE



# Queen's Law grads discuss issues facing self-represented litigants – 'a significant access to justice challenge'



Queen's Law SRL Awareness Day participants: Co-organizers Heather Cole, Law'96 (Assistant Dean of Students) and Beth Ambury, Law'18 (far right), with panelists Professor Nick Bala, Law'77, Justice Geoffrey Griffin, Law'82, Patricia Knox-Leet, Law'94, Jennifer Ferguson, Law'94, Leanne Wight, Law'94, and moderator Karla McGrath, LLM'13.

MATT SHEPHERD

Queen's joined other law schools across the province on October 3 to raise awareness about the experiences and challenges faced by self-represented litigants (SRLs) when accessing Ontario's court system. The event, SRL Awareness Day, is an initiative of the National Self-Represented Litigants Project (NSRLP).

As a part of the event, a panel of local alumni spoke about the width and breadth of the SRL issue in family and criminal court and beyond. "Being unrepresented is a significant access to justice challenge," says Karla McGrath, LLM'13, the panel's moderator and Executive Director of the Queen's Law Clinics. "We examined some of the solutions being considered and others that are being engaged." This included the use of supervised students, paralegals and limited-scope retainers.

Having speakers with diverse backgrounds helped to bring unique perspectives to the discussion, said panelist Professor Nick Bala, Law'77. Indeed, the panel was able to provide views of lawyers, as well as judges working in both the criminal and family law fields, and there was also discussion about challenges in the civil justice process.

Justice Geoffrey Griffin, Law'82, of the Ontario Court of Justice described how judges find themselves in a difficult position when dealing with SRLs within the adversarial criminal justice system. "It requires an awkward balancing act of ensuring a fair trial while not appearing to compromise impartiality by the suggestion that the judge has become 'counsel' for the SRL." This tension and the related challenges for the criminal justice system is the result of high-cost legal services and limitations on Legal Aid, Griffin explained. He concluded that "we as a society must do something about the high cost of legal services if justice for everyone is to be achieved."

The heightened concern for trial fairness in cases involving SRLs also places more responsibility on Crown prosecutors in the criminal context, Jennifer Ferguson, Law'94, Assistant Crown Attorney, noted. The role usually played by opposing counsel in ensuring their client has received adequate disclosure must to some extent be performed by the Crown attorney. "There are further challenges when SRLs are incarcerated," Ferguson said. "The Crown must ensure the accused is provided with an opportunity to receive and review ongoing disclosure, while at the same time safeguarding the information from dissemination." At trial, Crown counsel plays an active role, alongside the judge, to ensure fairness in the process and to take the steps necessary to protect the interests

of victims and witnesses, as well as the interests of the accused.

The use of technical language and terminology in the justice process was an issue raised by Patricia Knox-Leet, Law'94, a criminal lawyer with Legal Aid Ontario, who identified it as "one of the biggest issues faced by SRLs." Court processes are difficult to follow with lawyers, judges and court staff speaking very quickly and in legal terms alien to most lay persons. "After many years as the duty counsel, I see the inability to communicate with or to understand these players as the most frustrating piece for SRLs," Knox-Leet said.

Similarly, Leanne Wight, Law'04, Supervisor-Duty Counsel with Ontario Superior Court of Justice – Family Court Branch, discussed the challenges posed by procedural requirements in family court. Wight explained that "litigation in the family court is paper intensive and process driven." Especially for SRLs in the family law context, who are also dealing with the breakdown of a relationship, things like document preparation are particularly challenging, she said. "We need to advocate for reforms that will make family court more accessible and provide greater support to SRLs."

Access to family justice is also an area that captured the interests of Professor Bala, the lead researcher of a Social Sciences and Research Council-funded project focused specifically on this issue. "One of our projects is to encourage lawyers to use limited-scope retainers as a way to provide less expensive legal services," he said. He also recounted a project in which student volunteers administered a questionnaire to collected data about the experiences of the increasing number of SRLs in the family court system. The study not only produced helpful data, but also allowed the student volunteers to gain valuable client interaction experience.

"The panel was a very small part of what Queen's is doing to increase student awareness and find solutions to issues related to access to justice," Bala later said. The Queen's Family Law Clinic is very important in this regard. "I am very pleased with the university's support of the family law clinic," said Bala. "The Faculty of Law and Dean Bill Flanagan are very concerned about access to justice. What we will continue to do on this issue remains an evolving story."

— MICHAEL ADAMS



## Queen's Law graduate program expands in numbers and diversity



This year's program boasts the highest graduate student enrollment in the Faculty's history: both the highest-ever number of incoming LLM students (11) and the largest-ever PhD entering class (seven students).

"I am delighted with this bumper crop of new grad students," says Associate Dean (Graduate Studies and Research) Joshua Karton. "They are not just the largest but also the most diverse group of students we have admitted – diverse in every sense of the word."

The new class members represent a range of professional backgrounds, including accountancy, academia, private practice, government, nursing and NGOs. They come from, or have lived for a long time in eight different countries (not including Canada), and at least two were born in each decade from the 1950s to the 1990s.

Between them, the new students have completed 18 previous graduate degrees; five have obtained first law degrees from civil law jurisdictions, four have no first law degree, and three are graduates of the Queen's JD program.

"I've long believed that no law school – no university department for that matter – can be great without a great graduate program," says Karton. "It's a testament to Queen's Law's international reputation, its research strength, and its growing faculty complement that we have been able to expand our graduate program without lowering standards."

New PhD student Graham Jones completed his JD at the University of Victoria and worked for the Federal Crown until 2008, when he became a sole practitioner helping legal aid clients with family law, civil law and other matters. In 2011, he attended the University of Amsterdam, where he published a master's thesis on sexual minorities in Uganda. Currently, he is writing his doctoral dissertation on the intersection of technology and law of warfare. In particular, he says, he's looking into how warfare has become informal in the age of artificial intelligence (for instance, as it concerns drone strikes), and accordingly, "whether it is right to kill someone without a trial in the first place."

Returning to her alma mater is PhD candidate, Saro Persaud, Law'01, a Trinidad native who has also lived in Canada and South Africa. With a special interest in revenue collection models that grant Indigenous and other traditional governance bodies the authority to generate revenue, she is writing a comparative study of "Taxation Powers of Indigenous and Traditional Leaders/Authorities."

"Having had an excellent experience with the Queen's LLB program," says Persaud, "it was natural that I return to the Faculty to complete my life-long academic journey."

New LLM student Michael Adams, a JD graduate of the University of Saskatchewan, is focusing his thesis on the sentences reserved for "the worst of the worst offenders," known as the dangerous offender regime.

Choosing the school to pursue this work was easy for him. "In addition to Queen's reputation as one of the best law schools in Canada," he says, "I came here primarily because it presented me the opportunity to work with many of the leading scholars in the fields of criminal law and sentencing."

Does the increased enrolment present a problem for the Graduate Research Seminar taken by all first-year LLM and PhD students? "I think 18 is a great number for generating class discussions," says Karton, the course instructor. It's big enough that you get a diversity of opinions but small enough that you can have a real back-and-forth and delve into issues in detail."

— ASCHILLE CLARKE-MENDES

## Recent grads welcome new students from three provinces to Queen's Law network



Kevin Guenther, Law'12 (back row, left), Brianna Guenther, Law'12 (front row, 2nd left) with baby Bennett, and Larry Wu, Law'13 (front row, right), met members of Law'20 at a welcome reception in Calgary on August 2.

What's it like to live in Kingston? What is life like at law school and after graduation? Alumni who graduated within the last six years answered these and other questions posed by members of the incoming Law'20 class at welcome receptions held in Vancouver, Calgary, Toronto and Ottawa during the first two weeks of August.

"It's important to share any tips and traps with new students, just like Queen's alumni did for us when we began law school," says Brianna (Butchart) Guenther, Law'12, who participated in the Calgary reception with her husband and classmate, Kevin Guenther. Both are associates in law firms located in Alberta's largest city – she works with Burnet Duckworth & Palmer LLP and he is with Stikeman Elliott LLP. "The strong community at Queen's is a big reason Queen's Law is so special and it's important to foster it," she adds.

Combined program graduate Erin Pleet, MPA'08/Law'11, concurs. "It was great meeting the incoming students, sharing with them the differences and similarities between the undergraduate experience and law school, and encouraging them to get involved in student life at Queen's Law." She took part in the event held in Toronto, where she is an associate with Thornton Grout Finnigan LLP.

Law'20 members not only stepped into the broader Queen's Law community but also met new classmates they'll be studying and socializing with for the next three years.

"Starting law school may seem daunting, mysterious or coloured by what's in movies and on TV," says Pleet. "I want new Queen's Law students to know that they are entering a welcoming environment, where they'll have every opportunity to learn, make connections and succeed."

— LISA GRAHAM



## Clerkships a launch pad to thriving legal careers



Recently retired Supreme Court Justice Thomas Cromwell, Law'76, LLD'19, caught up with his former clerk Pam Hrick, Law'13, on September 9 during the Queen's Law at 60 Homecoming.

GARRETT ELLIOTT

Queen's Law students continue to be successful in securing placements in a variety of clerkships to work with judges in courts across Canada. Thirteen new grads are clerking for a 12-month period and six have lined up positions for the 2018–19 year. Late September marked the time for students to consider clerking opportunities and the school was ready to help.

At an introductory information session, Associate Dean (Academic) Cherie Metcalf, Law'02, and Assistant Dean Heather Cole, Law'96, discussed the various clerkships that students can consider, and the many possible ways that they can contribute to students' career paths. "Students may have in mind only the most competitive clerkships, like the Supreme Court, but there are many other opportunities," says Metcalf, referring to positions at various federal and provincial courts.

Each clerkship provides a different kind of experience for students. In some courts, students will work closely with a single judge for a year by providing research support, attending hearings, or assisting with writing judgments. In other courts, students will be part of a pool of clerks that support the work of the court; they will have an opportunity to work with multiple judges. Clerkships in appellate courts involve mostly legal arguments. Other clerkships are with trial courts, where clerks will be directly involved in the trial process from a judge's perspective. Each clerkship concentrates on specific areas central to the work of judges, from tax and commercial law to administrative and criminal law.

The treatment of clerkships in terms of articling requirements varies a bit across provinces. In most provinces a clerkship will either meet, or substantially contribute to meeting, the articling requirements to be called to the bar.

Practising lawyer Pam Hrick, Law'13, has first-hand experience having clerked twice: first for Justice David Stratas, Law'84, at the Federal Court of Appeal and then for recently retired Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73), at the Supreme Court of Canada. She is now an associate with Stockwoods LLP, where she maintains a broad practice in civil litigation, administrative law, criminal law and constitutional litigation.

"A clerkship can be an invaluable building block to a career in litigation," says Hrick. "During a clerkship year, a clerk will often work closely with his or her judge, day in and day out. This provides tremendous insight into judicial decision-making, including the opportunity to observe litigators in action and discuss with judges what makes an effective advocate."

For instance, clerking at the appellate level allowed Hrick to develop strong research and writing skills – essential elements for successful junior lawyers. "I was also fortunate to forge strong relationships with the judges

I clerked for and have continued to benefit from their mentorship in the years since I finished clerking," she adds.

Julie Banting, Director of Career Development at Queen's Law, advises students not to become discouraged by the competitiveness of finding a clerkship. "I think a misconception is that only the top of the class should apply," she says. "While that may be true for the higher-level courts, there are a lot of great opportunities at other courts that students should consider if they have an interest." For example, the Superior Court in Ontario only hires second-year students and they have 20 positions that count toward articling as part of the licensing process in Ontario.

"Students should start thinking about clerkships early on in their law school careers, so they can have time to investigate the different opportunities," says Metcalf, "Each one is different, so there may be things students want to do to try and be more competitive. Of course they should make sure that this is consistent with their own big picture ideas about what they want in terms of career paths. But a clerkship is a wonderful opportunity."

— ASCHILLE CLARKE-MENDES

## Queen's Law community tees off for charity



Dean Bill Flanagan on the green at the Loyalist Golf & Country Club with student golfers who participated in the 'Out Drive the Dean' competition during the Queen's Law Fall Classic Charity Event.

In a school first, administrators partnered with student representatives to host the Queen's Law Fall Classic Charity Event on September 30. Hitting the grounds at the Loyalist Golf & Country Club in Bath, Ontario, were more than 80 students, staff, faculty, alumni and friends. This new annual event is the school's latest initiative to build stronger connections between the law school and Kingston community.

"We were excited to offer fun activities throughout the day," says Heather Cole, Law'96, Assistant Dean of Students. "Non-golfers could take part in a mini golf clinic and we had lawn games for kids with great prizes, including tickets to the local Frontenacs' hockey games. We also had a raffle for prizes donated by local businesses. Our Dean was a great sport and set himself up on the tenth hole for an 'Out Drive the Dean' competition that helped us raise even more money for our charity, [Pathways Kingston](#). Our golfers and non-golfers were very generous with their support."

Sponsoring the "Classic" were Marty Stover Financial, Gowling WLG, Miller Thomson (London office), OrmstonListFrawley LLP and the Society for Graduate and Professional Students, in addition to local businesses which supported the event through numerous gift-in-kind donations.

Queen's Law scored a hole-in-one for Pathways Kingston, the organization receiving proceeds from the event. Launched in 2010, the local chapter of the Pathways to Education Program supports at-risk youth and helps vulnerable teens graduate from high school and build foundations for successful futures.

Pathways Kingston is a new agency partner for Queen's Law in its educational outreach plans. Plans are underway for next summer when the school hopes to introduce a summer camp for adolescents on law and leadership. The camp will help build a pipeline for people traditionally underrepresented in law schools and the legal profession. "We want young people to be aware of all the possibilities provided to them through a legal education. If we can ignite a passion early, we open up opportunities that might otherwise never be considered," says Cole.

Queen's Law will continue to roll out other joint events throughout the school year to increase its outreach efforts and its community engagement.



# 'Quintessential common law judge' Cromwell celebrated at Queen's symposium



The Honourable Thomas Cromwell, Law'76, LLD'10 (middle), at the Queen's Law at 60 symposium in his honour with panelists and co-editors of the forthcoming commemorative Supreme Court Law Review volume: (l-r) Owen Rees, Law'02; Stephen Aylward; Professor Lisa Kerr; Professor Stephen Coughlan; Michele Leering, PhD student; the Honourable John Evans; Pam Hrick, Law'13, and Dean Bill Flanagan.

At a symposium held in his honour, recently retired Supreme Court Justice Thomas Cromwell, Law'76, LLD'10 (Mus'73) received heaps of praise, as well as some playful criticism, from friends and colleagues. The symposium, inspired by the upcoming publication of *In Furtherance of Justice: The Judicial Life of Thomas A. Cromwell*, a commemorative volume of the *Supreme Court Law Review*, was one of the events held on September 9 to help celebrate the Faculty of Law's 60th anniversary.

Event host Dean Bill Flanagan introduced the panel of speakers and thanked Pam Hrick, Law'13, one of Cromwell's former clerks who, in addition to co-editing the special publication with Stephen Aylward, also helped organize the symposium.

The first presenter, Professor Stephen Coughlan of Dalhousie, spoke about Cromwell, the person. "He is the best argument for the simulation hypoth-

esis [of reality]," Coughlan joked, because "his string of accomplishments is so implausible that it makes him sound like a badly written fictional character," which an author may use as a form of wish-fulfilment. In addition to his achievements and humanitarian interests, Coughlan highlighted Cromwell's modesty. "Despite being a musician, he would never blow his own horn."

The Honourable John Evans, a former Federal Court of Appeal judge now with Goldblatt Partners, was next called on to discuss Cromwell's impact on administrative law. Evans noted that Cromwell's reasons "seem to move very easily between lucid expositions of general principles to grounded appreciation of the particular context in which those principles were being applied." He briefly paused his praise to respectfully highlight one 2011 decision, *Canadian Human Rights Commission v. Canada*, which he calls "incongruent

with the principles highlighted in Cromwell's other decisions.

"English lawyers would call him a 'green light jurist'," Evans stated in summary, who "sees the judicial role as whenever possible, facilitating the effective delivery of regulatory and benefit-conferring programs ... Whenever he regarded judicial action as impinging on fundamental rights or saw statute powers being abused, Cromwell didn't hesitate to intervene."

In her presentation, Professor Lisa Kerr of Queen's Law reflected on Cromwell's judgment in *Canada v. Downtown Eastside Sex Workers United Against Violence Society*. In addition to "liberalizing and clarifying" the law surrounding public interest standing in constitutional cases, Kerr explained that the decision revealed Cromwell's respect for litigants, pragmatic reasoning, and commitment to access to justice. Having worked

on the case as counsel, Kerr described how Cromwell recognized the practical barriers that stood in the way of an individual sex worker coming forward as a plaintiff. Kerr described Cromwell's striking sensitivity toward the social realities facing an "often invisible and marginalized group in our society."

Owen Rees, Law'02, counsel with Conway Baxter Wilson LLP and a former Executive Legal Officer to the Chief Justice of Canada, chose a line of Cromwell's judgments that were "central to the digitizing of section 8" of the *Charter* to reveal something about Cromwell as a jurist. "Justice Cromwell's judgments are a masterclass of the common law method," Rees said, making Cromwell "the quintessential common law judge." Rees too highlights tensions among Cromwell's decisions, specifically taking issue with the 2014 case *R. v. Fearon*, and comically asking, "What gives?"

Finally, Michele Leering, the Executive Director and a lawyer with the Community & Advocacy Centre and a PhD in Law student at Queen's, underlined Cromwell's substantive contributions to access to justice. While occupying different roles, including as chair of the National Action Committee on Access to Justice in Civil and Family Matters, Leering explained that Cromwell has changed the discourse, introduced new rigour, and promoted the scholarship surrounding this issue. She also attributed a "culture shift" within the profession to Cromwell, as well as a movement to provide greater access to justice to all members of society.

In his closing remarks, Cromwell had two messages for the audience. The first was especially for those at the start of their careers. "When you're given an opportunity to help with something that you think is important," he urged, "try to take it if you can."

His parting thought was about the entire legal profession. "One of the most important things is that we try to build a profession with a strong social conscience, which gives equal opportunity to people and is increasingly diverse to reflect our society. We need to continue to work to ensure that every student who comes to law school gets that same reassurance; that there is a place for them in our profession."

— MICHAEL ADAMS

[See more photos in our gallery.](#)



# Intellectual property specialist expands Queen's Business Law Clinic's mandate

Since managing the Queen's Business Law Clinic as a student eight years ago, Morgan Jarvis, Law'10 (Artsci'05, MSc'08), has developed an expertise for legal matters involving IP, technology innovation and business law. He's been an associate with Gowlings (now Gowing WLG), VP of Marketing and Innovation Strategy with pro bono legal service provider AdviceScene Enterprises Inc., a Technology Transfer Officer with the Ottawa Hospital Research Institute, a review counsel with the QBLC – and also an Olympic rower. On August 1, he returned to his alma mater as the clinic's full-time director, ready to steer his crew of student caseworkers in delivering legal services to a broader client base of Kingston-area entrepreneurs, small businesses and not-for-profit organizations.

After his first day on the job, he talked to *Queen's Law Reports* about how his career has come full circle with the QBLC and revealed his plans for the clinic's future.

**QLR: What interests you most about business law and in providing legal services to small businesses and non-profit organizations?**

**MJ:** I've always been interested in the entrepreneurial spirit. It's fascinating to work with people who have the drive and dream to build their own business, and it's really rewarding to see them succeed in doing so. The clinic has a meaningful impact on the local Queen's and Kingston start-up community, and it's great to be a part of that.

To illustrate, the clinic is becoming known for its great work helping local craft brewery start-ups select and protect their trademarks. After the beer itself, a good brand can be a key step to success in this industry. We've now helped a couple of local breweries get their marks registered. It's so satisfying to sip from a pint in a local pub sporting the logo we've helped protect, and for another, purchasing their labelled cans in the LCBO, knowing they've made the move from start-up to successful business with our help.

While local start-ups are key to the future of Kingston's economic well-being, charities and other not-for-profits are key to its cultural, sporting and spiritual well-being. Similar to those who are directly involved in the great causes that help pick up the less fortunate or those who run some other club or group that brings quality of life to Kingston, it's extremely rewarding to help these people do their great work.

**QLR: How did you first get involved with the Queen's Business Law Clinic?**

**MJ:** I was actually one of the first clinic students back in the fall of 2009. Thanks to the great initiative of Peter Kissick (Law'88, LLM'98), the clinic's first Director, Dean Bill Flanagan and the four Law'09 pilot project students, the clinic was started to provide a practical experience for aspiring business lawyers, and has just flourished since then. I found the practical clinic experience to be my most valuable learning experience at Queen's, and it was working directly with local not-for-profits and business people that actually got me interested in pursuing corporate and commercial work in the first place. It's one thing to read about the history and theory of contract law, but it's totally another, and a rather fun exercise to draft a contract from scratch.

**QLR: What did you like best about being review counsel with the QBLC?**

**MJ:** Like all teaching jobs, it's so satisfying to see our students learn and improve over the year. My goal is to prepare them for the law firm environment, empowering them to develop the skills they need to be independent and effective legal professionals. It's great to see the



Morgan Jarvis, Law'10, Director of the Queen's Business Law Clinic

improvement in their work, and how they go about it, over their time in the clinic. They invariably start by coming to me with every little question – conduct which would end their working relationship with any busy partner – and I turn them away to find the resources and the answers for themselves. By the end of the year, they're mostly providing polished drafts and well-researched and independently developed opinions, and I know they're ready for the next stage in their careers.

**QLR: What encouraged you to return to your alma mater full-time as QBLC Director?**

**MJ:** I enjoyed my years at Queen's and in Kingston so much that it's always been a bit of dream to return. I was always involved in the rowing club and many of my friends from the Queen's and Kingston crews stayed in town, along with our amazing volunteer coaches, making it a very desirable place to live. This on top of the fact that it has such a vibrant historic downtown, with the recreation and relaxation that comes with waterfront living surrounded by beautiful rural country, makes it a top destination for me.

The chance to come back to the QBLC was an opportunity I couldn't pass up. After being the first clinic manager in its first class under Peter Kissick, and with him still around offering helpful counsel, it's like coming home to run the family business.

**QLR: What will you be doing as QBLC Director and what are your plans for the clinic?**

**MJ:** The past two directors (Peter Kissick and Christian Hurley) have done such a great job to get the clinic in the shape it's in today. It's really a turn-key operation that I've been able to step into and immediately get to work on the bigger picture plans I've always had for it. When I was a student, I found it disappointing that there wasn't much opportunity for exposure to intellectual property law in a practical way. This is something that I've wanted to provide to Queen's Law students through the Business Law Clinic. Much of my commercial practice has had an IP slant to it, so I'm pleased to be able to take on more IP work than the clinic has in the past, and to provide interested students with new opportunities in this area.

Related to this has been my desire to get the clinic students more connected with other practical programs in the university, particularly those with an entrepreneurship and innovation focus. We're now working with the relatively new Innovation Park and the Queen's Innovation Centre, providing legal services to their program participants. I plan to keep working on these and similar connections. They provide a fantastic way for our law students to experience the work they'll be doing in private practice, potentially meet their future clients, and help build the Queen's and Kingston start-up community.



# Articling students help thriving Queen's Law Clinics meet increased demand



Kayla Tuma Zagwolski, Mike Adamek and Sarah Jane Black, all Law'17, are articling with the Queen's Law Clinics this year.

This year marks another milestone for the Queen's Law Clinics (QLC): the hiring of the most articling students in its history. Since Queen's Law's five clinics were brought together in downtown Kingston in 2015, demand for all their services has increased significantly. Three full-time articling students, all Law'17 alumni, are needed to provide legal services to clients and to mentor student caseworkers.

"Increasing our articling program from one to three students and expanding it to include all the clinics is a mark of how we are thriving," explains Karla McGrath, LLM'13, Executive Director of QLC. "The articling students are a great resource for staff and students alike. They increase our ability to both serve clients and teach students by providing the student caseworkers with an added layer of oversight and mentorship."

"They have graduated and so take on increased responsibility in these new roles and they have added maturity and experience that is invaluable to the more than 150 law students working at the clinics throughout the year."

Mike Adamek is working for Queen's Legal Aid (QLA) and the Queen's Business Law Clinic (QBLC). Sarah Jane Black is articling for QLA and the Queen's Family Law Clinic (QFLC). Finally, Kayla Tuma Zagwolski works with the Queen's Prison Law Clinic (QPLC). Throughout their articling experience they will all be getting hands-on experience building a diverse collection of crucial legal skills, including litigation.

"At QLA my files are heavily litigation-based, involving areas such as landlord/tenant disputes, civil claims and criminal offences, among many others," explains Adamek. Meanwhile, Black has already done a criminal trial. "We can represent clients as long as they are not facing jail time. We also do provincial offences and a lot of tribunal work such as the Ontario disability support program and landlord/tenant disputes," she says.

Zagwolski will have a special focus on clients with mental health concerns in her work for the QPLC. "I meet with clients, help them prepare for various hearings such as post-suspension, parole and detention reviews, as well as represent them at these hearings. I also represent clients in disciplinary court (internal courts within the prisons) and assist with filing grievances for any serious concerns our clients are facing."

The articling positions will also provide essential experience in relating with clients, as well as in the drafting and filing of documents. "I will be helping vulnerable self-represented litigants navigate the complex Family Court system, ensuring they meet the strict requirements expected of them," says Black. Adamek will help grow small businesses and not-for-profits with the QBLC. "There is a similar variety as with QLA files, everything from incorporation, to reviewing contracts, to trademark protection."

Adamek has worked with QLA since his first year of JD studies. "I can say confidently that the clinic was my favorite experience in law school," he says. "I learn best by doing so it was the ideal chance to help others while developing practical skills."

"I worked for the Queen's Prison Law Clinic during both my second year of law school and the summer before I entered my third year," says Zagwolski. "It helped show me that I did wish to pursue litigation as part of my career and gave me my first exposure to the solicitor-client relationship."

Why article for the QLC? The three students-at-law give a variety of different reasons for making this choice. For Black, the responsibility given to her right from the get-go was key. "I don't know any other articling students who were running a criminal trial a month into their articling. (She won that first trial.)" "The supervising lawyers give us the reigns to do everything that we will be doing when we start to practise law. Anyone who is able to work in these clinics will have a foot up when they enter the working world, especially if they want to go out on their own."

Zagwolski and Adamek emphasize the collegial workplace environment. "I was drawn to working with different client personalities and legal issues in a cooperative, deeply hands-on environment, where I've grown extremely comfortable over the last three years," says Adamek. "I enjoyed my work with them tremendously in the past," says Zagwolski. "I believe that creating access to justice for vulnerable populations is an important part of our legal system and free clinics do just that, they assist those that normally fall through the cracks."

Embracing mentorship opportunities is part-and-parcel of the positions. Zagwolski knows how difficult entering a prison can be for the first time. "I hope to help caseworkers ease into the situation and to ensure them that I'm here to answer any questions they may have."

"As articling students, we receive close guidance from many different lawyers," adds Adamek. "Meanwhile, we're trusted as one of the primary resources to helping other caseworkers. We end up with a truly pay-it-forward spirit when it comes to mentorship."

— ANTHONY PUGH



## Law'81 gives Queen's Legal Aid a lift



QLA's 2016–17 summer student staff show off the clinic's new Toyota Prius in the LaSalle Mews parking lot on March 27. (L-R:) Angel Ju, Ajanthana Anandarajah, Jacqueline Chan, Jennifer Amer, Lorelle Vase, Olga Michtchouk, Alexander Hood, Gianluca Canaletti, then-articling student William McDiarmid, and Michael Adamek. Not shown: Gabriel Lessard.

A contribution from the Law'81 Clinical Programs Fund enabled Queen's Legal Aid (QLA) to purchase a vehicle for use by its student caseworkers. The 2016 Toyota Prius C hybrid allows students to get to various courts and tribunals in the Kingston area, where they assist low-income clients.

Sue Charlesworth, Law'81, Senior Review Counsel at QLA, says, "We use it to go to Napanee for criminal court and intake interviews, to the Quinte Detention Centre for our bail support program, to various tribunals in the Kingston area, to a satellite clinic in North Kingston and to St. Lawrence College for meetings with student clients, as well as for serving documents."

When it's not in use by QLA, Queen's Prison Law Clinic students drive the car to local penitentiaries for client meetings and to courts for hearings.

The Prius, purchased last December, replaces a 2009 Toyota Yaris that was also acquired with aid of the fund. "We made our first pitch to my class's gift committee eight years ago for money to eventually replace a car that was starting to show its age," notes Charlesworth. "They said if a car is needed, just buy it now." While those in charge of the fund committed to pay 50 per cent of the purchase price of the new Prius, the contribution ended up representing an even greater proportion, she adds.

Established by the Class of Law'81, the fund was created in 2008 to enhance programs and to support special projects for clinical programs at Queen's Law. In addition to QLA, there are now four other clinics (business, elder, family and prison law) that can benefit from the class giving project.

Charlesworth says QLA is very grateful to Law'81 donors because having continued access to a vehicle is vital to the functioning of the clinic. "QLA relies on its caseworkers. They wouldn't be able to do the work they have to do if a car wasn't available."

— MICHAEL ADAMS

## Clinic Briefs

### Queen's Business Law Clinic

With 20 student caseworkers, six first-year volunteers and a new articling student, the QBLC is pushing through its backlog of files. Partnered with InnovationXL programs, it is working to better help impactful local start-ups get legal services they need. Through these businesses, often led by Queen's students or alumni, caseworkers contribute to Kingston's growing innovation ecosystem. Through a new relationship with the Mohawks of the Bay of Quinte, caseworkers will help Tyendinaga community members who are starting or expanding their business ventures, or wanting to better serve their community through not-for-profit and charitable corporations.



### Queen's Elder Law Clinic

With continuing exponential growth in the demand for QELC services, 2017–18 started with double the number of client matters awaiting assignment to student caseworkers than a year ago. Eight new student caseworkers and one student volunteer are managing the community partnerships with the Cobourg and Kingston Community Legal Clinics with great enthusiasm, and are also regularly attending local institutions such as Millhaven to assist elder inmates. In particular, demand is much higher for assistance with estate administration issues, either formal court applications (formerly "probate"), or routine inquiries for small estates.

### Queen's Family Law Clinic

From May to August, QFLC summer student caseworkers Beth Ambury and Rachel Law successfully closed 32 files and readied another 50-plus active matters for transfer to the incoming class. Working with five QFLC alumni who have returned as volunteer clinic mentors, the 12 incoming student caseworkers went immediately to work meeting clients, engaging legal analysis and completing court documents all while also learning office procedures, legislation, regulations and the family justice vernacular. It is a steep and unforgiving learning curve that they have tackled the only way one should – at full speed.

### Queen's Legal Aid

The academic term is well underway, and that means QLA has selected volunteer caseworkers to ensure the work of the clinic – representing 250 clients, carrying out intake interviews at four different locations, and sharing the load of weekly remand court appearances – will continue. QLA reviewed over 125 applications, and selected 26 first-year and 30 upper-year volunteers to supplement its 24 credit students and 10 returning summer students. After attending mandatory training at the end of September, all clients are back in good hands and work is progressing well.

### Queen's Prison Law Clinic

The QPLC wrapped up a very successful summer of student advocacy and litigation on behalf of prisoners by caseworkers Jesse Wright, Law'19, Humza Hussain, Law'19, Jodie Al-Mqbali, Law'18, and Deanna Miller, Law'18.

During the same period, the Attorney General for Canada conceded to two of the QPLC's Judicial Review applications to Federal Court, and the Federal Court granted its Judicial Review in the case of *Akhlaghi v. Canada T-2165-16*.



# Black Law Students' Association at Queen's initiates alumni network



Dean Bill Flanagan, alumni and students at the first annual Black Queen's Law Alumni Reception in Toronto on October 10.

JAY PARIS

At the first annual reception for black graduates of Queen's Law, alumni came together from across Ontario to join Dean Bill Flanagan and students at Toronto's Society Loft on October 10. The event was hosted by the Queen's Chapter of the Black Law Students' Association (BLSA) of Canada, established in 2015 to help foster inclusivity and to give its members a platform for guidance and support.

"I am very happy with the turnout!" exclaims Michael Coleman, Law'17, co-founder and past president of BSLA-Queen's. "Everyone was so engaged."

Alumni on the guest list now work in a broad array of positions in the legal profession and deal with a variety of legal areas. For instance, Justice Donald McLeod, Law'95, of the Ontario Court of Justice is the first black Queen's Law graduate to be called to the Bench; Frank Walwyn, Law'93, of WeirFoulds LLP is one of Bay Street's first black partners; Alexander Cornelius, Law'93, is a senior crown attorney; and Gerry McNeilly, Law'93, is Director of Ontario's Office

of the Independent Police Review. Others included partners in private practice, sole practitioners, government lawyers, and an in-house lawyer for LexisNexis. Several came from Ottawa, and one alumnus even drove from Waterloo to Toronto and back, just to attend the reception.

Dean Bill Flanagan was a key speaker at the event, affirming the school's commitment to diversity and its goal to increase the numbers of black students. He also drew the audience's attention to the Robert Sutherland Fellowship in Law, an award established in 2015 by alumni and friends to honour the remarkable legacy of a Queen's University graduate who, after graduating in 1852, went on to become the first black lawyer in British North America. The Fellowship supports graduate students coming from the Caribbean, Sutherland's place of birth. BLSA-Queen's expressed its interest in helping raise additional funds to support this Fellowship.

Justice McLeod also spoke at the reception, giving life advice to junior colleagues and students who

may have come from humble beginnings. For him, mentorship has always played a significant role in his career. In his first year at Queen's Law, he met two fellow black law students who helped guide him, and he has continued to keep in touch with them since then. He also continues to pay it forward, taking on several important initiatives that focus on uplifting black youth. For example, with the help of other black professionals, he established an organization called "100 Strong," which unites young men with supportive mentors and promotes self-empowerment and success.

Citing Justice McLeod and Frank Walwyn as among his main mentors, Coleman says he now uses their lessons to uplift students himself. He created a peer-support group called "Help. Learn. Inspire!" that focuses on connecting young adults with mentors in their favourite subjects and also provides them with daily motivation. "One way I do this is by informing them of the challenges I faced during law school, and how I was able to overcome them," he says. "At all

times, the focus is on helping these students both set and achieve their goals."

Stella Gore, Law'18, who helped organize the reception, says that having mentors in various fields has been a big help to her and she wants to take it a step further. "I'd like to see a formal mentorship program at Queen's Law. It would be good to have that kind of support from the beginning of school."

The reception may be the springboard to do just that. Coleman was most impressed with the humbleness and enthusiasm shown by all the graduates. "The older alumni made a concerted effort to reach out to the recent graduates and current law students with the goal of providing us with guidance and help," he says. "This immediately showed me how much our alumni value mentorship and community – two key strengths that are also present at the law school. I may have graduated last year, but Queen's Law and BLSA will always remain a part of me."

— ASCHILLE CLARKE-MENDES

**MORE BLSA PHOTOS**





ALL PHOTOS BY JAY PARIS



# Access to Justice: The action-oriented, result-driven views of John Sims, Law'71

By Thomas Cromwell, Law'76, LLD'10 (Mus'73)

John Sims, Law'71, was recently named a Member of the Order of Canada for his commitment to access to justice and for his principled and respected leadership as a senior public servant. Since "retiring" as the Deputy Minister of Justice and Deputy Attorney General of Canada, John has devoted his enormous energy and his many skills to efforts to improving access to justice. He agreed to respond to some questions from me to help mark this important recognition. I hope that many will use him as a role model and that we may profit from his wise advice.

**TC: In your long and distinguished career, you have had the opportunity to view the access to justice issue from many perspectives. Has the nature of the problem evolved over time and if so, how?**

**JS:** Yes, our understanding of access to justice issues has changed dramatically over the last several years. Not that long ago, most of us didn't talk much about access to justice. In a remarkably short period of time, however, we've come from having only a vague awareness of access issues to a much more sophisticated understanding of the nature and scope of the problems. We see the barriers (the complexities, costs and siloes of the justice system), but we also see more clearly the opportunities to overcome them.

We know that access is about much more than just lawyers, courts, legal aid or pro bono. All of the major justice system stakeholders have initiatives underway to tackle these barriers. The big exception is the public itself. We haven't found enough ways yet to include the public in these efforts, although a campaign is underway now to raise public awareness and engagement. We all recognize that the needs and experiences of the end users of the justice system must be central to any efforts to improve access to justice. So, we're making headway, but it's slow. We need still more collaboration, outreach, public engagement, innovation, and, of course, money.

**TC: You have served on both the Canadian Bar Association's Equal Justice project and its implementation committee and on the Action Committee on Access to Justice in Civil and Family Matters. Both reports were innovative and were well received. But has anything come of them?**

**JS:** A lot has happened. The two reports kick-started a national conversation about access to justice. In speeches, conferences, agendas, academic studies – access to justice has been a hot topic.

There's been action, too. For example, the Canadian Council of Law Deans specifically cited the reports in committing \$60,000 to fund new A2J initiatives in their faculties. Saskatchewan University also cited them, when it set up CREATE, a centre of excellence for research on access. The CBA and the Association of Legal Aid Plans have developed legal aid benchmarks as guidelines for a national system of public legal assistance. And the CBA has published a series of "legal health checks" to help people to recognize and avoid legal problems early. Law societies have also responded, explicitly affirming that the profession has a duty to promote access to justice, and actively pursuing A2J initiatives.

The Canadian Council of Chief Judges and the Canadian Judicial Council each passed resolutions supporting the goal of 100 per cent access to justice and committing to lead, and collaborate with others, to achieve that goal. Every province and territory has an access to justice committee with broad, inclusive membership, and they are actively pursuing concrete A2J activities. A new Access to Justice Research Network (AJRN) makes it easier for a wide range of stakeholders to share research, resources and information on access issues. Innovation hubs have been created at Ryerson University and, in Saskatchewan, both at the College of Law and the Ministry of Justice. Last year, the Action Committee published the first annual status report on the state of A2J in the country, based on the so-called Justice Development Goals.

**TC: If you could bring about one concrete change in the justice system with a view to improving access to justice, what would it be?**

**JS:** I am tempted to point to several things. Almost all of the work on A2J today is being done off the corner of a desk by volunteers with another day job. The injection of even modest amounts of money would allow much faster progress. Encouraging more innovation is also essential. But, if I have to limit myself to one concrete change, I would urge every provincial and territorial access to justice committee to spell out the concrete results they want to achieve each year, and then to set measurable objectives for attaining those results. This is the best way I know to translate broad nebulous concepts like access to justice into real progress on the ground. It's very powerful and it works.

*This article was originally published in [The Lawyer's Daily](#) on August 31, 2017.*

*The Honourable Thomas Cromwell served 19 years as an appellate judge and chairs the Chief Justice's Action Committee on Access to Justice in Civil and Family Matters. He retired from the Supreme Court of Canada in September of 2016 and is now senior counsel to the national litigation practice at Borden Ladner Gervais.*



*Order of Canada appointee John Sims, CM, Law'71, is interviewed by recently retired Supreme Court Justice Thomas Cromwell, Law'76, LLD'10.*



## Order of Canada honour for Law'78 grad



*Catherine Latimer, CM, Law'78*

Catherine Latimer, Law'78, Executive Director of the John Howard Society of Canada (JHSC) and a fellow at the Broadbent Institute, says she was "surprised and humbled" to learn that she is among the latest group of distinguished Canadians to be named to the Order of Canada. Latimer earned the honour for her more than 40 years of "principled contributions to the development of criminal justice policy, most notably on issues related to youth justice."

While her commitment to those principles has been lifelong, it was in her second year of studies at Queen's Law that she truly found her sense of direction.

Ottawa-born and Toronto-raised, her mother – Margaret (Pierce), BA'44 – was a bacteriologist, while her father William was a tax lawyer. "Dad suggested that I study law – preferably at his alma mater, U of T – while my mother suggested I study at Queen's, which was a bit of a tradition for women on her side of the family," says Latimer.

Convinced a legal career would be "as dull as dishwater," Latimer instead earned a BA at the University of Waterloo in 1975. It was a 1974 summer job at Brookside Training School, a young offenders' vocational facility at Cobourg, Ontario, that changed her

career perspectives. "My experiences there buttressed my awareness of the need to protect the rights of those who come into conflict with the law," Latimer recalls.

That led her to Queen's Law, a decision that pleased her parents and proved pivotal for Latimer herself.

In second year, she got involved in the Correctional Law and Legal Assistance Project, headed first by Professor Ron Price and then by Allan Manson. Latimer also volunteered with Kingston's youth probation service. "It was a real eye-opener for me to see how legal issues actually played out in the field of correctional law," she says.

After earning her LLB, Latimer pursued grad studies at the University of Cambridge, articulated at Osler, Hosken and Harcourt, and then spent two years working in legal aid, before joining the federal public service in 1983 as a policy analyst in the Department of the Solicitor General.

In 1989, Latimer began working in that same capacity in the Privy Council Office and subsequently served in various other senior advisory roles, all the while tirelessly championing progressive initiatives in criminal law, youth justice, sentencing, and victims' interests. In April 2011, with a "tough-on-crime" Conservative majority government in power, she concluded it was time for a career change. "I realized that I was more interested in pursuing justice than in being a public servant," she explains.

Since joining the JHSC, Latimer has devoted herself to the agency's goals of pursuing "effective, just, and humane responses to the causes and consequences of crime." She says she is "particularly pleased" to contribute to the JHSC's position on curbing abusive administrative segregation by joining with the British Columbia Civil Liberties Association to challenge the *Charter* compliance of the federal government's laws and practice. "I find it fulfilling, both professionally and personally, to bring fairness and opportunities for transformation to marginalized Canadians who often are misunderstood, feared, and disliked," says Latimer.

— KEN CUTHBERTSON

## 'Trailblazing' LLM grad in Ghana honoured as a woman of courage



*Charlotte Osei, LLM'96, accepts the U.S. Embassy's Women of Courage Award at a cocktail reception in Accra, Ghana, on August 22.*

Charlotte Osei, LLM'96, Chair of the Electoral Commission of Ghana, has received the U.S. Embassy's Women of Courage Award for 2017. Robert P. Jackson, U.S. Ambassador to Ghana, made the presentation to Osei, recognizing her management and administration of the 2016 Ghanaian election and her efforts to increase inclusion and civic engagement.

"This is indeed a great honour and I am totally overwhelmed and humbled by this recognition," said Osei as she started her acceptance speech. "I would like to sincerely thank the government of the United States of America, through the Embassy in Ghana, for this honour."

"The success of the 2016 elections were not and could not be the results of one person's efforts," she continued. "Numerous people contributed in diverse ways to our successful elections and the national peace and stability we continue to enjoy."

She stressed how the ordinary Ghanaian needs education, clean water, affordable and accessible health care, opportunities to work and earn a decent living and take care of their families, governance without corruption, peace and stability, a safe and clean environment, and a justice system that works. "I am inspired and motivated anew every day to work towards these needs," Osei said. "The starting point of course, is an electoral system that works and ensures that the process of electing our political leaders is credible and transparent and ensures national peace, stability and cohesion in its aftermath."

Ambassador Jackson also praised Osei at the ceremony. "Throughout her life, Charlotte Osei has made a name for herself as a trailblazing woman and defender of democracy," he said. "Throughout her career, she has prioritized the active participation of vulnerable citizens. Under her leadership, both the National Commission on Civic Education and the Electoral Commission trained hundreds of women's groups to get out the vote, and expanded efforts to address the needs of persons with disabilities."

— ANTHONY PUGH



## Law'89 grad, a First Nations member, is helping to improve Manitoba treaty relationships



Loretta Ross, Law'89, Treaty Commissioner for Manitoba

The federal government's decision earlier this year to name Loretta Ross to a one-year appointment as the Treaty Commissioner for Manitoba is one the Law'89 alumna was keen to accept.

"I've been on the job since May 29 and have had opportunities to work with First Nations people, government representatives, and non-First Nations people, and I'm optimistic that we can move forward and get a lot of things done," she says.

The [Treaty Relations Commission of Manitoba](#), a neutral body that was created in 2003 through a partnership between the Assembly of Manitoba Chiefs (AMC) and the federal government, works to strengthen, rebuild, and enhance the treaty relationship and mutual respect between First Nations and Manitobans as envisaged by the treaty parties.

Those are goals Loretta Ross has pursued for most of her life. A member of the Hollow Water First Nation, she has a keen awareness of land claims issues, treaty rights, and other matters of concern to

Manitoba's 64 First Nations communities.

It was an early educational experience during a "career day" at her local school that a young Ross's dream of becoming a lawyer was born. Ironically, the experience was not a positive one – at least not initially.

"One of the visitors was an Indigenous student advisor who told us about different careers, including those in law. I was excited about the possibilities, until a teacher told me and some other girls, 'Don't get too excited about becoming lawyers. It's more likely you'll be nurses, teachers, or moms,'" Ross recalls. "I felt crushed."

Fortunately, her maternal grandfather – George Barker, Chief of the Hollow Water First Nation for 44 years and a much-respected community elder – told young Loretta to ignore such negative talk. She happily followed his advice.

After finishing high school and completing the Program of Legal Studies for Native People at the University of Saskatchewan in 1983, Ross joined a couple of her Saskatoon classmates who came to Queen's to study law. "It was strange, at first. No one in Kingston had even heard of Hollow Water First Nation," says Ross.

Regardless, when she settled in at Queen's Law she received a solid legal education – she found John Whyte's Constitutional Law course to be especially relevant – and she met and became friends with other Indigenous students. "One was Patricia Monture (Law'88, LLD'09). She really helped to open my eyes to the possibilities for using the law to advance Indigenous and treaty rights issues," Ross says. (Monture, a well-known Mohawk activist, educator, and author, died in 2010.)

After graduation, Ross spent a year in Toronto articling. She returned home to Manitoba to do research for the Aboriginal Justice Inquiry and work in various areas of the law, including child and family services, residential schools, and self-government. In 1995, she joined the Assembly of Manitoba Chiefs (AMC) for a 10-year stint, before moving on to serve as legal counsel for the Fox Lake Cree Nation and then for her own Hollow Water First Nation.

It was the AMC that put Ross's name forward for appointment as Manitoba Treaty Commissioner – the first female Treaty Commissioner within the Numbered Treaties in Canada. The Assembly's support is vital to the work of the Treaty Commission, and Ross says she is pleased and honoured to have

it. "The process of resolving treaty rights and obligations is something I really want to be involved in. My sense is that there's a growing and sincere desire for positive change on all sides. The big challenge in moving forward will be to get everybody on the same page so we can make some substantive movement in the many issues surrounding the treaties. I'm hopeful we can do that."

— KEN CUTHBERTSON

## Law'02's change catalyst among *Canadian Lawyer's* Top 25 'Most Influential'



Eric Gottardi, Law'02, in the grand foyer of the Supreme Court of Canada

JOHN MAJOR

Described by his peers as "a brilliant lawyer whose compassion and commitment to his work and his clients shines through," Eric Gottardi, Law'02, has received national recognition in the areas of human rights, advocacy and criminal law. *Canadian Lawyer* magazine has named him one of 2017's Top 25 Most Influential in the justice system and legal profession in Canada.

*Canadian Lawyer* has published the following citation for Gottardi, a partner with Peck & Co. Barristers in Vancouver, B.C.:

Eric Gottardi represented Barrett Richard Jordan in *R. v. Jordan*, a landmark case in criminal court delay that has become a catalyst for change in the legal world, causing there to be caps placed on how long a case can get delayed in the courts. He was at the forefront fighting for the rights of his client and sent change rippling through the legal realm. In 2016, he was also counsel for the Canadian Bar Association at the Supreme Court of Canada in *R. v. Lloyd*, a constitutional challenge to the mandatory minimum sentence regime for drug trafficking.

Queen's Law congratulates Eric Gottardi on receiving this honour.

Read the story, "[Queen's grad wins major mandatory minimums case at Supreme Court](#)," published in the July 2016 issue of *Queen's Law Reports Online*.



# Queen's Law members help score big win for kids' charity in Taylor Hall tournament

Hockey heroes from three leagues – NHL, OHL and OUA – and players from sponsoring businesses faced off against each other in the downtown Kingston Metro parking lot on July 29. Central to the action at the 4th Annual Taylor Hall Charity Ball Hockey Tournament for the Boys and Girls Club of Kingston were two all-star Queen's Gaels: [Kevin Bailie, Law'19](#) (Artsci'17), and Spencer Abraham, Law'20. Also joining the play were Aaron Fransen, Law'04 (Artsci'01), and Phil Osanic, Law'91, LLM'02.

The event is the brainchild of goaltender Bailie and his childhood and Major Junior A rival, Taylor Hall, now a star left-winger with the New Jersey Devils.

"One night when I was in first-year undergrad, Taylor and I had a debate about who could build a better ball hockey team of former teammates," says Bailie. "We did just that. Eventually some businesses found out and wanted to sponsor the event. It started gaining a lot of publicity and became what is my favourite day of the summer each year. We figured with that much exposure and potential we might as well use it to support a good cause, and that is why all proceeds go to the Boys and Girls Club of Kingston."

Abraham, another former OHL competitor of Bailie's and now his Gaels teammate, participated in the tournament for the third consecutive year and also pitched in to help Bailie with game-day organization. A defenceman whose hard work led to a stint playing some exhibition games with the NHL's Florida Panthers, Abraham can empathize with the children. "Through my hockey experiences I noticed how much kids looked up to me as a player and the power I possessed in making a difference in their lives," he says. "Hockey and the life skills I have learned playing the game have moulded me into the person I am today and I attend the event to give back to the community and raise money so these kids have the opportunity to live the same dream and acquire the same life skills."

Fransen, a Kingston Frontenacs and Queen's Gaels alumnus, is considered by Bailie as such a role model to him. "We have similar backgrounds and as a mentor Aaron has been so helpful to me," says Bailie. Now a partner with Stikeman Elliott in Toronto, Fransen played on a team of lawyers. Also on that team was Osanic, a Kingston lawyer and faculty member with Smith School of Business and Queen's Law.

Among the 63 celebrities, current NHL players in addition to Hall hitting the pavement included Calvin de Hann (New York Islanders), Ben Hutton (Vancouver Canucks) and Lawson Crouse (Arizona Coyotes).

With almost \$20,000 raised, the real winners of the tournament are the children and youth in the Boys and Girls Club of Kingston who will reap the benefits of participating in after-school programs and summer camps.

"The highlight for me was just seeing the smiles on the kids' faces," says Abraham. "To pass on that inspiration and love for the game to others who have the same goals and aspirations I once had is the ultimate prize for me."

Bailie echoes that sentiment. "I loved the game between Kingston minor players and a celebrity squad," he says, reflecting on his favourite sports memory from when he was nine and on a minor hockey team – skating on the Bay of Quinte with the Vancouver Canucks when Belleville native and then-coach Marc Crawford brought them to town between a Toronto-Ottawa series.

"To think we may have just created such a life-long memory for 20 young kids feels amazing!" Bailie exclaims. "That's why I do it and I hope I'm always in a position to do those sorts of things for deserving people."

— LISA GRAHAM



Tournament co-founders Taylor Hall (2nd left) and Kevin Bailie, Law'19 (middle), with Nicholas Osanic, aspiring member of Law'25, Aaron Fransen, Law'04, and Phil Osanic, Law'91, LLM'02, at the charity event in downtown Kingston on July 29.

Tournament participant Spencer Abraham, Law'20, promoted the event on the Queen's Law Facebook page and took over the school's Snapchat with game-day updates.



## MacLatchy Intern gets hands-on experience in environmental law



Queen's Law donor John MacLatchy, Law'67, met Alexandra Main, Law'18, the latest beneficiary of his internship award, at his 50th anniversary reunion during September's Law at 60 Homecoming Weekend.

GARRETT ELLIOTT

Alexandra Main, Law'18, a student with a strong social conscience, gained practical experience and insight into legal issues of global concern this summer thanks to funding from John MacLatchy, Law'67 (Sc'64). As the 2017 recipient of the MacLatchy Environmental Law Internship, she worked with Ontario's Ministry of the Environment and Climate Change (MOECC) and conducted research for Professor Bruce Pardy.

"Getting legal experience in the public sector is difficult for students," says Main, "and so the opportunity to contribute to the environmental law work of both the Ministry and Professor Pardy while gaining public sector and research experience was invaluable!"

Main is the third student since 2015 to benefit from a five-year pledge of \$50,000 that MacLatchy made after funding cuts suspended Law's program with the MOECC. Believing strongly in this research, he stepped up to fill the void for five summers. A retired metallurgical engineer and lawyer who worked 27 years for Environment Canada, he has always supported Queen's goals, making gifts to the Sc'64 Equipment Fund, Environmental Studies, Archives, Film and Media Studies, and alumni activities.

Main dropped by his 50th anniversary reunion to thank MacLatchy for the opportunity to apply course theory to real legal problems. "This internship drew on and expanded my knowledge of environmental law and regulations, plus various other legal topics," she told him. "I was fortunate to work with inspiring lawyers who took time to explain cases or legislation to me and to ask my opinion on certain drafts or legal issues."

They said her work helped advance the Ministry's mandate and her research for a jurisdictional motion before the Environmental Review Tribunal was referenced by counsel in their factum and oral arguments. "It was not only rewarding to see my work making an impact, but the experience increased my interest in pursuing a career in litigation. Letting me assist in drafting legal documents also helped build my skills, self-assurance and ability to produce sound legal work."

Now in final year, grateful and confident, she declares, "The MacLatchy funding was incredibly important to me! Programs like this give students meaningful experience in important areas of the law."

— LISA GRAHAM

## New JD students receive warm welcome into Queen's Law community



Law'20 students at Orientation 2017

Orientation 2017 introduced some 200 new Queen's Law students to the campus and to the peers who will be joining them on their journey through law school. "Orientation Week is all about making our new students feel welcome, excited, supported and equipped for the whirlwind of a year they have ahead of them," says Siobhan Morris, Law'19, who chaired the committee that did just that.

Speaking on behalf of her 39-person team, she adds, "We were happy to help our incoming class members transition into their new environment, and make new social connections and friendships. This is what ultimately ties the community together."

This year's program saw freshly arrived first-year, transfer and exchange students take part in campus tours, gaming activities, and workshops on human rights, professionalism, and health and wellness.

It was also movie-themed, playfully dubbed "the Lawscars." "We were all so impressed with the energy and enthusiasm the new students brought to every activity, whether it was through the amazing group costumes they made for our party or the great team spirit (and impressive team cheers) we saw on Games Day!" she adds.

Participant Mike Moran recounts how he and his Law'20 classmates were encouraged to improv light-hearted cheer routines as groups. "It was a great ice-breaker, and did a lot to help people feel more confident," he says.

His classmate Jacob Blackwell was in the action-genre group, and felt that the theme helped bring "flavour" to the events. "My favourite event was Games Day," he says. "It was a great way to meet people and facilitate conversation."

"The orientation leaders were very helpful and had experience with tutoring and extra-curriculars," he adds. "Having access to those upper-year students for advice and help was really great." Some of their tips reaffirmed his decision to study law in the "Limestone City." "I chose Queen's because of the many opportunities to volunteer and perform experiential learning through doing."

"I believe we have made good ground with respect to equipping these students with the resources they will need," Morris says. "We provided a safe space for students to ask questions and get the answers they need to calm those first-week-of-class jitters!"

— ASCHILLE CLARKE-MENDES



# Homecoming 2017





# Queen's Law at 60



Alumni and faculty celebrate Queen's Law at 60 at a gala reception in Ban Righ Hall during Homecoming 2017.

## Queen's Law celebrates 60th anniversary at special homecoming

Sixty years after the first class of law students began their studies at Queen's, over 250 alumni returned to campus to celebrate Queen's Law at 60 Homecoming festivities. Throughout the weekend of September 8–9, they caught up with old friends and the latest developments at their alma mater, reminisced about their school days and made new lasting memories.

They came from across Canada – from Vancouver, B.C., to Charlottetown, PEI – and from as far away as London, England and Hong Kong. Joining those alumni marking class milestone anniversaries (Law'67, '72, '77, '82, '87, '92, '97, '02, '07 and '12) were grads from other years, with Law'69, '74, '83 and '84 having particularly strong contingents.

Also in attendance was an alumna from the first graduating class. Geraldine Tepper, Law'60, one of two women in her class of 18 students, still practises law in Kingston today. In Ban Righ Hall at the gala dinner that capped off the weekend, she received a standing ovation when introduced by Dean Bill Flanagan.

Now in his 13th year as Dean of Law, Flanagan began his address to the crowd with these words: "It has been a great privilege and honour to serve a faculty as distinguished, and with such loyal alumni, as Queen's Law."

Recounting the school's humble beginnings in 1957, he spoke of the school's founding faculty – Acting Dean Alec Corry and Professors Stuart Ryan and Dan Soberman – welcoming students in a small brick house on University Avenue.

Then he continued to impress the audience with a few key facts about Queen's Law today:

- With six new hires this year, the faculty complement will grow to over 35 full-time members, the largest number in the school's history.
- Of the diverse group of 200 outstanding students in the incoming class, 50 per cent are women, 31 per cent are people of colour, 5 per cent are Indigenous persons (a record for Queen's Law) and 16 per cent were born outside of Canada.
- The graduate program has grown to include almost 40 LLM and PhD students from around the world.
- Clinical programs have dramatically expanded with five clinics all co-located in downtown Kingston.
- Queen's leads North American law schools in the range of international study options, with almost half our students taking advantage of the opportunity to study abroad.
- Over 1,500 students from Queen's and other Canadian universities took a course in the Faculty's new Undergraduate Certificate in Law program last year.

"Although we aim high for our students, providing a range of opportunities well beyond the imagination of most of us in this room when we attended law school (and for some of us, that was many years ago), the core strength of Queen's Law remains unchanged: the unique sense of community engagement that has long distinguished our school," he said. "With our students mostly living close to campus, they remain highly engaged in the life of the school, from morning till night. This engagement is at the core of who we are as a law school."

Betty DelBianco, Law'84, Chief Legal and Administrative Officer with Celestica Inc. and a member of the Dean's Council, echoed that sentiment in her remarks to the assembly. "I have been struck by the incredible amount of change in legal education over the years, but also by how much has not changed at Queen's Law over time," she said. "The biggest constant is the spirit of community and camaraderie that exists at Queen's Law. That sense of spirit just doesn't exist at the other law schools. It is something I know we all value."

Queen's Principal Daniel Woolf (Artsci'80), toasted the Law Faculty for an "outstanding" first 60 years, adding "I know that the best is yet to come!" Addressing the alumni, he said, "Your own successes are testament to the value of a Queen's Law education. The example that you set, and the mentorship that so many of you generously offer, are extremely enriching for our bright young students."

Twenty-four hours earlier, Homecoming kicked off with a welcome back reception at the world-class Isabel Bader Centre for the Performing Arts on the shore of Lake Ontario.

On the morning of September 9, many toured the downtown Queen's Law Clinics, meeting the current student caseworkers serving Kingston-area clients as they once did.

Macdonald Hall was bustling with activity over the noon hour with alumni checking out the building's newest renovations in tour groups with student guides.

Another highlight followed: [a symposium honouring the recently retired Supreme Court Justice Thomas Cromwell, Law'76, LLD'10 \(Mus'73\)](#), the school's first graduate appointed to Canada's highest court.

Betty DelBianco captured the feeling of her fellow alumni as Homecoming Weekend came to a close. "I am proud of the education I received here and grateful for the wonderful career that it afforded me. But it is the lifelong friendships I made here that are what I cherish most about Queen's Law."

BY LISA GRAHAM





GARRETT ELLIOTT



RAI ALLEN



RAI ALLEN



GARRETT ELLIOTT



RAI ALLEN



RAI ALLEN





LAW'87

GARRETT ELLIOTT



LAW'84

RAI ALLEN



LAW'82

RAI ALLEN



LAW'97

RAI ALLEN



LAW'92

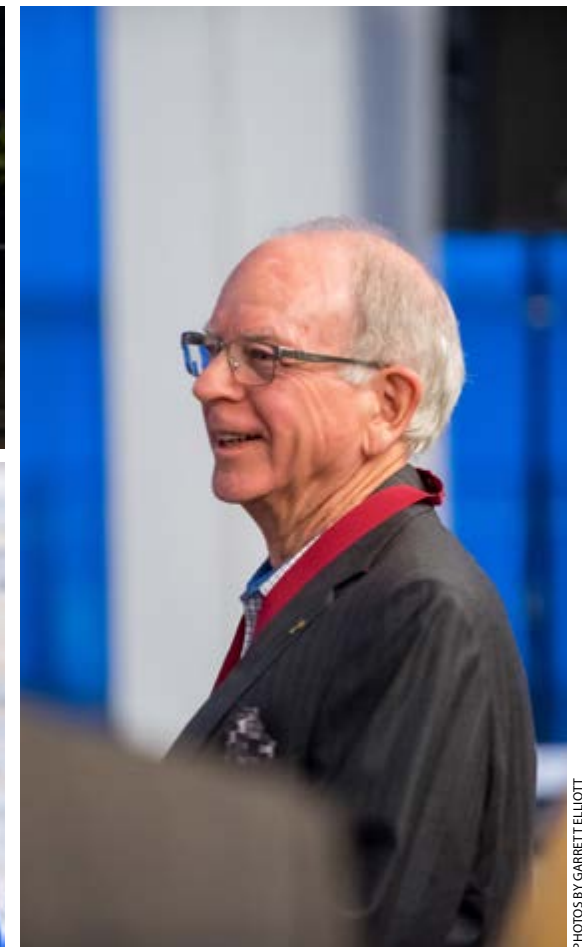
GARRETT ELLIOTT





**Dean's Council**

Dean Bill Flanagan (2nd left) with Dean's Council members (l-r) James Dorr, Patrice Walch-Watson, Peter Griffin, Alan Whyte, Janet Fuhrer, James Parks, Anton Sahazizian, Frank Walwyn, Jennifer Keenan, Stephen Shamie, David Sharpe, Betty DelBianco and Development Counsel Paul Marcus. Not shown: Sheila Murray (chair), David Allgood, Kelley McKinnon and Paul Steep.



















# Queen's Law at 60 Symposium Justice Thomas Cromwell: Notes on a Life in Law

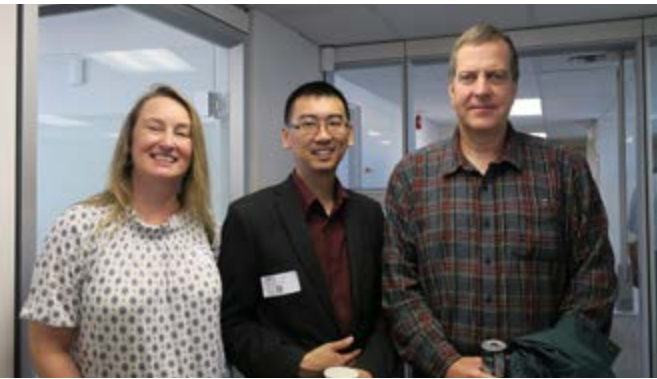


PHOTOS BY GARRETT ELLIOTT









PHOTOS BY VIKI ANDREWSKA



PHOTOS BY RAY ALLEN













PHOTOS BY RAY ALLEN









Dean Bill Flanagan (third left) with alumni at an Ottawa reception in the Parliamentary Boardroom of Dentons LLP.

## Queen's Law alumni strengthen common bond at Ottawa reception

Inside the Dentons Canada LLP office located in the downtown core of the nation's capital, dozens of alumni filled the boardroom with feelings of warmth and camaraderie on September 28. They gathered for their city's latest alumni reception, this time hosted by Dentons partner Tom Houston, Law'78 (Com'75).

It was the first Ottawa alumni event attended by Laurel Johnson, Law'92 (Com'88), a lawyer with the National Defence/Canadian Forces Office of the Legal Advisor. "I am so delighted that I finally made the effort to go," she exclaims. "It offered a special opportunity to connect with alumni from a wide span of years – from the Class of '64 to the Class of '17. That was the best part of the event for me – chatting with new acquaintances, with the common bond of our time at Queen's Law."

Regular attendee Rob Thomson, Law'13, an Assistant Crown Attorney in the Ottawa Crown Attorney's Office, says he likes the annual event for two reasons: "In addition to catching up with friends I don't see often, I like finding out all the new improvements the Dean has made at the school."

The new developments Dean Bill Flanagan shared with the audience this year included the special Queen's Law at 60 Homecoming Weekend on September 8–9, the launch of the

QL60 bursary campaign to raise \$600,000 in eight months to support students with financial needs, and the Faculty's Indigenous Art Project as part of its response to the Calls to Action of the Truth and Reconciliation Commission of Canada. He also talked about how the widely popular undergraduate Certificate in Law is expanding with three new courses being developed, pointing out the alumnus who is designing and will teach the constitutional law course – Jonathan Shanks, Law'07, counsel with Justice Canada's Constitutional, Administrative and International Law section.

"The reception was a great way to not only catch up with the Dean, but also with other alumni who work in the Capital," says Randeep Sarai, Law'01, MP for Surrey Centre in British Columbia. "It's a great place to see new and familiar faces, and find out we all went to Queen's."

Laurel Johnson is already making plans for future events. "It was such an enjoyable experience that I will be reaching out to my Ottawa-based law chums to encourage their attendance for the next gathering."

**MORE OTTAWA PHOTOS**





PHOTOS BY VIKI ANDREVSKA







## Coming in *Supporting Excellence* 2017



Bundled with your November issue of *Queen's Alumni Review*, you will find your copy of Law's *Supporting Excellence* magazine, featuring

- Corporate Law Legacy: 400 donors rally to launch Sigurdson Professorship
- The Accessibility Challenge: \$600K bursary campaign kicks off
- Honour Roll of Donors 2016-17

## Mark your calendars, Calgarians!



### Upcoming Event:

Queen's Law Reception  
Wednesday, November 8,  
5:00 pm – 6:30 pm  
Hosted by Stikeman Elliott LLP  
888 3rd St. SW., Calgary



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](mailto:grahaml@queensu.ca) or  
613-533-6000 ext. 74259.

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