



# Constitutional Remedies: Are They Effective and Meaningful?

## Conference Agenda

Friday, February 28, 2014

9:00 am - 9:30 am	Registration and Coffee		
9:30 am - 10:30 am	<p style="text-align: center;"><b>OPENING DEBATE</b>  <i>Be it resolved that Judges can rewrite statutes to make them constitutional</i>            Debaters: Prof. Kent Roach and Prof. Hamish Stewart            Moderator: Hon. Justice Robert Sharpe, Ontario Court of Appeal</p>		
10:30 am - 11:00 am	Break		
11:00 am - 12:00 pm	<p><b>DUTY TO CONSULT</b>            Mary Liston, UBC  <i>From Lifeblood to Bad blood?: Rights, Remedies and the Duty to Consult and Accommodate</i>            Nathan Hume, Ratcliff &amp; Company LLP  <i>The Decline of the Duty to Consult</i></p>	<p><b>COSTS</b>            Roslyn Mounsey, Department of Justice  <i>Remedies for Deterrents to Charter Litigation: A Call for Changes to the Court Challenges Program</i>            Christopher Bredt &amp; Heather Pessione, Borden Ladner Gervais LLP  <i>Advance Costs Awards: Important Charter Remedy or too "Cost"ly?</i></p>	<p><b>PROPORTIONALITY</b>            Grant Hoole, Univ. of Ottawa  <i>Proportionality as a Remedial Principle: A Framework for Suspended Declarations of Invalidity</i>            Aneesa Walji  <i>Proportionality: An Approach to the Remedial Challenges of Socio-Economic Rights Adjudication in Canada</i></p>
12:00 pm - 12:30 pm	Lunch Break (take lunch to next session)		
12:30 pm - 2:00 pm	<p style="text-align: center;"><b>CONSTITUTIONAL ROUNDTABLE</b>            Prof. Sandra Liebenberg, University of Stellenbosch  <i>Deepening democratic transformation in South Africa through participatory constitutional remedies</i>            Discussant: Prof. Martha Jackman, University of Ottawa</p>		
2:00 pm - 3:30 pm	<p><b>INACTION &amp; REACTION</b>            Nathalie Des Rosiers, Univ. of Ottawa  <i>Policy Deadlocks and Constitutional Remedies : Democratic and efficiency concerns in contexts of uncertainty</i>            Pierre Foucher, Univ. of Ottawa  <i>Remedies for Language Rights Violations</i>            Hart Schwartz, Office of the Attorney General for Ontario &amp; Steven Barrett, Sack Golblatt Mitchell LLP  <i>Stripping Away the Right to Grant Constitutional Remedies</i></p>	<p><b>REMEDIES IN CONTEXT</b>            Amir Attaran &amp; Jon Khan, Univ. of Ottawa  <i>Solving the "Khadr Problem" / Retaining Supervisory Jurisdiction - a comparative analysis</i>            Ranjan Agarwal &amp; Joseph Marcus, Bennett Jones LLP  <i>Using Charter Damages to Remedy Racial Profiling</i>            Rebecca Sutton, JD  <i>Gladue's Blind Spot: How the remedy of a structural injunction could improve conditions of confinement for Aboriginal prisoners</i></p>	
Locations in Victoria College	Room 323 (main plenary room)	Room 115	Room 215