

Asper Centre E-News

August 2012

Recent News

Audrey Macklin, "The Government has not kept its word on Omar Khadr" and Change.org petition

The case of Omar Khadr - a Canadian citizen and former child soldier - is a stain upon our society and shows a blatant disregard for Canada's constitutional and international law obligations. [Click here for Prof. Audrey Macklin's op-ed in the Toronto Star.](#)

Senator Roméo Dallaire has launched a petition: "Enough is enough. Canada must keep its word - and Minister Toews must authorize Omar Khadr's return without delay." [Click here to sign the petition.](#)

[Click here for the Faculty of Law Omar Khadr Case Resources Page](#), including the intervening party factum for the Asper Centre (with Human Rights Watch and the International Human Rights Program).



Protesters in Toronto, Photo used under Creative Commons by Joshua Sherurcij (Wikimedia)

Forcing judges to judge old law erodes democracy

Louis Century, JD/MGA candidate and Asper Centre summer law student, discusses two upcoming Supreme Court appeals in [The Law Times](#). This article is an edited version of [this text](#) (which includes sources).

Supreme Court Case Materials

Several cases have recently been added to the Asper Centre's Supreme Court Case Materials, available [here](#).

- *Auton (Guardian ad litem of) v. British Columbia (Attorney General)*, 2004 SCC 78 (intensive behavioural therapy for preschool-aged autistic children)
- *Chaoulli v. Quebec (Attorney General)*, 2005 SCC 35 (prohibition on insurance for private health care)
- *Newfoundland (Treasury Board) v. N.A.P.E.*, 2004 SCC 66 (deferred commencement of wage adjustment payments under pay equity agreement)
- *R. v. A.M.*, 2008 SCC 19 (police sniffer dog to search school for illicit drugs)
- *R. v. Ferguson*, 2008 SCC 6 (mandatory minimum sentence, appropriate remedy where cruel and unusual punishment)
- *R. v. Hape*, 2007 SCC 26 (extraterritorial application of Charter to searches and seizures conducted abroad)
- *R. v. Singh*, 2007 SCC 48 (scope of pre-trial right to silence)
- *R. v. Tse*, 2012 SCC 16 (police interception of communications without authorization)
- *Withler v. Canada (Attorney General)*, 2011 SCC 12 (whether reduced pension benefits discriminate against surviving spouses)

Upcoming Events



The Asper Centre presents:
Social Science Evidence in Charter Litigation:
Developments in 30 Years of Fact Finding

November 9, 2012
8:30-5:00 p.m.
Faculty of Law, University of Toronto

Opening Plenary Panel: The Challenges for Judges - Justice Robert Sharpe (Ontario Court of Appeal); Justice Susan Himel (Ontario Superior Court of Justice - *Bedford v Canada*); Justice Lynn Smith (Supreme Court of British Columbia - *Carter v Canada*)

After thirty years what have we learned? What could we do better?

Workshop topics include: a theory of constitutional facts; framework for reliability analysis; judging social science evidence—a feminist perspective; linking social science evidence with individual testimony; use of social science in specific cases such as Polygamy Reference, Bedford v Canada, R v Bryan, Canada v PHS Community Services (Insite case); and more ...

[Click here for Conference Information](#) OR [REGISTER NOW](#)

2012-2013 Constitutional Roundtables

Commencing this September, the Asper Centre workshops and the Faculty of Law's Constitutional Roundtables will merge as one workshop series.

Currently scheduled Constitutional Roundtables:

September 19, 12:30-2:00 - Dr. Pavlos Eleftheriadis, University Lecturer & Fellow in Law, University of Oxford

October 24, 12:30-2:00 - Prof. Andrew Geddes, Faculty of Law, University of Otago

November 28, 4:00-5:30 - Prof. Sanford Levinson, W. St. John Garwood and W. St. John Garwood, Jr. Centennial Chair; Professor of Government, Faculty of Law, University of Texas at Austin

March 14, 2013, 12:30-2:00 - Prof. Heather Gerkin, J. Skelly Wright Professor of Law, Yale Law School

Additional Roundtables will be scheduled throughout the year. Check the [Asper Centre's Events Calendar](#) for upcoming events.

Fall Newsletter

Watch out for the first 2012-2013 edition of the Asper Centre Outlook, coming January 2013. For more information on getting involved in the Asper Centre, and for regular updates on the Asper Centre's ongoing projects and events, bookmark <http://www.aspercentre.ca>

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Questions or comments? E-mail us at aspercentre@utoronto.ca