## Conference Agenda

**Friday, February 28, 2014**

### 9:00 am - 9:30 am

**Registration and Coffee**

### 9:30 am - 10:30 am

**OPENING DEBATE**

*Be it resolved that Judges can rewrite statutes to make them constitutional*

Debaters: Prof. Kent Roach and Prof. Hamish Stewart

Moderator: Hon. Justice Robert Sharpe, Ontario Court of Appeal

### 10:30 am - 11:00 am

**Break**

### 11:00 am - 12:00 pm

**DUTY TO CONSULT**

Mary Liston, UBC  
*From Lifeblood to Bad blood?: Rights, Remedies and the Duty to Consult and Accommodate*

Nathan Hume, Ratcliff & Company LLP  
*The Decline of the Duty to Consult*

**COSTS**

Roslyn Mounsey, Department of Justice  
*Remedies for Deterrents to Charter Litigation: A Call for Changes to the Court Challenges Program*

Christopher Bredt & Heather Pessione, Borden Ladner Gervais LLP  
*Advance Costs Awards; Important Charter Remedy or too “Cost”ly?*

**PROPORTIONALITY**

Grant Hoole, Univ. of Ottawa  
*Proportionality as a Remedial Principle: A Framework for Suspended Declarations of Invalidity*

Aneesa Walji  
*Proportionality: An Approach to the Remedial Challenges of Socio-Economic Rights Adjudication in Canada*

### 12:00 pm - 12:30 pm

**Lunch Break (take lunch to next session)**

### 12:30 pm - 2:00 pm

**CONSTITUTIONAL ROUNDTABLE**

Prof. Sandra Liebenberg, University of Stellenbosch  
*Deepening democratic transformation in South Africa through participatory constitutional remedies*

Discussant: Prof. Martha Jackman, University of Ottawa

### 2:00 pm - 3:30 pm

**INACTION & REACTION**

Nathalie Des Rosiers, Univ. of Ottawa  
*Policy Deadlocks and Constitutional Remedies: Democratic and efficiency concerns in contexts of uncertainty*

Pierre Foucher, Univ. of Ottawa  
*Remedies for Language Rights Violations*

Hart Schwartz, Office of the Attorney General for Ontario  
*& Steven Barrett, Sack Golblatt Mitchell LLP  
Stripping Away the Right to Grant Constitutional Remedies*

**REMEDIES IN CONTEXT**

Amir Attaran & Jon Khan, Univ. of Ottawa  
*Solving the “Khadr Problem” - Retaining Supervisory Jurisdiction - a comparative analysis*

Ranjan Agarwal & Joseph Marcus, Bennett Jones LLP  
*Using Charter Damages to Remedy Racial Profiling*

Rebecca Sutton, JD  
*Gladue’s Blind Spot: How the remedy of a structural injunction could improve conditions of confinement for Aboriginal prisoners*

### Locations

- **Room 323 (main plenary room)**
- **Room 115**
- **Room 215**