CLSA PRELIMINARY PROGRAM ANNUAL CONFERENCE
(Please note that this program is subject to change.)

MONDAY 3 JUNE 2019
All sessions will be held at the Peter A. Allard School of Law.

Co-Sponsored Events for Monday 3 June:

1) 3:30 p.m. to 5:00 p.m. – Sexuality Studies Association and the CLSA present:

Jamie-Lee Hamilton: The Golden Age of Sex Work in the 1970s and 1980s: Intersections at the Forefront of Building a Contemporary Movement for Gender and Sexual Justice, Centre for Integrated Research on Sustainability, 2260 West Mall, room 1250. (See UBC Interactive map.)

2) 7 p.m. to 8:30 p.m. – Canadian Society for the Study of Practical Ethics and the CLSA present:

Lee Maracle (Toronto), Lorraine Mayer (Brandon) and Chaw-win-is Ogilvie (UVic): Sovereignty and Hypocrisy Impeding Reconciliation on Campuses in Canada, NEST 2309.

** ** ** **

Session 1: 8:30 a.m. to 10:00 a.m.

1.a.¹ Law & Technology

Meg D. Lonergan (Carleton): Explicit Governance: Authenticity, Simulation, and Snuff in the Digital Era


Jennifer Raso (Alberta): Ticking Outside the Box: Subverting and Maintaining Algorithmic Systems in Administrative Infrastructures

Marilu Melo (UNSW): Underground Infrastructure and Public Spaces

Chair: Jennifer Raso (Alberta)

¹ “A” sessions are in room 105; “B” sessions are in room 121; “C” sessions are in room 122; “D” sessions are in room B101; “E” sessions are in room 114; and “F” sessions are in the Forum.
1.b. **The Engagement of Disabled People in the Law: Possibilities and Perils**

Ravi Malhotra (Ottawa): The Legal Politics of Death-Making/Assisted Suicide: A Castoriadarian Reading

Megan Rusciano (Independent Scholar): When Punishment is Substituted for Treatment: Evaluating Segregation and How Section 12 of the Charter Can be Used to Protect the Rights of Individuals with Disabilities Inside Prison

Richard Jochelson (Manitoba): Disappointing Representativeness – Canada’s Drift from Inclusion in Justice Making Through Jury Work

Tess Sheldon (Windsor): Disability Erasure: The Enforcement of Trespass Legislation Against Persons with Disabilities from Public and Semi-Public Spaces

Tobin LeBlanc Haley (Ryerson): The Resilient Institution: The Death of Serena Perry and Supervised Community Care Plans in New Brunswick

Chair: Tobin LeBlanc Haley

1.c. **Institutionalizing Pluralism**

L. Jane McMillan (St. FX): Circles of Truth and Convictions

Benjamin Berger (Osgoode): Jury Nullification, Legal Pluralism, and Reconciliation

Patricia Cochran (UVic): Multijural Statutory Interpretation: Building Concepts for Just Relationships between Legal Orders in Canada

Chair: Emma Cunliffe (Allard)

1.d. **State Planning and Equal(ity) Rights**


Lyndsay Campbell (Calgary): Disfranchisement, Women and War: The *War-time Elections Act* (1917)


Trevor Wideman (SFU): Land Use Planning, Law and Waste: Making a Properly Propertied Landscape in Vancouver

Chair: Rachel Ariss (UOIT)
1.e. Rights, Wrongs and Pluralism

Ruba Ali Al-Hassani (Osgoode): Toxic Masculinity in Iraqi Politics & Legislation and the Mobilization of Female Rage

Jay Ramasubramanyam (Carleton): Reviewing Spaces of Exception: Understanding the Role of Chhitmahals in Reproducing Precarity and Rights Struggles

Qian Liu (UVic): The Internalizational of Parental Expectations in a Relation-Based Society: The Self, Autonomy, and Leftover Women’s Marital Choices

Chair: Shauna Labman (Manitoba)

Health Break: 10:00 a.m. to 10:15 a.m.

Session 2: Plenary Session 10:15 a.m. to 11:30 a.m.

Dr. Elizabeth Mancke (UNB): *The Royal Proclamation of 1763 in the Long Eighteenth Century: Rethinking Imperial Sovereignty and Indigenous Relations*

Elizabeth Mancke is Professor of History and Canada Research Chair in Atlantic Canada Studies at the University of New Brunswick. She has a doctorate from Johns Hopkins. A widely published and respected author, Dr. Mancke’s research interests address the impact of European overseas expansion on governance and political systems, from local government to international relations. From 2014 to 2017 she assisted the Madawaska Maliseet First Nation on their successful Specific Land Claim as an expert witness. While working on that case, she became first interested and then concerned about how the Royal Proclamation of 1763 was understood within the broader context of jurisdicitional conflicts in British America and within the shifting geopolitics among Indigenous nations and among European empires. Her plenary address is a fresh examination of an important constitutional development of the early modern era.

Lunch: 11:30 a.m. to 12:30 p.m.

Session 3: 12:30 p.m. to 2:00 p.m.

3.a. Judging the Colonial Criminal Legal System
3. b. **Cities, Monuments and Spaces**

Davi Rocha (Windsor): Autonomous Vehicles and Livability: Avoiding Mistakes of the Past, Towards Livable Cities

Sara Ross (Allard): Emphasizing Inclusivity and Accessibility as Goals for Better Civic Governance of Cultural Spaces

Douglas Harris (Allard): Embedded Property

Desiree Valadares (Berkeley): Immovable Cultural Heritage Law and the Designation of World War II Confinement Landscapes in British Columbia

Chair: Lyndsay Campbell (Calgary)

3. c. **Protest, Dissent and the Media**

Irina Ceric (Kwantlen): Injunctions, Contempt, and the Privatization of the Criminalization of Dissent

Michael Christensen (Carleton): Disinformation and Social Media in Canada: On the Problem of Regulating Public Discourse

Amar Khoday (Manitoba): “Not Your Everyday Woodward and Bernstein”: Determining Who Qualifies as a “Journalist” under Canada’s *Journalistic Sources Protection Act*

Chair: Bruce Ryder (Osgoode)

3. d. **Overcoming Barriers Embedded in Law: Access to Justice through Access to Effective and Efficient Legal Processes and Remedies**

Michelle Lawrence (UVic): Police Accountability: Access to Justice for Affected Families
Elizabeth Adjin-Tettey (UVic): Moving Beyond the Individualistic Focus of Tort Remedies: Recognizing Relational Non-Pecuniary Losses in Personal Injury Claims

M. Jerry McHale (UVic): Recalibrating Law, Dispute Resolution and Legal Culture to Better Manage Human Suffering in the Justice System

Chair: Kate Glover Berger (Western)

3.e. Law, Land and Mineral Rights in Africa

Doris Buss (Carleton): A Mine of One’s Own?: Producing Gender and Extracting Minerals

Liam McHugh-Russell (European University Institute, Villa Salviati): “It Works in Practice but Not in Theory”: Flawed Technicalities and the Success of Law & Finance

Rahina Zarma (Osgoode): Assessing the Effectiveness of Africa’s Sub-Regional Courts: A Case for Expanding Understandings of Effectiveness of International Courts

Chair: Annie Bunting (York)

Health Break: 2:00 p.m. to 2:15 p.m.

Session 4: 2:15 p.m. to 3:45 p.m.

4.a. Migration of North American Temporary Foreign Workers

Bethany Hastie (Allard): Unionizing Seasonal Agricultural Workers in British Columbia: The Potential of Labour Law as a Tool of Resistance for Workers’ Rights

Robert Russo (UBC): Poking Holes in the Wall: H-2A Workers and Lessons from Santa Maria and Larson Orchards

Andrés Abogado (lawyer & independent scholar): Legal and Adaptability Issues of Temporary Self-Employed Skilled Workers

Chair: Shauna Labman (Manitoba)

4.b. Law & the Environment
Gregory Simmons (Kwantlen): A Treadmill of Production Analysis of Salmon Aquaculture in British Columbia

Laura Spitz (New Mexico): The Nature of Water: Reimagining Legal Strategies for Environmental Protection in the United States

Geoff Leane (Adelaide): Neoliberalism and the Climate Change Dilemma

Michael Mopas (Carleton): Making Noise: Sound, Sense and the Politics of Noise Regulation

Michael Molavi (Oxford): Rethinking Environmental Class Actions in Canada

Chair: Patricia Cochran (UVic)

4.c. A Critical Conversation about the Carceral: Findings from the Prison Transparency Project

Kelly Struthers Montford (Toronto): Accessing Abnormal Diets in Prison: Discipline and Reward

Joane Martel (Laval), Caroline Pelletier (Laval) and Daniel Benson (Suicide Action Montréal): « Nous avons faim! Nous sommes malades ! » : Les conditions d’incarcération des femmes purgeant une peine provinciale au Québec

Sarah Turnbull (Birkbeck) and Dawn Moore (Carleton): Understanding Prisoner Mobilities in and through Lived Experiences of Incarceration

Gillian Balfour (Trent) and Rachel Fayter (Ottawa): Prisoner Mental Health: Constitutive Effects of the Pains of Imprisonment inside Canada’s Provincial Prisons

Chair: Debra Parkes (Allard)

4.d. Innovative Pedagogical Approaches for Presenting the Law of Evidence to the Screen Generation

Teaching law to the ‘screen generation’ poses serious challenges, including dealing with students with minimal attention spans and competing with the host of easily available distractions on laptops. Studies have indicated that the growing disengagement in the law classroom is most pronounced in large upper year courses with complex materials. This panel aims to document the significant challenges of teaching Evidence to the ‘screen generation’ and outline various pedagogical approaches which can be used to deeply engage students in learning the substantive law, understanding its application, and developing a critical analysis.

Participants: Nikos Harris (Allard); Nicole O’Byrne (UNB); Michelle Lawrence (UVic) and Donna Greschner (UVic)
4.e. **Public Policy under Pressure**

Erika Cedillo (Allard): Engaging the Local in a Global Conversation about the Interpretation of the Public Policy Exception

Carl Stychin (University of London): Teaching Legal Methods and Systems After Brexit

Sarah Alghamdi (Osgoode): Democratization and Migration Management in the New Tunisia

Chair: Sean Rehaag (Osgoode)

**Health Break: 3:45 p.m. to 4:00 p.m.**

**Session 5: 4:00 p.m. to 5:30 p.m.**

5.a. **Law and Mental Illness**

Gene Fraser (UVic): Governing Madness: Coercion, Resistance and Agency in British Columbia’s Mental Health Law Regime


Adam R. Houston (Ottawa): TB, Continued: Tuberculosis, the Constitutions of Canada and South Africa, and the Progressive Development of Human Rights Instruments

Robin Whitehead (Ottawa): Police Use of Force Reports and Mental Health: Balancing Privacy and Accountability

Chair: Michelle Lawrence (UVic)

5.b. **Law and the African Policy Conversation**

Temi Onifade (Allard): The Role of Law in the Implementation of Agenda 2063


Godwin Dzah (Allard): Mainstreaming African Legal Developments into the “Global” Discourse on Climate Change Litigation
5.c. **Landscapes of Injustice**

Nicholas Blomley (SFU) and Kaitlin Findlay (UVic): (De)valuation: The State Management of Japanese Canadian Personal Property in the 1940s

Eiji Okawa (WWU): Landscapes of Meaning: Rethinking the Uprooting of Japanese Canadians

Jordan Stanger-Ross (UVic): Reframing Material Losses

Sherri Kajiwara (Nikkei National Museum) and Yasmin Railton (UVic): Consult, Converse, Curate: Research and Development of the Landscapes of Injustice (LoI) Exhibit

Chair: Douglas C. Harris (Allard)

5.d. **Currents in International Human Rights Law**

Sukanya Pillay (Windsor): Counter-terrorism and Digital Surveillance: Impact of the UN Security Council Resolutions on Rule of Law and Human Rights in Canada

Marcia Oliver (WLU) and Phil Boyle (Waterloo): In and Beyond the Camp: The Rise of Resilience in Refugee Governance

Elisabeth Roy-Trudel (Concordia): The Senses and Legal Subjectivities

Chair: Jennifer Sankey (Kwantlen)

5.e. [no session in room 114]


In April 2018, a group of legal researchers came together to examine the many legal dimensions of *R v Stanley*. Called Project Fact(a), the group reviewed the trial and acquittal of Gerald Stanley, a Saskatchewan farmer who shot and killed Colten Boushie, a 22-year-old Cree man. The goal of this unique project is to highlight the underexamined social and legal matters leading up to, during, and after the trial. *R v Stanley* is more than a single trial; it serves as a flashpoint in Canadian-Indigenous relationships. The case has triggered conversations and debates locally, nationally and internationally on many legal and political issues. Project Fact(a) researchers have created resources for those interested in introducing the issues raised by *R v Stanley* in the law school classroom, publications for general audiences, and articles aimed at
the academy and the legal profession. This Roundtable will bring a selection of Project Fact(a) members together to reflect on the Project Fact(a) process and the resources created, highlighting how criminal cases include many subjects beyond criminal law.

Contributor and Chair: Signa Daum Shanks (Osgoode)

Contributors: Jeffrey Hewitt (Windsor), Emma Cunliffe (Allard), Kate Sutherland (Osgoode), Alexandra Flynn (UBC), Estair Van Wagner (Osgoode)

CLSA Awards Ceremony / Announcement re. renaming book prize 5:30 p.m. to 7:00 p.m. (Terrace Lounge, Allard Hall)

TUESDAY 4 JUNE 2019

Session 6: 8:45 a.m. to 10:15 a.m.

6.a. Indigenous Land

Mayana Slobodian (Toronto): Sen’ákw: ‘A Shady Deal’ in the Heart of the City

William Acres (Western): Breaking of Trust on the Grand River Station, 1836-1934

Mark Harris (UBC): “Treaty Yeh Treaty Now”? The Victorian Treaty Process

David V. Williams (Auckland): “The doctrine of terra nullius never applied in Canada”; “New Zealand was never thought to be terra nullius”: A Critique of the Doctrine of Crown Radical Title

Chair: Robert Hamilton (Calgary)

6.b. Justice and Representations of Gender and Sexual Minorities

Pierre Cloutier de Repentigny (Ottawa): Access Denied: Gender Minorities and Access to Justice

Nora Butler Burke (Concordia): Between Asylum and Exile: The ‘Double Punishment’ of Migrant Trans Women

Kyle Kirkup (Ottawa): The Gross Indecency of Criminalizing HIV Non-Disclosure

Emily Snyder (Saskatchewan): Deconstructing Representations of HIV, Indigeneity, Sexuality, and Law in R v Schenkels
Chair: Lori Chambers (Lakehead)

6.c. Human Rights, Terrorism and Peace

Philip J. Boyle (Waterloo): The Vital Points Program: Examining the Origins of ‘Critical Infrastructure’ as a Security Project in Canada

Fahad Ahmad (Carleton) and Jeffrey Monaghan (Carleton): Terrorism Peace Bonds, Pre-Emptive Security, and the Politics of Possibility

Meral Tan (Ottawa): Human Rights Advocacy and the Liberal State: An Analysis of Omar Khadr’s Case


Chair: Emma Cunliffe (Allard)

6.d. The Roles of Lawyers

Debbie De Girolamo (Queen Mary University of London): A Sociological Approach to Lawyer Negotiations

Nayha Acharya (Schulich): Reconciling Mediation and Rule of Law through Dialogue

Antwi Frimpong (UVic): Legal Aid Review: Lessons from the New Ghana Legal Aid Commission Act 2018

Kory Smith (Carleton): Increasing Efficiency and Fairness in Applications for Court-Ordered Counsel: An Evaluation of Ontario’s Rowbotham Application Pilot Project

Chair: Palma Paciocco (Osgoode)

6.e. Farmed Animals and the Law: Animal Agriculture, Marginalized Populations, and Intersectional Critiques


Angela Lee (Ottawa): Innov-ate What’s on the Plate

Kelly Struthers Montford (Toronto): Prison-Based Agribusiness and Questions of Humane Labour

Chair: Maneesha Deckha
Health Break / Pause santé: 10:15 a.m. to 10:30 a.m.

Session 7: Plenary Session 10:30 a.m. to 11:30 a.m.

Dr. James (Sákéj) Youngblood Henderson (Native Law Centre, U of S):
Constitutional Reconciliation: Aboriginal and Treaty Rights and the Public Interest

James (Sákéj) Youngblood Henderson is a Research Fellow of the Native Law Centre of Canada at the College of Law, University of Saskatchewan. He was born to the Bear Clan of the Chickasaw Nation in 1944 and is married to Marie Battiste, an Mi’kmaw educator. He served as a constitutional advisor for the Mi’kmaw nation and the Assembly of First Nations (1978-1993). He has worked as a strategist with the Four Direction Council at the United Nations and helped draft many of the existing Declarations. His award-winning books are on Aboriginal Tenure in the Constitution of Canada, Treaty Rights in the Constitution of Canada, First Nation Jurisprudence and Aboriginal Rights: The Search for a Just Society and Indigenous Diplomacy and the Rights of Peoples: Achieving U.N. Recognition. He was elected as a fellow of Native American Academy (1985), awarded the Indigenous Peoples’ Counsel (2005) and the National Aboriginal Achievement Award for Law and Justice (2006), a Honourary Doctorate of Laws, Carlton University (2007), and a fellow of the Royal Society of Canada (2013).

Lunch break: CLSA Annual General Meeting 11:30 a.m. to 1:00 p.m. (Room 105) – all members welcome

Session 8: 1:00 to 2:30 p.m.

8.a. [no session in room 105]

8.b. Positive Law and the Rights of Minorities

Genevieve Painter (Concordia): Retelling the Charter’s Rights: Race and Indigeneity in the Making of Women’s Equality Rights in Canada

Miriam Zucker (Toronto): Bridging the Gaps in the Theoretical Scholarship on Multiculturalism and Feminism: Critical Reflection through the Case of Polygamy and Forced Marriage among the Bedouin-Arabs in Israel

Chair: David Williams (Auckland)

8.c. Natural Resources and Legal Ordering

Wade Wright (Western): Federalism’s Underlying Question and Interprovincial Pipelines

Estair Van Wagner (Osgoode): The Private Limits and Boundaries of the Public Duty to Consult: Private Land, Land Use Planning and Indigenous Environmental Jurisdiction

Florence Ifediba: Accommodating Indigenous Rights in Siting Small Modular Reactors (SMRs) on or near the Traditional Territories of Indigenous Communities in Canada

Chair: Angela Lee (Ottawa)

8.d. Immigration Law & Practice

Sean Rehaag (Osgoode) & Pierre-André Thériault (Schulich): “Judgments v Reasons in Federal Court Refugee Claim Judicial Reviews: A Bad Precedent?

Asha Kaushal (Allard): Deportation: Immigration’s Half-Life

Maureen Duffy (Calgary): Revising Canada-U.S. Conversations as the U.S. Refugee Climate Erodes

Chair: Amar Khoday (Manitoba)

8.e. Judicial and Legislative Approaches to Domestic Violence in Family and Child Protection Cases: Definitions, Intersections, and Assumptions

Susan B. Boyd (Allard): Plus ça change? Three Conversations about Family Law Reform

Jennifer Koshan (Calgary): Judicial Constructions of Domestic Violence Complainants in Family and Child Protection Cases in Canada

Janet Mosher (Osgoode): Family Law’s Entanglement with Criminal and Child Protection Law in Domestic Violence Cases

Chair: Wendy Chan (SFU)

8f. Gendered Violence

Maria Ribeiro (UVic): How Evidence Law Operates so as to Facilitate and/or Impede the Prosecution of Sexual Violence in Canada?

Lori Chambers (Lakehead) and Nadia Verrelli (Laurentian): R v Whynott and Self-Defence

Alexa Dodge (Carleton): Disgraced Women, Vengeful Men, & Wild Teens: Socio-Legal Conceptions of Victims & Offenders of ‘Revenge Porn’

Chair: Richard Jochelson (Manitoba)

Health Break: 2:30-2:45

Session 9: 2:45 p.m. to 4:45 p.m.

9.a. “Landing a Job in Academia”: Graduate student career event [Note: this session will run from 3:30-5:30]


The Right to Remain (R2R) is a participatory action research project that is working to support grassroots efforts to advocate for the right to safe and healthy housing in Vancouver’s Downtown Eastside. Focusing on the neighbourhood’s last remaining single room occupancy (SRO) hotels, our research has supported local tenant organizing within this form of historically maligned housing that still provides over 4500 welfare-rate private sector units in the city. Our project is revealing the critical role that the SRO has played in prompting a decades-long legacy of rights-based struggle for housing justice led by the city’s most vulnerable and politically active citizens. Through tenant-led interviewing, archival research, and arts-based methods – including participatory haiku making – R2R is now working to mobilize shared histories of rights and place within current tenant organizing strategies towards safe housing and legal protections against the loss of SROs to an increasingly unaffordable market.
Panelists: Ron Kuhlke (advocate), Tom deGrey (tenant advocate), Erica Grant (advocate)
Co-chairs: Nicholas Blomley (SFU), Jeff Masuda (Queen’s) and Magnus Nowell (Queen’s)

9.c. Shifting the Anthropocentric Violence of Canadian Liberal Legalism through Relationality, Redress and Reconciliation: Moving toward Harmonious Interspecies Relations

Charlotte E. Blattner (Harvard): Drafting Principles of Transitional Justice for a Postconflict Interspecies Society
Maneesha Deckha (UVic): Reconciliation, Legal Precedent and Animal Advocacy: Harnessing Indigenous Legal Subjectivities for Animals to Transform the Colonial Classification of Animals as Property
Jodi Lazare (Schulich): Who Owns the Dog? A Relational Approach to Companion Animal Ownership
Victoria Shroff (Lawyer and Independent Scholar): Bringing Companion Animals (Pets) Up from the Floor to the Table to Join the Conversation on Pet Custody
Chair: Jessica Eisen (Alberta)

9.d. Transitional Justice & Murderous Regimes

Philipp Kastner (Western Australia): A Resilience Approach to Transitional Justice
Onur Bakiner (Seattle): “These are Ordinary Things”: Regulation of Death under the AKP Regime
Dante Gatmaytan (Philippines): Judicial Rhetoric as Historical Revisionism
Jobran Trefis (UNB): The Practice of Torture in Libya after the Revolution of 2011: Absence of the Role of the International Community
Chair: Annie Bunting (York)

9.e. [no session in room 114]

9.f. #MeToo
Marcus A. Sibley (Carleton): The Exposures of a ‘Rape Culture’: Exploring the Historical Significance of Vigilantism within the Anti-Rape Movements

Tanya Serisier (Birkbeck College): Speaking Out: Rape, Feminism and Narrative Politics

Carol Liao (Allard) and Shona McGlashan (Allard): #MeToo and the Boardroom

Pooja Parmar (UVic): #MeToo and Lawyering: A Critical Feminist Perspective

Bethany Hastie (Allard): Workplace Sexual Harassment and Human Rights Tribunals: An Analysis of Case Law in British Columbia and Ontario

Chair: Emily Snyder (Saskatchewan)

CLSA BOARD MEETING: 5:30 pm to 7:00 pm (Terrace Lounge)

CLSA GRAD STUDENT SOCIAL EVENT: 7:00 p.m. – 9 p.m (place TBD)

WEDNESDAY 5 JUNE

Session 10: Joint CLSA/CALT Keynote Plenary: 9:00 a.m. to 10:15 a.m.

Professor Jeremy Webber (UVic): Law of the Feast Hall, Law of the Courts: Bringing State and Non-State into Conversation in the Classroom

Jeremy Webber is Professor of Law at the University of Victoria. He has written widely in constitutional law, Indigenous rights, federalism, cultural diversity, and constitutional theory in Canada and in relation to other countries (especially Australia). He is the author of Reimagining Canada: Language, Culture, Community and the Canadian Constitution (1994), The Constitution of Canada: A Contextual Analysis (2015), and Las gramáticas de la ley: Derecho, pluralismo y justicia (2017). Professor Webber was UVic’s Dean of Law from 2013 to 2018. He held the Canada Research Chair in Law and Society at UVic from 2002 to 2014, when he surrendered the chair to serve as Dean of Law. Prior to joining UVic, he was Dean of Law at the University of Sydney, Australia (1998-2002) and Professor of Law at McGill University (1987-1998). He was appointed a Fellow of the Trudeau Foundation in 2009 and a Fellow of Royal Society of Canada in 2016.

Health Break 10:15 a.m. to 10:30 a.m.
Session 11: 10:30 a.m. to 12:00 p.m.

11.a. **Canadian Federalism and Indigenous Legal Orders**

Robert Hamilton (Calgary), The Trans Mountain Pipeline Decision and the Limits of the Duty to Consult: Certainty, Consent, and the Need for Negotiated Jurisdiction

Joshua Nichols (Alberta): Legality and Legitimacy Revisited: A Comparative Analysis of the Quebec Secession Reference and R v Sparrow

Ryan Beaton (UVic): Paramountcy, the Division of Powers, and the Crown’s Constitutional Obligations

Chair: Nicole O’Byrne (UNB)

11.b. **Mobilizing and Dissipating Law’s Power**

Scharie Tavcer (Mount Royal): Normalization of Confusion: Barriers to Addressing Sexual Violence on University Campus

Palma Paciocco (Osgoode): The Polluted Well: Legal Actors and the Decline of the Theatrical Criminal Trial

Basil S. Alexander (UNB): Canadian Cause Lawyering and Systemic Change: Approaches and Insights to Further Justice

Chair: Kelly Gallagher-Mackay (Laurier)

11.c. **Les espaces de parole pour les justiciables québécois : entre contrainte et liberté de trouver sa place**

Chloé Leclerc (Montréal): L’exclusion des accusés aux négociations entourant les plaidoyers de culpabilité : déférence légitime ou silence forcé?

Sabrina Labrecque (UQAM): Nouvel espace de parole au sein des tribunaux : à qui s’adresse-t-on ?

Dalia Gesualdi-Fecteau (UQAM) et Maxine Visotzky-Charlebois (UQAM): Le recours aux modes privés de règlement des différends: retour vers le futur?

Dominique Bernier (UQAM): Typologie des espaces de parole en droit québécois : réfléchir la place des justiciables et de l’accès à la justice

Chair: Lyndsay Campbell (Calgary)
11.d. **Conversations about Migration: Law’s ‘Myth-Busting’ Role (Roundtable Discussion)**

Chair: Bethany Hastie (Allard)

Participants: Jamie Liew (Ottawa); Shauna Labman (Manitoba); Anna Purkey (Waterloo); Asha Kaushal (Allard); Efrat Arbel (Allard)

11.e. **Making Meaning in Politics and Law**

Dustin Gumpinger (Toronto): Minimizing Exclusion: Jacques Derrida, Deconstruction, and the Interpretation of Constitutional Civil Liberties

Bradley Bryan (UVic): The Technical Vocation of Tax Law

Brian Bird (McGill): The Free Vote: A Reflection on Conscience, Democracy, and Representation

Chair: Nayha Acharya (Schulich)

**Lunch break: 12:00 pm to 1:30 pm**

**Session 12: 1:30 p.m. to 3:00 p.m.**

12.a. **Deliberative Democracy & Public Authority**

Alexandra Flynn (Allard): A Bridge Too Far? Accountability and Governance in Waterfront Toronto’s Sidewalk Labs Deal

Hoi Kong (Allard): The City in the Deliberative Federation

Mary Liston (Allard): Delegating Democracy?


Chair: Hoi Kong (Allard)

12.b. **Agency, Dignity & Vulnerability**

Michael Johnson (UVic): Adult Guardianship in the United States

Garrett Lecoq (Carleton): What’s Law Got to Do With It? Critique and the Right to Die in Canada
Margaret Hall (TRU): Dignity, Autonomy, Dementia: Advance Directives and Medically Assisted Dying

Cynthia Brown (Windsor): Disability Rights in an Ableist Health Care Environment: How do Women with Disabilities Understand & Address Systemic Barriers to Preventative Community Health Services?

Chair: Maura Matesic (York)

12.c. Law, Religion & Discrimination

Ashleigh Keall (UCL): Expressive Harm and Equality in the Adjudication of Religious Freedom

Sindhu De Livera (Windsor): A Conflict of Duties: Balancing between a ‘State Religion’ and Human Rights in Sri Lanka

Blair Major (TRU): Law and Religion: A Friendly Conversation

Connor Steele (Ottawa): The Metamorphosis of Shame in Anti-Discrimination Law: An Argument for the Reconfiguration of the Dignitary Based Conception (via Skype)

Chair: Ben Berger (Osgoode)

12.d Improvisation in Precarious Times: Crisis, Collaboration, and Creating Ethical Communities (Interactive Learning Session)

This collaboration between a legal academic, performance artist, and dance artist interrogates how responsive arts-based improvisatory practices can produce and nurture legal spaces that are truly welcoming of and attentive to the voices of individuals and communities experiencing difficulties in the present precarity of contemporary Canadian society.

Facilitator/Chair: Mehera San Roque

Performance and Dance Artists: Julie Lassonde and Kristen Lewis

Sara Ramshaw (UVic)

12.e. Resources and Indigenous People: Rights and Duties

Jennifer Sankey (Allard): Implementing FPIC through Indigenous Environmental Assessments

Rachel Ariss (UOIT): The Duty to Consult and Mining Exploration: Judicial Stories of Treaty 9

Nnaemeka Ezeani (Saskatchewan): Indigenous Land Rights in Africa: Myth or Reality?
Chair: Irina Ceric (Kwantlen)

**Health Break 3:00 p.m. to 3:15 p.m.**

**Session 13: 3:15 p.m. to 4:45 p.m.**

13.a **Professional Self-Regulation (This panel runs until 5:15 p.m.)**

Constance Backhouse (Ottawa): Racial Bias and Judging: Spotlight on the *RDS* Case

Heather Roberts (ANU): Difference, Discrimination and...? Telling a History of Women Judges in Australia

Kate Glover Berger (Western): Ethics, Judicature, and the Canadian Judicial Council

Kerri Scheer (Toronto): Punishing Nurses and Doctors: How the Disciplinary Tribunals of Self-Regulating Health Professions Define ‘Governable’ Individuals and Construct Professional Communities

Andrew Flavelle Martin (Allard): Mental Illness and the Duty to Report a Fellow Lawyer to the Law Society

Chair: Pooja Parmar (UVic)

13.b **Circles of Conversation between Indigenous and Colonial Law: Graphic Novels as a Site for Multijural Research, Scholarship and Teaching (This panel runs until 5:15 p.m.)**

“What is Indigenous Law” and “How can state and Indigenous laws interact” are pervasive questions throughout not only the legal academy and profession but society in general. This panel takes the form of a workshop based on a new graphic novel on Indigenous-colonial water law. Flowing from a two-year project and reflecting on the first year of teaching the new Indigenous law degree program at the University of Victoria, the workshop will explore the research, scholarship and teaching opportunities offered by new and generative resources, such as graphic novels, whose air is to widen the circles of conversation between Indigenous and colonial law.

Chair: Rebecca Johnson (UVic)

Participants: Deborah Curran (UVic); Sarah Morales (UVic); Val Napoleon (UVic)

13.c **Operationalizing Human Rights**
Dale Ballucci (Western) and Felicia Stathakis (Western): Re-Thinking Success: Victim-Centric Strategies in the Policing of Human Trafficking Cases


David Moffette (Ottawa): Municipal Policing and Immigration Status in Canadian Cities

Chair: Janet Mosher (Osgoode)

13.d. Finance & Social Justice

Vanessa Iafolla (Waterloo): Kin and Crime: Managing Lending Risk in Loan Sharking Through Kinship Ties


Ian B. Lee (Toronto): Why Should Corporations have to Pay Income Tax?

Sally Wheeler (ANU): Corporations and Human Rights in Australia

Chair: Carol Liao (Allard)

Joint Banquet (with the Canadian Association of Law Teachers)

6:00 p.m. Franklin Lew Forum

Featuring Counterbalance: An Art Exhibition by Julie Lassonde