



# David Asper Centre for Constitutional Rights UNIVERSITY OF TORONTO

## 2013-2014 ANNUAL REPORT

*Realizing Constitutional Rights through Advocacy, Education and Academic Research*

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# ABOUT THE ASPER CENTRE

The David Asper Centre for Constitutional Rights is a centre within the University of Toronto, Faculty of Law devoted to advocacy, research and education in the areas of constitutional rights in Canada. The Centre aims to play a vital role in articulating Canada's constitutional vision to the broader world. The cornerstone of the Centre is a legal clinic that brings together students, faculty and members of the bar to work on significant constitutional cases and advocacy initiatives.

Through the establishment of the Centre the University of Toronto joins a small group of international law schools that play an active role in constitutional debates of the day. It is the only Canadian Centre in existence that attempts to bring constitutional law research, policy, advocacy and teaching together under one roof. The Centre was established through a generous gift from University of Toronto Faculty of Law alumnus David Asper (LLM '07).

## VISION, MISSION AND VALUES

**VISION** Sophisticated awareness, understanding and acceptance of constitutional rights in Canada.

**MISSION** Realizing constitutional rights through advocacy, education and academic research.

**VALUES** The Centre's ideals are those of the Canadian Charter of Rights and Freedoms and will guide the Centre in its work.

- **Excellence:** the Centre is committed to high quality academic research, intellectual engagement, and intellectual rigour as the foundations for all of its work.
- **Independence:** the Centre's location within an academic institution provides the basis for trust, integrity, and intellectual freedom and diversity.
- **Diversity:** the Centre is committed to diversity in its interaction with community organizations and groups and to intellectual diversity in its work and approach to legal analysis.
- **Innovation:** the Centre seeks to shape the direction of constitutional advocacy, to be flexible in order to respond to emerging constitutional issues, and to use the Charter to transform Canada's legal and policy landscape.
- **Access to Constitutional Rights:** the Centre seeks to promote access to constitutional justice and human rights for vulnerable individuals & groups.

# MESSAGE FROM THE EXECUTIVE DIRECTOR

In 2009, we developed a Strategic Plan that included amongst its ambitious objectives that we play a central role in significant constitutional litigation. As part of this year's review, I took a look at our accomplishments over the 5 years of the initial plan and was proud to report that we have made huge strides with respect to this objective, among others. One of the most gratifying accomplishments this past year was the Supreme Court's acknowledgement and adoption of our argument in *Attorney General (Canada) v Bedford*. As a constitutional litigator, it doesn't get much better than that.

We also set out to be a model of excellence for constitutional advocacy teaching and for the training of the next generation of constitutional lawyers. To date 54 students have taken the Asper Centre clinic course and worked on our cases. This year we established a new student opportunity for an intensive experience in a half-time clinic course for the second term. We have also established the Constitutional Litigator in Residence program each year with John Norris participating last year and Mary Eberts set to work with us for the fall 2014 term.

In preparing for the strategic planning review, I surveyed students who had graduated from the law school about what they gained from their clinic experience and why they enrolled in the first place. From the responses received it is clear that students seek to enhance their substantive knowledge of constitutional law through working on the ground-breaking cases at the clinic. They also said that it influenced their approach to legal practice and understanding of how the legal system works, providing them with valuable legal skills. And while not all students enjoyed the critical self reflection that is part of the course,

some students commented on the impact of this aspect of the course on their continuing development as lawyers.

Our goals in 2009 were ambitious and while we can actually demonstrate that many of the objectives have been met, there remains much more to do. Simply continuing along the same path will make a significant contribution to the quality of constitutional rights advocacy in Canada. Our research goals at times seem more elusive, but we have managed to have papers from 2 successive symposia published in dedicated issues of the National Journal of Constitutional Law. 2015's conference promises to do the same on the issue of the intersection between sections 7 and 15 of the Charter.

In the coming year you can look to additions to be made to our website to further showcase the work of constitutional scholars at the Faculty along with greater opportunities for students to work with the constitutional bar on leading cases.

This coming year will be marked by significant transitions for the law school and the Asper Centre. Dean Moran, having been instrumental in establishing and supporting the Centre, has moved on and we await the selection of her replacement. Alexis Archbold, Assistant Dean of Students, and a key supporter of the Centre is also moving on. I look forward to working with their successors in furthering the continuing goals of the Centre.



Cheryl Milne, LL.B, MSW  
Executive Director



# ADVOCACY AND LITIGATION

## ONTARIO COURT OF APPEAL

### ***Tanudjaja et al. v. Attorney General (Canada) and Attorney General (Ontario)***

In May 2013, the Ontario Superior Court of Justice heard the motion to strike the pleadings in an application to seek a declaration that sections 7 and 15 of the Charter have been infringed by the Ontario and federal governments in failing to develop comprehensive strategies to address homelessness. The Superior Court released its decision to strike the application on September 6, 2013.

The appeal of the motion to dismiss was heard by the Ontario Court of Appeal from May 26 to 28, 2014. The Asper Centre intervened in this case and was represented by Cheryl Milne. The focus of the Asper Centre's arguments concerned justiciability of the issue before the Court and the available remedies for the Court. It was argued that a provincial superior court has remedial powers under section 24(1) of the Charter to craft novel remedies under "appropriate and just" circumstances.

As of August, 2014, the judgment of the Court of Appeal is still pending.

## SUPREME COURT OF CANADA

### ***Attorney General (Canada) v. Bedford***

In June 2013, the Asper Centre was represented by Joseph Arvay Q.C. and Cheryl Milne at the Supreme Court of Canada in this appeal to the constitutional challenge of a number

of prostitution-related provisions in the *Criminal Code*. The decision was released on December 20, 2013.

In its decision, the Supreme Court quoted and accepted the Asper Centre's arguments on the principle of *stare decisis*. The Court agreed that *stare decisis* is subordinate to the Constitution and cannot require a court to uphold an unconstitutional law. However, there is a threshold for a lower court to revisit a matter—when a new legal issue is raised or if there is a significant change in the circumstances or evidence. The Supreme Court declared that the impugned provisions were inconsistent with the Charter and infringed s. 7 rights to security of the person. The declaration of invalidity was suspended for 1 year.

### ***Her Majesty the Queen v. Anderson***

The Asper Centre was granted standing in this appeal before the Supreme Court of Canada involving the Crown's election for a mandatory minimum sentence for an aboriginal man on a charge of impaired driving. The Asper Centre's arguments addressed the Charter review of Crown discretion to seek the mandatory minimum in the circumstances of an aboriginal offender where s.15 and *Gladue* principles apply. The appeal was heard March 19, 2014. Kent Roach and Cheryl Milne appeared as counsel.

The Supreme Court's decision was released June 6, 2014. The Court found that there is no constitutional obligation for Crown prosecutors to consider the Aboriginal status of an accused when deciding whether or not to seek a mandatory minimum sentence.

### ***Trial Lawyers Association of BC and the Canadian Bar Association v. Attorney General of BC***

The Asper Centre was granted standing in this appeal before the Supreme Court of Canada which focused on the constitutionality of British Columbia's court hearing fees, charged for days in court. The fees were argued to be contrary to the rule of law by posing a barrier to access to justice. The Centre intervened on the issue of the rule of law and the appropriate remedy.

The appeal was heard on April 14, 2014 and the Court reserved judgment. The Centre was represented by Paul Schabas of Blakes LLP and Cheryl Milne.

### ***Estate of the Late Zahra (Ziba) Kazemi, et al. v. Islamic Republic of Iran, et al.***

The Asper Centre was granted intervener standing jointly with the International Human Rights Program in this appeal before the Supreme Court of Canada heard on March 18, 2014.

In 2003, Zahra Kazemi, a Canadian citizen and photographer, was arrested and detained while in Iran. She was allegedly tortured and sexually assaulted by State authorities in Iran. She later died of her injuries. Her son Stephan Hashemi brought a civil claim on behalf of her estate and on his own behalf against the government of Iran and individuals alleged to be responsible. The Courts below held that the State Immunity Act prevented such a claim from going forward.

The Asper Centre argued that the right to a

remedy is a principle of fundamental justice under s. 7 of the Charter. The Centre's Constitutional Litigator in Residence John Norris and Carmen Cheung appeared as counsel. The Court reserved judgment.

### ***Divito v. Minister of Public Safety and Emergency Preparedness***

The Asper Centre was granted intervener standing in this appeal from the Federal Court of Appeal on the constitutional challenge to the *International Transfer of Offenders Act*. The Centre's submissions focused on the constitutional boundaries of the exercise of statutory discretion by the Minister.

The Court released its decision on September 19, 2013, dismissing the appeal and upholding the constitutionality of the legislation. It did not address the arguments related to the exercise of statutory discretion by the Minister.



# FIFTH ANNIVERSARY SYMPOSIUM



On November 8, 2013, the Asper Centre held its Fifth Anniversary Symposium celebrating five years of accomplishments in constitutional

rights advocacy. The Symposium featured two panel discussions exploring the significance of cases in which the Centre has intervened.

The first panel, *Looking Forward to the Future of Litigation*, looked at the impact of cases such as *Canada v Downtown Eastside Sex Workers United Against Violence*, *Caron v Alberta* and others, will have in shaping future litigation. The second panel, *Looking Back on the Last Five Years of Constitutional Remedies*, featured

Constitutional-Litigator-in-Residence John Norris, Christopher Bredt, and Professor Kent Roach, reflecting on the cases that in which the Asper Centre has participated including *Prime Minister of Canada v Khadr*, *Vancouver (City of) v Ward* and *Conway v The Queen*.

The symposium ended with keynote speaker Nathalie Des Rosiers, Dean of the University of Ottawa Faculty of Law, Common Law Section, and the former General Counsel to the Canadian Civil Liberties Association who focused on next steps for the Asper Centre and how the Centre might think about and evaluate its role and position in the future.

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An article on the Asper Centre's Fifth Anniversary Symposium is included in the 2013 Fall/Winter issue of *Nexus* magazine.

## REMEDIES CONFERENCE

### *Constitutional Remedies: Are they effective or meaningful?*

On February 28, 2014, the Asper Centre hosted its annual conference, this year examining in detail the remedies available pursuant to s. 24 and 52 of the Charter and remedies for the violation of Aboriginal and treaty rights under the constitution.

The conference opened with a debate between Professor Kent Roach and Professor Hamish Stewart, moderated by the Honourable Justice Robert Sharpe of the Ontario Court of Appeal. The topic of the debate was the use of statutory interpretation by judges to avoid declarations of

constitutional invalidity. Arguing in support of the proposition *Be it resolved that Judges can rewrite statutes to make them constitutional* was Hamish Stewart and against the proposition was Kent Roach. At the end of the debate the audience voted in favour of the argument against the proposition.

A morning breakout session featured Mary Liston (University of British Columbia) and Nathan Hume (Ratcliff & Company LLP) speaking on the duty to consult; Roslyn Mousey (Dept. of Justice) and Christopher Bredt and Heather Pessione (Borden Ladner Gervais LLP) on costs; and Grant Hoole (University of Ottawa) and Aneesa Walji (University of Toronto) on

proportionality.

The conference included a constitutional roundtable led by Sandra Liebenberg, the H.F. Oppenheimer Chair in Human Rights Law at the Department of Public Law from the Faculty of Law, University of Stellenbosch. The discussion focused on the topic of constitutional remedies in South Africa, and in particular the remedy of orders of meaningful engagement.

The final afternoon breakout session featured discussions on inaction and reaction, with speakers Nathalie Des Rosiers and Pierre Foucher (University of Ottawa), Hart Schwartz (Office of the Attorney General for Ontario) and Steven Barrett (Sack Golblatt Mitchell LLP) and on remedies in context, with speakers Amir Attaran and Jon Khan (University of Ottawa), Ranjan Agarwal and Joseph Marcus (Bennett Jones LLP) and Rebecca Sutton.

## PANELS

### Privacy at Risk? The NSA and CSEC, its Canadian Surveillance Partner

March 12, 2014 | Panelists: Lisa Austin (Faculty of Law, U of T); Kent Roach (Faculty of Law, U of T); Hamish Stewart (Faculty of Law, U of T); Christopher Parson (Citizen Lab, Munk School of Global Affairs) | Moderator: Simon Stern (Centre for Innovation Law & Policy)

*Jointly hosted with the Centre for Innovation Law and Policy*

Expert panelists discussed the involvement of governments around the world and in Canada in online surveillance activities.

### Crimmigration: Criminalization and Detention of Non-Citizens

March 18, 2014 | Panelists: Barbara Jackman (Jackman & Associates); Stephanie Silverman (Refugee Research Network); Deepan Budlakoti (Justice for Deepan) | Moderator: Audrey Macklin (Faculty of Law, U of T)

*Jointly hosted with the International Human Rights Program and co-sponsored by the U of T Muslim Law Students Association*

The Asper Centre welcomed Barbara Jackman, a leading immigration and human rights lawyer, Stephanie Silverman, a Research Associate at the Refugee Research Network, and Deepan Budlakoti, a Canadian citizen fighting deportation, to speak about immigration detention in Canada.



# CONSTITUTIONAL ROUNDTABLES

## **The Indigenous as Alien**

November 1, 2013 | Speaker: Leti Volpp (UC Berkeley School of Law)

*Co-sponsored with the Canada Research Chair in Citizenship and Multiculturalism and the R.F. Harney Program in Ethics, Immigration and Pluralism Studies, Munk School of Global Affairs*

## **Ethical Basis for Excluding Unauthorized Immigrants from the Affordable Care Act**

November 21, 2013 | Speaker: Norman Daniels (Harvard School of Public Health)

*Co-sponsored with the Health Law, Ethics and Policy Workshop Series*

## **“Generous” to a Fault? The Supreme Court of Canada’s Approach to Section 6(1) of the Charter**

January 15, 2014 | Speaker: John Norris (Constitutional-Litigator-in-Residence, Asper Centre)

## **Religious Diversity, Education, and the “Crisis” in State Neutrality**

January 29, 2014 | Speaker: Benjamin Berger (Osgoode Hall Law School)

## **Deepening Democratic Transformation in South Africa Through Participatory Constitutional Remedies**

February 28, 2014 | Speaker: Sandra Liebenberg (University of Stellenbosch)



Professor Sandra Liebenberg



Professor Norman Daniels

# CLINICAL LEGAL EDUCATION

## Clinic Students

Leah Sherriff, Cindy Yi, Katerina Svozilkova, Jessie Legaree, Ethan Schiff, Sarah Beamish, Sarah Harland-Logan, Keith Crawford, Tali Green & Lara Guest (second term clinic)

## Clinic Projects

The students were divided up in groups of two to three to work on the various projects this term.

Students worked on the *Kazemi* appeal at the Supreme Court of Canada, on our intervention in *Kokopenace*, our project examining CSIS practices in relation to security certificates which continued with the IHRP students into the second term practicum, and drafting our application for intervention in *R v Anderson* and researching issues for the factum. Students also made a trip to Ottawa to watch the Centre's arguments in *Kazemi* and *Anderson*.

## Clinic Speakers

- **Zachary Green** from the Constitutional Law Branch of the Attorney General of Ontario
- **Abbie Deshman** of the Canadian Civil Liberties Association
- **Justice Kathleen Swinton** of the Ontario Supreme Court of Justice, this year's judge-in-residence
- **Susan Barker** and **Soojin Kim** on the joys of researching legislative history

## Pro Bono Assistance

- **John Norris** served as pro bono counsel in the Centre's intervention in *Kazemi*
- **Paul Schabas** served as pro bono counsel in the *Trial Lawyers Association of BC* case in April
- **Martha Healey** of Norton Rose Fulbright—served as the Centre's pro bono Ottawa agent for all our Supreme Court of Canada interventions

The experience I am most pleased about is writing the memo, factum paragraphs, and intervention materials. This demystified the legal writing process a lot, was great preparation for my advanced legal research and writing course next semester, and made me feel more confident about going into my job next summer.



# STUDENT ENGAGEMENT

## 2013-2014 WORKING GROUPS

### Refugee and Immigration Law Working Group

*J.D. students:* Dharsha Jegatheeswaran, Catherine Thomas, and Aron Zaltz

*With Prof. Audrey Macklin and the Canadian Association of Refugee Lawyers (CARL)*

This group focused on the new legislation and policies put in place that created designated countries and foreign nationals in the refugee determination system; reduced health benefits for refugee claimants; and created new barriers for citizenship.

The group worked with Professor Audrey Macklin and CARL writing legal memoranda, exploring public education options, and providing research support to CARL.

### Privacy Rights and Lawful Access Working Group

*J.D. students:* Aoife Quinn and Leah Sherriff

*With Prof. Lisa Austin and in consultation with Prof. Hamish Stewart*

This group investigated the ways in which Section 8 of the Canadian Charter of Rights and Freedoms, which guarantees the right to be free from unreasonable search and seizure, protects individuals' privacy interests associated with new and changing technologies. Of particular interest was proposed lawful access legislation in addition to follow up from the work of last year's group. They also conducted a session for LAWS's Global Citizenship Conference. The group worked with Professor Lisa Austin and consulted with Professor Hamish Stewart.

The Asper Centre accepts proposals from Faculty of Law students who are interested in leading a working group. Working groups provide students with the opportunity to conduct legal research and advocacy on Canadian constitutional rights issues, often in partnership with an external organization.

## WILSON MOOT 2014

The University of Toronto Wilson Moot Team once again achieved outstanding results with the support of the Asper Centre.

This year's team included Christopher DiMatteo, Aoife Quinn, Christophe Shammass, and Brendan Stevens. Competing against 12 other participating schools, the team won best factum for the third year in a row and placed third overall. The team was coached by Cheryl Milne and Lorraine Weinrib and supported by student coaches Lara Guest, Adam Sproat, and Thomas Wagner.

The problem focused on issues concerning the adoption of aboriginal children by non-aboriginal parents and the protection of the rights of aboriginal parents and children in private adoptions. It involved a section 15 and 7 Charter challenge to adoption legislation involving Aboriginal children and parents.



Mr. Justice Michael Moldaver of the Supreme Court of Canada (moot judge and award presenter) with team members Aoife Quinn, Christophe Shammass, Brendan Stevens, and Christopher DiMatteo

## ASPER/IHRP SUMMER 2013 INTERNSHIPS

**Aron Zaltz** worked in Toronto with the Canadian Centre for Victims of Torture

**Shweta Chaudhary** was placed with the South Asian Legal Clinic of Ontario

**Katherine Macdonald** worked with the Canadian Association of Refugee Lawyers (CARL) and the Refugee Law Office

## STUDENT RESEARCH ASSISTANTS

**Aoife Quinn**, Research Assistant Summer 2013—Aoife provided much needed research support for planning this year's cases. She also led a Working Group and was a Wilson Mooter.

**Christian Morey**, Work Study Student 2013—Christian provide website support through the work study program



# LOOKING AHEAD

## Clinical Legal Education and Working Groups

As we await a decisions in one clinic case from last year (*Tanudjaja*) students will prepare applications for leave to intervene in new constitutional appeals before the Supreme Court. During the fall term, Mary Eberts will be the Asper Centre's Constitutional-Litigator-In-Residence. She will mentor clinic students with their case files and provide a public lecture for the law school. Working groups will continue the work of last year's groups on refugee law and privacy rights.

## Conference

On February 27, 2015, the Asper Centre will host "The Interplay between Sections 7 and 15 of the Charter". A call for papers was sent out with October 15, 2014 as the deadline. Selected conference papers will be considered for publication as part of a special issue of the *National Journal of Constitutional Law*.

## Constitutional Roundtables

Scheduled speakers include: Campbell McLachlan, Q.C. of Victoria University of Wellington on Foreign Affairs Law, Mary Eberts, our Constitutional Litigator in Residence, on the Supreme Court's views on Canadian democracy, and Colleen Flood (jointly with the Health Law Group) on current litigation on access to private health care. Others will be scheduled for the Winter term.

# WEBSITE UPDATES

Our Cross-Canada Appellate Cases and Supreme Court Case Material sections have been continuously updated over the past year. The Asper Centre website serves the important role of making case summaries, facts and information readily available to the public for research and education. Webcasts of events run by the Asper Centre are available on the website.

### Webcasts available on our website:

- Fifth Anniversary Symposium (Nov 8, 2013)
- Constitutional Roundtable: The Ethical Basis for Excluding Unauthorized Immigrants from the Affordable Care Act (Nov 21, 2013)
- Constitutional Roundtable: Deepening Democratic Transformation in South Africa Through Participatory Constitutional Remedies (Feb 28, 2014)
- Constitutional Remedies Conference: Opening Debate between Prof. Kent Roach and Prof. Hamish Stewart at the (Feb 28, 2014)

# RESEARCH AND WRITING

## Assisted Human Reproduction Act: conference papers and book

Our publication of the papers from our conference is in press. Watch for an announcement on our website when the book comes out.

## Paper from Symposia

Two upcoming issues of the National Journal of Constitutional Law are dedicated to the papers from the Social Sciences Evidence conference in 2013. The journal issues have been co-edited by Executive Director Cheryl Milne.

Two additional issue of the National Journal of Constitutional Law will also be dedicated to the 2014 conference, Constitutional Remedies: Are They Effective and Meaningful?

## IN THE NEWS

Cheryl Milne, "One small step toward justice for Omar Khadr," *The Globe and Mail* (July 9, 2014) - Cheryl Milne analyzes the Alberta Court of Appeal decision that Omar Khadr should serve his sentence as a young offender rather than an adult

## Awards

Kent Roach was awarded a Trudeau Fellowship from the Pierre Elliot Trudeau Foundation for his contributions in constitutional, human rights, and anti-terrorism issues (Oct 16, 2013)



# PRO BONO CONTRIBUTIONS

## Faculty Support

- **Prof. Audrey Macklin** provided much guidance to the student working group on immigration issues
- **Prof. Lisa Austin** assisted with the Privacy Working Group
- **Prof. Kent Roach** maintained his role of Chair of the Advisory Group and has contributed significantly to the advocacy work of the Centre including in *Anderson*

## Pro Bono Lawyers

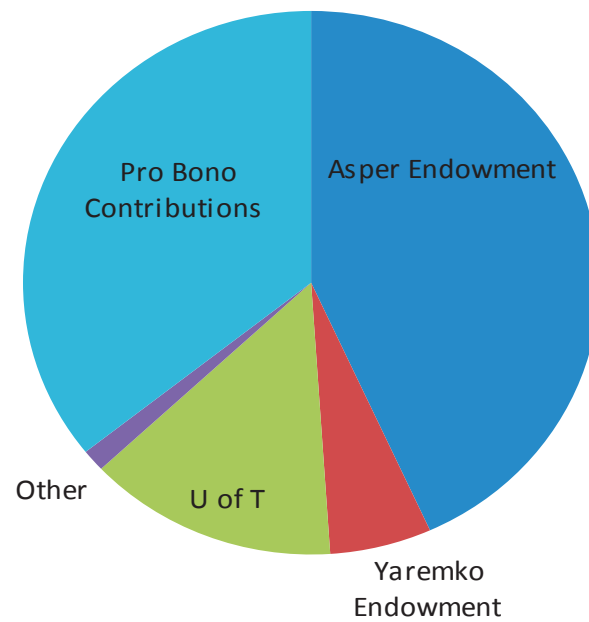
- **John Norris** served as pro bono counsel in the Centre's intervention in *Kazemi*
- **Paul Schabas** served as pro bono counsel in the *Trial Lawyers Association of BC* case in April
- **Martha Healey** of Norton Rose Fulbright—served as the Centre's pro bono Ottawa agent for all our Supreme Court of Canada interventions; her contribution has been substantial including review of materials

 **NORTON ROSE FULBRIGHT**

*Blakes*

**JOHNNORRIS.CA**

## Sources of Financial and In-Kind Contributions



# ADVISORY GROUP



**Professor Kent Roach** is the chair of the Advisory group. He holds the Prichard-Wilson Chair of Law and Public Policy. His research interests include the comparative study of miscarriages of justice, judicial review, and anti-terrorism law and policy. He is the author of 12 books, the co-editor of several collections of essays and published casebooks, the author of the Criminal Law and Charter volumes in Irwin Law's essentials of Canadian law series, and has published over 200 articles and chapters. He served as counsel in several important *Charter* cases, recently appearing at the Supreme Court in the landmark case, *City of Vancouver v Ward*. He represented the Asper Centre in *Downtown Eastside Sex Workers, Kokopenace & Spears* appeals, and *Tanudjaja et al.*



**Professor Lorraine Weinrib** is appointed at the Faculty of Law and the Department of Political Science. Prior to her academic appointment she was Deputy Director of Constitutional Law and Policy in the Crown Law office at the Ministry of the Attorney General (Ontario). Her current work focusses on the legitimacy of the post-WWII model of judicially enforced rights-protection, of which Canada's Charter is both an example and a model for other countries' constitutional development. Professor Weinrib has organized a number of Constitutional Roundtables jointly with the Asper Centre and has consulted on conference planning and the Polygamy Reference.



**Professor Yasmin Dawood** is an Associate Professor at the Faculty of Law. Professor Dawood's research and teaching interests include the law of democracy, American and Canadian constitutional law, and democratic theory. She holds a J.D. from Columbia Law School, and an M.A. and Ph.D. in Political Science from the University of Chicago, where she held a Mellon Fellowship and a University Fellowship. She was awarded a Social Sciences and Humanities Research Council (SSHRC) Postdoctoral Fellowship, which she held at the Centre for Ethics, University of Toronto. Professor Dawood is admitted to the Bar of New York and she practiced law with the firm of Cleary, Gottlieb, Steen & Hamilton LLP in New York.



**Paul Schabas** is a litigation partner at Blakes in Toronto and an adjunct faculty member at the Faculty of Law. His practice focuses on complex commercial litigation and arbitrations. Mr. Schabas also has expertise in white collar criminal and regulatory matters, constitutional, media and public law. He is listed in *The Best Lawyers in Canada 2011* (where he was media lawyer of the year in 2010) in the areas of corporate and commercial litigation, criminal defence, administrative and public law, and defamation and media law. Landmark constitutional cases argued by Mr. Schabas include *R v Morgentaler*, *Smoling and Scott*, *Canada (Human Rights Commission) v Taylor*, and *Canadian Foundation for Children, Youth and the Law v Canada*.



**Professor Malcolm Thorburn** is an Associate Professor at the Faculty of Law. Prior to joining the Faculty of Law in 2013, he was Canada Research Chair in Crime, Security and Constitutionalism at Queen's University. His writing focuses on theoretical issues in and around criminal justice including criminal law and procedure, sentencing, policing, national security and surveillance. His work has appeared in such publications as the *Yale Law Journal*, the *Boston University Law Review*, the *University of Toronto Law Journal*, *Criminal Law and Philosophy* and several books at Oxford University Press and Hart Publishing.

# DEDICATED PEOPLE

The Centre would like to acknowledge the invaluable contribution of the many faculty members, staff, students, alumni and legal practitioners who have made our activities and events possible. We would like to thank them for their efforts, insight and support.

## Faculty Members and Staff

Alexis Archbold	Mayo Moran
Lisa Austin	Kara Norrington
Susan Barker	Dylan Reid
Alan Brudner	Kent Roach
Carmen Cheung	David Schneiderman
Lucianna Ciccocioppo	Ayelet Shachar
Yasmin Dawood	Martha Shaffer
David Dyzenhaus	Archana Sridhar
Nadia Gulezko	Hamish Stewart
Ran Hirschl	Jennifer Tam
Sean Ingram	Malcom Thorburn
Audrey Macklin	Lorraine E. Weinrib
Renu Mandhane	

## Friends and Volunteers

Ranjan Agarwal, Bennet Jones LLP  
Joseph Arvay QC, Arvay Finlay Barristers  
Amir Attaran, U of Ottawa  
Benjamin Berger, Osgoode  
Christopher Bredt, Borden Ladner Gervais LLP  
Norman Daniels, Harvard  
Abbie Dushman, CCLA  
Nathalie Des Rosier, U of Ottawa  
Pierre Foucher, U of Ottawa  
Michelle Giroux, University of Ottawa  
Zachary Green, Constitutional Law Branch, AGO  
Martha Healey, Norton Rose Fulbright LLP  
Grant Hoole, U. of Ottawa  
Nathan Hume, Ratcliff & Company LLP  
Martha Jackman, U of Ottawa  
Jon Khan, U of Ottawa  
Sandra Liebenberg, Univ. of Stellenbosch  
Mary Liston, UBC  
Joseph Marcus, Bennett Jones LLP  
Errol Mendes, University of Ottawa  
John Norris  
Heather Pessione, Borden Ladner Gervais LLP  
Paul Schabas, Advisory Board Member  
Hart Schwartz, AG Ontario  
Rebecca Sutton  
Leti Volpp, Berkley  
Aneesa Walji  
BJ Wray, Department of Justice Canada

## Students

Neil Abraham	Rachel Kattapuram
Rahim Andani	Ada Keon
Shawn Arksey	Jasmine Khan
Maya Bielinski	Gideon Kwinter
Adam Edgerly	Katherine Long
Jessie Legaree	Andrew Lynes
Sarah Beamish	Katherine Macdonald
Diana Berbec	Matthew Malott
Sang-Kyun Bong	Zachary Mammon
Deborah Boswell	Christian Morey
Shweta Chaudhary	Aoife Quinn
Jeffery Couse	Brendan Ruddick
Keith Crawford	Ethan Schiff
Christopher DiMatteo	Christophe Shammas
Petra Molnar Diop	Leah Sherriff
Gabriel Edelson	Grace Seagram Smith
James Elcombe	Adam Sproat
Tali Green	Brendan Stevens
Hanna Gros	Katerina Svozilkova
Lara Guest	Alberta Tam
Sarah Harland-Logan	Catherine Thomas
Michelle Hayman	Thomas Wagner
Brett Hughes	Alexandra Wong
Garett Hunter	Bettina Xue
Dharsha Jegatheeswaran	Cindy Yi
Emma Julian	Aron Zaltz





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