

VISTAS



THE UVIC LAW ALUMNI MAGAZINE /// SPRING 2017



Clean Hearts:
An Interview with
Chancellor Shelagh Rogers

John Borrows Wins
National Killam Prize

Retirements:
Donald Galloway and
Mary Anne Waldron

The Law Centre Turns 40

2017 Slaughter Cup Champions

VISTAS

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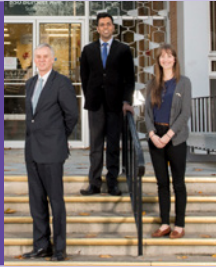
Design and Layout

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Dean's Message

JEREMY WEBBER, PROFESSOR AND DEAN

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JEREMY WEBBER Professor and Dean of Law

I write this message having just returned from the Killam Prize ceremony at Rideau Hall – the Ottawa residence of His Excellency Governor-General David Johnston, himself a former law professor at Western Ontario and McGill. There, our wonderful colleague John Borrows was awarded the Killam Prize in the Social Sciences for 2017. It was quite the occasion! You will find pictures of the event later in this issue of Vistas.

This prize is a great honour for John, who is – as many of you will know – a startling and challenging scholar from whom I for one am constantly learning. In fact, his most recent book just won the Canadian Political Science Association Donald Smiley Prize for the best book published in 2016 on government and politics in Canada. Remarkably, it is the second time John has won that award.

But the event in Rideau Hall also reinforced for me the tremendous contribution that UVic Law has made over the years to our understanding of Indigenous law. Here is a very partial list:

- ▶ More than 200 Indigenous JD students have studied at UVic Law. They have gone on to do amazing things. As one example, two of five of the Commissioners of the National Inquiry into Missing and Murdered Indigenous Women and Girls are our graduates: Judge Marion Buller ('87) (Chair) and Qajaq Robinson ('05) (who was one of our Akitsiraq grads – the full LLB that UVic Law deliv-

ered to a cohort of Inuit students in Iqaluit from 2001 to 2005).

- ▶ More than 20 percent of our graduate students have been Indigenous, several more work on Indigenous law, and a substantial number of these are now teaching in law schools across the country. This year alone, four of our LLM and PhD students in the field (Joshua Nichols (PhD, '17), Aaron Mills (PhD student), Aimée Craft (LLM, '12), and Robert Hamilton (PhD student)) have been hired as faculty at Dalhousie, McGill, Ottawa, and Calgary. The first Maori legal scholar to be promoted to the rank of full professor in New Zealand, Jacinta Ruru ('12), holds her PhD from UVic Law.
- ▶ Since 2012, our Indigenous Law Research Unit (ILRU) has worked with more than 40 communities across the country to assist them in identifying resources from within their legal traditions for addressing the challenges they face. For an impressive recent example see the [Secwepemc Lands & Resources Law Research Project](#).
- ▶ And of course, we have all benefited from the day-to-day insights of our colleagues in the area. In addition to John (who now holds the Canada Research Chair in Indigenous Law), they include Val Napoleon (Law Foundation Chair of Aboriginal Justice and Governance and Director of ILRU), Heather Raven (now approaching retirement, but from 1992-2004 our inaugural Director of Academic and Cultural Support, from »

... we are creating an utterly unique joint degree program in the Common Law and Indigenous Legal Orders.

2009-2015 Associate Dean, Academic and Student Relations, and former Chair of the Board of Governors of the Law Foundation of BC), Hamar Foster (distinguished historian of Indigenous/non-Indigenous interaction, now Emeritus Professor) – and several others who have made very significant contributions. One recent example is our colleague Pooja Parmar who joined us in 2015; you can find her book on the complex legal relations of an Adivasi (Indigenous) community in India [here](#).

Many of you will know that we are seeking to take those contributions to the next level, creating an utterly unique joint degree program in the Common Law and Indigenous Legal Orders. The basic idea is to train students – 24 each year – in the Common Law and in how to access, reason with, and build upon Indigenous legal principles and institutions. Such skills are increasingly required to assist Indigenous governments in exercising the responsibilities they possess, and to build the institutions that can work productively at the interface between Indigenous and non-Indigenous law. This transformative dual degree program, styled the JD/JID, would be the first such program in the world.

Its structure has now been approved by the Faculty and Senate of the University of Victoria. With the leadership of John Borrows and Val Napoleon, we are now working as hard as we can to raise the funds to make it happen. The campaign is going very well. If we can secure sufficient commitments from government by the end of this summer, the first students will enter in

September 2018. Each cohort will be in addition to, not a reallocation of, our current student numbers. The Fall issue of Vistas will present a full description of the program, but if you can't wait until then, let us know and we will send you more detailed information.

Note, however, that important as that program is, there is so much more that we do. We have recently pursued several other special projects– among them the founding of the Amicus Program to provide our students with the best possible support, the rebuilding of the room formerly known as the Moot Court (see item in this issue), the founding of the Access to Justice Centre for Excellence, the complete refinancing of the Environmental Law Centre, the celebration of the 40th anniversary of the Law Centre, our continued efforts to build the resource base of both the Law Centre and the Business Law Clinic, the re-offering of the Criminal Law Term, the expansion of our scholarship and bursary programs, and many, many other things. If you want information on these or any other projects – or if you want to contribute – please contact us.

Indeed, probably the most important things we do are three constants for our faculty: 1) the rigour, energy, and imagination that all of my colleagues bring to their teaching; 2) the research and writing that my colleagues do, continually expanding our understanding of law; and 3) the renewal of our faculty by hiring the leading early-career scholars of this generation – something especially important at this time of generational transition for UVic Law.

UVic Law remains a tremendously supportive and collegial environment, with stimulating and committed students and talented and productive faculty, librarians, and staff. Like any great law school, my colleagues ask themselves, each day, how they should live their vocations as scholars and teachers of law. Because of that constant questioning and because of their talent and commitment, UVic remains one of Canada's great law schools. 🇨🇦



From the Development Office

LAURA PRINGLE, ALUMNI ANNUAL GIVING OFFICER

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The Dean's Cross-Country Tour

From February 28th to March 2nd, Dean Webber, Admissions Officer Janet Person and I had the opportunity to meet with UVic Law Alumni at receptions held in Toronto, Edmonton, and Vancouver. A special thanks goes to Christopher Hunter ('98) and Norton Rose Fulbright for hosting the reception in Toronto. It was particularly special to reconnect with Edmonton alumni where a reception has not been held before, and alumni turnout in Vancouver was fantastic despite the very rainy weather! It was wonderful to catch up with so many familiar faces and to update alumni on all the exciting things happening in the Fraser Building. Thank you to all those who were able to attend and we hope to see even more of you next year! - Laura

On March 1st to 3rd, we also welcomed new students to the first year class of 2017. Nearly forty students took up the invitation to meet the Dean, staff and alumni at the Welcome Breakfasts in Vancouver, Toronto, and Edmonton. Students are encouraged to bring their partners and families to the events which give them an opportunity to find out more about their new law school, potential legal career paths, and interact with other incoming students and alumni. We love hosting these events and are always delighted with the diversity of experiences that these new students will bring to the law school community. The success of the Breakfasts is due in large part to the alumni who give of their time to come meet the students, share their law school experiences and encourage students regarding their

future legal careers, so a heartfelt thank you to each and every alum who joined us this year! - Janet 🇨🇦



Reconnect and Engage: Consider Planning a Class Reunion

MARNI MACLEOD ('93)



Marni MacLeod ('93).

I have interviewed quite a number of alumni for past issues of Vistas and whenever I ask for a cherished memory of UVic Law the common theme, every single time, is “the people.” As we leave law school and embark on our individual journeys life gets busy, and it’s easy to lose touch with class-

mates and the faculty. I recently traveled to Toronto to attend a conference, and as I am contemplating a move back East, I decided I decided to look up a couple of old classmates. I hadn’t seen either of them since leaving UVic Law in ‘93. It didn’t matter. They made the time to meet with me and we had a wonderful dinner. Getting caught up and making plans to get together for our 25th reunion in 2018 reinforced for me just what a special group of people come to UVic Law. If I could encourage you to do one thing it would be to nurture those relationships – networks really do make the world go around. One way to do that is to create a good excuse to reconnect – reunions work well (didn’t see that coming did you?). Need help making a reunion plan? Laura Pringle, Alumni Annual Giving Officer, would be pleased to lend a hand. You can reach her at lawalum@uvic.ca or by phone at 250.853.3518. 🇨🇦



The **LinkedIn UVic Law Alumni Group**, with over 1,000 members, is another way you can keep in touch with your law school cohort and the faculty. It’s a closed group so you don’t need to worry about unwanted solicitations. Just search the group name on LinkedIn and request to join.

2017 REUNION YEARS	2018 REUNION YEARS
1982 — 35 year	1983 — 35 year
1987 — 30 year	1988 — 30 year
1992 — 25 year	1993 — 25 year
1997 — 20 year	1998 — 20 year
2002 — 15 year	2003 — 15 year
2007 — 10 year	2008 — 10 year

Clean Hearts: Life, Books and UVic Law

An Interview With Chancellor Shelagh Rogers

GILLIAN CALDER, ASSOCIATE DEAN, ACADEMIC AND STUDENT RELATIONS

In February 2017, I had the good fortune to sit down for a chat with UVic's 11th Chancellor, Shelagh Rogers, OC. The conversation was free-ranging and at times hilarious, with the Chancellor offering some moving insights on what the law school means to her; both in her life and in her role. She also gives some fabulous book advice to incoming law students, particularly those keen to get a hint of what the law might bring. We talked before the untimely death of her friend Richard Wagamese, so I was grateful that *Indian Horse* was her first and most passionate recommendation. Our conversation below was edited from the original, keeping the integrity of the questions as posed and the heart of the answers given.

G: I'm a fan girl as you know. There is a moment in the West Wing -- did you ever watch the West Wing? -- where Sam meets either the president-elect Santos or the candidate Santos and he just goes up to him and says "Big Fan." That's kind of how I feel every time I see you, I feel like just walking by and saying "Big Fan."

S: You are very kind Gillian, I really appreciate that and every single retweet.

So, this is the beginning of your third year as Chancellor, what has surprised you about this job?

I think that what's surprised me is the whole organism of the University, ... how many moving parts there are underneath the great big beautifully painted shell of this machine. I think what's surprised me in my role

is that I have been able to push for some change, and I didn't know if I would be able to do that.

... I really feel strongly that this institution and all universities have to become more agile and nimble to adapt to incredibly rapid change right now, but also to make sure that people are not left behind, and to really take our role in society and in the community very seriously and make sure that Ring Road around us is a membrane that you can go in and out of. ... What that all points to is real integrity here at a time when we are seeing a complete lack of integrity in other places in the world. ... So, there's a lot that surprises me. I haven't been to university for a thousand years! I am delighted with what I see here.

It is an interesting mix of things, the metaphor of an organism that is permeable but also formal and rigid. Those two things don't often sit side-by-side.


I remember my very first meeting as Chancellor, ... someone said, what would you like to change, and I said well -- I'd like to get rid of the organ. And then there was this pause and somebody said, well -- we have just had it refurbished. I gulped. I understood I could be disrespecting UVic tradition. But then I felt if you are really asking me what I would like to see, well, I would like to see drummers at every single convocation. And right now we are consistently doing that, with an Elder who opens Convocation. ... We are paying respect to the people whose land this University is on. I feel it changes you to hear those drums, it changes your cellular make-up. ... It begins with territorial acknowledgement, but

really thinking about that in a profound way, and then what is the next literal step now that you understand the ground under your feet. We still have the organ, by the way. We have a lovely compromise and I am glad.

There are so many inspiring Canadians you have had a chance to be in conversation with. ... What book is on your bedside table? When you need to turn to a book, what book do you turn to?

Right now the book I am reading is called *The House by the Lake* [by Thomas Harding]. It goes through how this house changed hands, and eventually was occupied by the Nazis and ultimately there is kind of a reclaiming of it by a descendant of the original family; ... reclaiming is something that is very interesting to me.

... I am also looking very much at Indigenous histories, books about decolonizing. If you had asked me this question 10 years ago I couldn't have imagined this would be the kind of reading that I would lunge for. But it is. I have Marie Battiste's book on my bedside table as well, *Decolonizing Education*. ... While I am in this position these are the books I really feel like I have to read and understand. »



Anwar Mujtabah ('17) with Shelagh Rogers.

... I really feel strongly that this institution and all universities have to become more agile and nimble to adapt to incredibly rapid change right now, but also to make sure to take our role in society and the community very seriously ... What that all points to is real integrity here at a time when we are seeing a complete lack of integrity in other places in the world. – **Chancellor Shelagh Rogers**

Clean Hearts continued

One question we often get asked by law students in the summer before they come to law school is: what should I read? ... From what you have been thinking about lately, bearing in mind they are all different people, what would you want law students to have read before they come to law school?

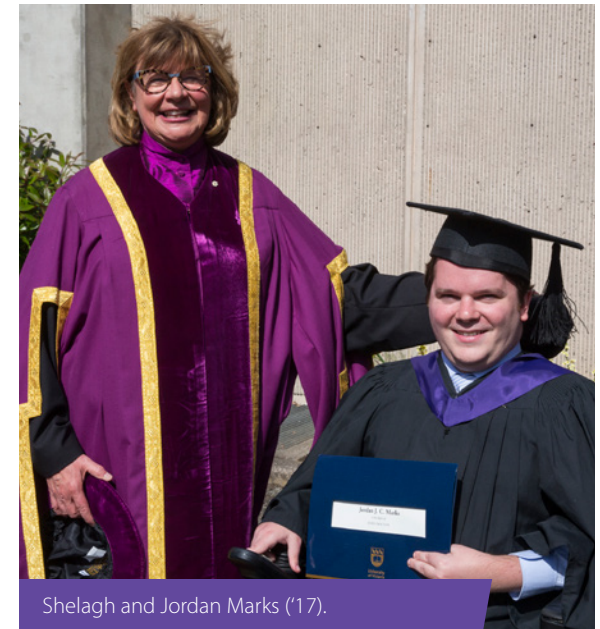
I would start people off with *Indian Horse* by Richard Wagamese partly because the writing is so beautiful, you don't know what you are falling into. He is an enchanting storyteller. If this is your first glimpse into what residential school can do to a person, this is going to be devastating, but it will drive it home because what is important is to understand emotional truth and that's what novels do. ... Richard's own life was very affected by colonialism: by parents that went to residential school and by not being raised by his people, by being adopted out many times. Even holding a book written by Richard, you understand that hope and recovery are possible.

... In terms of non-fiction, Chelsea Vowel's, *Indigenous Writes: A Guide to First Nations, Inuit and Metis Issues in Canada* is a very important book. It explains the history of our relationship since contact, what the Royal Proclamation was, what the *Indian Act* is and does to this day, and how at a stroke of a pen you, as an Indigenous person, could have your rights taken away from you. ... She writes it as though we are just sitting across the table from each other and she is your incredibly smart friend telling you some really unbelievable [stories]. This is a book that we are very lucky to have at this stage.

You have also been a real presence at the law school and law related events. What is compelling about us to you, what have you seen of the law school, what draws you into these things?

I have a number of crushes on campus, the Law School is one and the Library is another and there are others. I am really interested in how law allows us to be in the world, what it prevents us from doing, the kinds of disciplines that it gives us in order to have the freedom that we have, how we come to these laws. And in the case of our very precious law school, the attention to Indigenous peoples and the respect for Indigenous law. Having Val Napoleon and John Borrows, two of the most amazing people on the planet, let alone what they know about Indigenous law, what they carry with them just by getting up in the morning, that is really exciting to me.

... There were laws in place before European settlers arrived that were fully functioning, in sophisticated societies that functioned because they had the strength of their laws, and they were understood and respected. ... Reading John Borrows and Tracey Lindberg has helped me – you come to really see that the laws come from the land and the water; and we so disrespect the land and the water. The fact that the Dakota pipeline is not even having an environmental consultation is heart-breaking. ... If we had an understanding of Indigenous law, we would get why this fight is so important.



Shelagh and Jordan Marks ('17).

PHOTO: UVC PHOTO SERVICES

One of the things the law school is proposing, as you know, is a degree in Indigenous laws. And part of that program would include Field Schools, not just exchanges or co-op. But how do you incorporate land into our teaching? How do you teach that, not just in an Indigenous laws program but across the University, how do we get our students to engage?

Our UVic Elders always talk about listening from the heart ... I feel that learning about these principles, these protocols, this connection has to be immersive through-out the University. The Indigenous Academic Plan is a very good place to start, but it's a beginning. ... I love the fact that the Elders have been involved, First Peoples House has been involved, how they integrated the metaphor of cedar, using cedar and the weaving of cedar, it's very beautiful. Cedar takes us back to the land. ... To allow your brain while your hands are [weaving] with this very precious material to really think about what it means. That is great experiential learning. »

What do you think the role of art should be in a legal education? We've talked a bit about land in legal education, understanding of Indigenous laws, pushing beyond the walls of the law school.

Art has a huge role to play in shaking us up. ... I am delighted to see there is some focus right now on the paintings of Kent Monkman and how he brings in his character of Miss Chief (mischief). ... I am not in law, but law probably comes from a lot of stories, certainly when you are a lawyer or a judge you are going to hear stories and you are going to have to weigh them, but the stories we are being told through the art are very important.

I would say that law is all about stories. ... But how do you teach imagination? How do you teach creativity?

Can you teach this? Everyone I have ever interviewed who has written books about creativity and lateral thinking says yes, but you have to get out of your box, that is the first thing that you have to do, maybe you have to get out of square rooms. ... We all carry so many stories with us, as we just walk around. Thomas King says that the truth about stories is that's all we are. And I really believe that.

I want to ask a mental health question. ... Your own personal and professional story has been inspiring for many of us, how you have walked through this part of your work as well. ... What would you want students to know about going out into a profession that is challenging and rigorous for our alumni that are working in law and all that it demands?

I can tell you when I ignored my mental health it caused a huge fracture in my life. ... Because I wasn't paying any attention to it as I went along. I think of myself as a glass that shattered into a million little pieces and I tried to put them back together again. I had amazing help and I also had an employer that had a health care program that allowed me to do that. ... the privilege of working at a place like the CBC. My advice is, first of all ... if you can get eight hours of sleep a night, try to do

it, because your brain heals when you are sleeping; you have to be nice to your brain.

... The other thing that has become really important to me and that has helped me so much, is to avail yourself of the sacred. ... If you are offered the opportunity to participate in something sacred, Indigenous or not, and sacred could be many, many things, it could be a walk in the woods, do avail yourself of it because ... back to being affected at the cellular level, our cells are transformed.

And here, I would urge every law firm to have access to an Elder, I think that would be a wonderful thing, to understand protocols, tradition and cultural practices. And it must be understood that the Elders, their spiritual practice that they so generously share with us, takes a lot from them as well. They really need to be protected and loved and well, just served because they help us so much, here at the University.

Before every Convocation ceremony May Sam and her husband Skip do a candling ceremony, because I want to make sure that I am going into Convocation with the cleanest possible heart. I never talked about my heart until I became a TRC Honourary Witness. I got a note from Kim Echlin, who said the word is linked to the Old English, in wit, which meant a clean testimony of the heart. We don't pay enough attention to the sacred that is all around us, I think it is clarifying. So, clean hearts.

One of the things that I have learned from my colleagues, from John Borrows and Val Napoleon, from our Indigenous Laws Research Unit, and from people like Rebecca Johnson who are doing this hard work, is that what some of us may see as the sacred or the religious, is in fact, protocol and law. That's one of the things that transforms what we do, when you can see the significance of bringing that into the law firm, into the classroom, and into our daily practice.

We are almost done. Do you have a legal hero or a legal movement that has been inspiring to you over

the years when you think about who has shaped these big questions?

I would have to talk about Harry LaForme and Murray Sinclair and Wilton Littlechild, Val Napoleon, John Borrows, Tracey Lindberg. When I first read about Tracey and her book *Birdie*, and learned how Val Napoleon was teaching it as an example of Cree Law, I thought, wow -- this is very, very cool. Roberta Jamieson would be absolutely another. Aaju Peter, for sure. Mary Eberts and LEAF, what LEAF has done. The early feminists. Dianne Corbiere. Mary Ellen Turpel-Lafond. You! People who are doing incredible work. ... Many more. It's a fool's game to try to name them.

However, I think that I will also answer this question in terms of future legal heroes. I went to Rebecca Johnson's Legal Process class last year. Such a powerful morning. She invited Barney Williams, Ry Moran, Karla Point, and Andrea Walsh. And I just thought, wow, look at what these students are learning, who they are learning from, and then, the kinds of brave questions they asked afterwards, they came from their hearts. I know they are going to make a huge difference.

A lovely way to conclude that one of your heroes is our students yet to come. ... It has just been a pleasure and a privilege to talk to you.

I realize I take so much for granted when it comes to law, and how law has been created in this country. So, thank you. 🌈

MORE ON SHELAGH ROGERS

On Twitter: [@RogersShelagh](#)

YouTube: [UVic Chancellor Shelagh Rogers' first year](#)

Shelagh's official UVic page:

uvic.ca/universitysecretary/home/chancellor/index.php

Donald Galloway Has (Almost) Left the Building

FREYA KODAR ('95), ASSOCIATE DEAN, ADMINISTRATION AND RESEARCH

Donald Galloway, who began teaching at UVic in 1989, retires at the end of June. One of Canada's leading immigration, refugee and citizenship scholars and advocates, Donald's energy, commitment, imagination, sense of humour and of play will be missed by colleagues and students.

Born in Edinburgh, Scotland, Donald completed his LLB at the University of Edinburgh, and then travelled to Boston on a full scholarship to Harvard University to earn an LLM in law and philosophy. (Fun Fact: at Harvard, Donald was a student in legal philosopher Lon Fuller's last legal theory class). The deep engagement with philosophical and moral questions that began when he was a student of law has been a hallmark of Donald's life as an academic.

Immigrating to Canada in 1975 to take up a position at Queen's University, Donald taught courses in immigration law, tort law, criminal law and legal theory and served as Associate Dean at Queen's. In 1989, he travelled west to take up a McCarthy Tétrault Visitorship at UVic, and joined the Faculty in 1994 as a full professor.

Donald has taught a wide range of courses at UVic: jurisprudence, administrative law, evidence, torts, law, legislation and policy (LLP), immigration and citizenship law, refugee law and legal process. Generations of former students will recall his performance as Duncan Kennedy on the Legal Theory panel in the introductory Legal Process course, particularly Donald's »

repartee with Hester Lessard as Catherine MacKinnon. (In fact, I must confess that as a legal process student in 1991, there were a few brief moments when I thought he was Duncan Kennedy).

In the classroom, Donald has a special ability to draw students into conversations about the normative principles that underpin and animate the legislation and jurisprudence under consideration, and to encourage thinking about the capacity and boundaries of the law. His enthusiasm for his subject(s) and his delight in the unconventional or unorthodox question or comment is infectious and encourages students to be creative and challenge their own thinking and assumptions. The law has always been just a bit more exciting in his classes. In the words of one of his first year tort law students “Galloway is epic. ... When he talks the whole world becomes magical.” This year’s enthusiastically received skit night video “Deep Thoughts with Donald Galloway” (available online here: <https://www.youtube.com/watch?v=xix-eFwh8Po>) is a delightful homage to Donald and his teaching style from some of this year’s torts students.

Outside of the classroom, Donald has been a coach of the Gale Cup and the Wilson Moot teams, during which time the Gale Cup team won twice and came second once. He was also the Southern Director of the Faculty’s Akitsiraq Law Program in 2001-2002, and chaired the University’s Tenure Appeal Committee, the Faculty’s Admissions Committee and its Equity and Diversity Committee. Less formally he has participated in the collegial and deliberative decision-making that characterizes UVic Law in a frank and principled manner. Around the faculty, Donald’s fact pattern creation skills are legendary, particularly his torts and LLP fact patterns. Indeed the torts teaching team has already begun discussions with Donald about an examination creation retainer agreement.

While Donald has taught and written across a range of subjects, it is his immigration, refugee and

citizenship work that best exemplifies his commitment to both theory and practice, and understanding law in its social context. He has been writing in the area since the late 1980s and served as a member of the Convention Refugee Determination Division of the Immigration and Refugee Board (a Governor in Council appointment) from 1999-2001. In addition to numerous journal articles, Donald has co-authored two books in the area: *Immigration Law* (Irwin Law) with Jamie Liew, and the textbook, *Immigration and Refugee Law: Cases, Materials and Commentary* (Emond Montgomery) with Sharryn Aiken, Catherine Dauvergne, Colin Grey and Audrey Macklin. Both are in their second editions.

He was the founding president of the Canadian Association for Refugee and Forced Migration Studies, and a founding member of the Canadian Association of Refugee Lawyers (CARL), a national organization created in 2011 that advocates for refugees and forced migrants’ human and legal rights. Donald has served as co-chair of CARL’s Legal Research Committee, which provides support to CARL’s litigation and parliamentary advocacy work. Donald himself has testified before Parliamentary and Senate Committees on the impact of proposed legislation on refugee and immigrants’ legal and citizenship rights.

Over the years, Donald has advised countless advocates, community organizations and lawyers, including lawyers working on the Omar Khadr detention case. He has also involved students in refugee and immigration advocacy work, facilitating their involvement in CARL’s advocacy work, and assisting students participating in the recent nationwide Research4Refugees research-a-thon to support a legal challenge to the *Canada-US Safe Third Country Agreement*.

Donald has been a regular media presence on refugee and immigration issues, and became a household name in 2012 when he ran in a by-election to represent Victoria as the second Green Party Member of Parliament in the House of Commons. It was an inspiring and ex-



Gale Cup winners 2004: Adam Perry, Gordon Buck, Aidan Cameron, Cameron Elder and coach Donald Galloway.

PHOTOS: PERSONAL ARCHIVE

citing run (my then eight-year-old son still remembers staying up late on election night, refreshing the Elections Canada page and watching the lead flip back and forth). The next day, students greeted Donald’s return to the classroom with a standing ovation for his campaign.

Donald’s academic career is a testament to his belief in the public responsibility that attaches to an academic life. As Dean Jeremy Webber writes, Donald “has published widely, commented, and advocated for change with a frankness and love of a fight of which, no doubt, his Scottish forebears would be thoroughly proud. ... He has inspired generations of students. He is a scholar of big ideas and big commitments. He will be missed.”

Donald has no big plans but will keep a low profile and will try to keep out of trouble. 🇨🇦



A Tribute to Mary Anne Waldron

JEREMY WEBBER, PROFESSOR AND DEAN

Professor Mary Anne Waldron, QC will be retiring this year after 41 years at UVic Law.

She joined the Faculty in 1976 – the second year of UVic Law’s operation – after obtaining a BA from Brandon University, an LLB from the University of Manitoba (where she won the Law Society Gold Medal), and an LLM from UBC, and having articulated and practiced with Russell and DuMoulin in Vancouver.

She taught in areas of commercial law, but not because that was her greatest love (I’ll disclose that in a moment). Rather, it was the area in which teaching was needed. And she was good at it. She published extensively in the field, with her most important work being *The Law of Interest in Canada* (1992). She also wrote many articles and essays, contributed to five editions of the leading casebook on the law of contracts, was member of the Continuing Legal Education editorial boards for practice manuals in three areas (*Land Titles*, *Real Estate*, and *Mortgages*), and was active in law reform (including as chair of the BC Law Institute project on *Homeowner Protection*, 1998-99).

She was also a superb teacher, winning the Terry J. Wuester Award for Excellence in Teaching on two occasions. Her teaching drew upon the qualities that everyone who knows Mary Anne will recognize: her perception, her clarity, her concern for others, her integrity, and her judgment.

Professor Waldron was a trailblazer: a woman teaching law at a time when that was still a rarity, and teaching commercial law to boot. Indeed it was at this time – with Diana Priestly as professor and law librarian from 1974, Mary Anne as professor from 1976, Sandra McCallum from 1979, and Maureen Maloney from 1981 – that UVic Law laid the foundation for what has been a proud tradition of strong women faculty.

Those of us who are relatively new to UVic will know Mary Anne best from her contributions in the administrative realm. An early expression of that aptitude came when she served as Associate Dean (1988-90) and Acting Dean (1993-94).

Her primary period of administration began in 2001, however, when she was appointed UVic’s Associate Vice-President, Legal Affairs. This meant she was essentially UVic’s in-house lawyer. She advised senior administrators on the terms of employment for faculty, she represented the university in disputes over promotion and tenure, she dealt with student matters that raised legal issues, she oversaw the legal relations of the university with outside parties, reviewing contracts and advising on regulatory affairs.

Her role had a constructive dimension which Mary Anne especially enjoyed. She served as the university’s chief negotiator for two revisions of the “Framework Agreement” that governed relations between the university and its faculty members (although, at the time, it did so outside the *Labour Relations Code*). She also



negotiated three salary settlements, developed and refined many internal university policies, and negotiated solutions to several thorny challenges, such as the abolition of mandatory retirement. It was a large and growing portfolio, now handled by three in-house lawyers, but which Mary Anne performed single-handedly.

She remained in that position until 2009, when she returned to the faculty, resumed teaching, and worked on a book that she had begun to write – not on commercial law but on religious freedom, which had long been her central interest. The book, *Free to Believe: Rethinking Freedom of Conscience and Religion in Canada* was published in 2013, winning the Canadian Law and Society Association book prize.

Mary Anne then announced that she would retire at the end of June 2014. She wanted to spend more time with family, especially husband Guy, who was to retire at the end of 2013. Mary Anne and Guy have a condo on the big island of Hawaii, and the balmy evenings and swaying palms beckoned. »

Like all deans, I have often had to rely on Mary Anne's advice. That advice has been always well-judged, always sound.

But this was not to be. In January 2014, UVic's Faculty Association obtained certification under the *Labour Relations Code*, bringing the university into an era of collective bargaining. It was a bold challenge that Mary Anne could not resist. She applied for the successor position to her old job – Associate Vice-President, Faculty Relations and Academic Administration – was selected, rescinded her retirement, and led the negotiations. In June 2015, UVic's first collective agreement for faculty members came into force.

It was a magnificent culmination to her career. She handled the negotiations with her usual grace, stamina, and vision, working closely with her talented bargaining team, always seeking a fair outcome, and never forgetting that a university must be built on the tested talent of its members. The Agreement has proven remarkably successful in practice.

Like all deans, I have often had to rely on Mary Anne's advice. That advice has been always well-judged, always sound. But more than that, it has exemplified a clear sense of what a university must do: give its students the best education; stimulate the inquiry and debate that produces advances in knowledge; encourage its members to think great thoughts and publish them widely; and engage actively with the university's many communities.

Those have been hallmarks of Professor Waldron's career. She has pursued them by her example and in her role as administrator. And they have become the foundation of the Faculty and University she helped build. 🇨🇦



UVic Law founding faculty members including founding dean Murray Fraser (3rd from left) and Mary Ann Waldron (3rd from right.)



Mary Anne Waldron with Murray Rankin at UVic Law's 40th anniversary in 2015.

The Law Centre Turns 40

JULIE SLOAN, COMMUNICATIONS OFFICER

This year marks the 40th anniversary of the University of Victoria's Law Centre, which we celebrated at the Law Centre on June 9th. As we look back to its beginnings and through its evolution one thing remains clear: the Law Centre offers a critical service to a vulnerable segment of society, and at its heart is a robust student clinical program – arguably the best in the country.

The Law Centre serves between 1,800 and 2,000 low income clients per year and is the longest running common-law clinical program in Canada. What started from humble beginnings in 1977 has served over 80,000 clients in the Greater Victoria area and has become a pillar of student education at UVic Law, thanks in large part to the unwavering direction of Glenn Gallins, QC.

When the University of Victoria's law school first opened, the school's initial objective was to have a public law orientation and a focus on contributing to the community. Creating the Law Centre was part of that vision.

Murray Fraser, founding dean of the law school, was the driving force behind the creation of the Law Centre. Professor Neil Gold worked with Murray to get the program up and running in 1977. The idea of clinical programs, which started in the US in the early 1970s was still very new. That very first clinical term was in the spring of 1977. The clinic was located in Bastion Square in the Law Chambers Building. In early 1978, the Legal Aid Society office in Victoria joined the Law Cen-

tre clinical program and together moved to 510 Fort Street until 1980. At that point the office moved to 1221 Broad Street where it remained, for the most part, for the next 20 years. Once the program was established, Neil stepped down and in 1978 Professor Keith Jobson volunteered to step in as the director. In the beginning, students started their clinical term on day one with a pile of files on their desks and had to figure out what to do with them. In 1978, Glenn Gallins was hired to help create a more structured program for students.

Glenn has a favourite story to illustrate what it was like in those early days. In the spring of 1978, a student named Tony Palmer (who subsequently became a provincial court judge and is now retired) showed up for his first day at the Law Centre and on his desk was a pile of about 30 files. At 4 o'clock that same afternoon he went into Glenn's office and said "you know, it looks to me like maybe we have a trial tomorrow." And he was right – it was a small claims trial. And it showed a glaring need to prepare students for the work they would be doing.

What has really made the Law Centre's clinical program stand out is the orientation – the boot camp – which prepares students for work in the clinic. The first orientation, in 1980, was one week in length and dealt solely with trial preparation. Over the years Glenn created a rigorous, five-week orientation that teaches lawyering skills including interviewing, counselling, negotiation, mediation, trial preparation, and drafting. These skills give law clinic students a huge advantage

when applying for articles because they know how to prepare for trials and hearings. They know how to look at legal problems from a client's point of view. And they're exposed to a breadth of different types of cases. The Law Centre's caseload breaks down to 30% criminal law, 30% family law, 10% human rights, and 5% representation agreements and wills.

Glenn left Victoria in 1982 to study for his LLM in public international law at the London School of Economics, and returned as director of the clinic until 1985. Between 1985 and 1992, John Orr was the clinical director, however Glenn remained at the Law Centre mentoring students and managing his own caseload until 1992 when he rejoined as a member of the faculty and the director of the Law Centre. He has taught every clinical law term since then.

Glenn has mentored over 1,500 students and has been recognized for his teaching and community contributions many, many times over the years. He has been awarded the University of Victoria Alumni Award for Excellence in Teaching, the Law Faculty's Terry J. Wuester Award for Excellence in Teaching, the University of Victoria Community Leadership Award which acknowledged his exemplary leadership in linking the University of Victoria and the community for the greater public benefit, and the Victoria Bar Association's Pamela Murray Award which recognized his high professional standards and substantial contributions to the well-being of the local bar. And in 2013, Professor »

Glen Gallins (far left), Jeremy Webber (far right) and students pose on the steps of the Victoria Courthouse building when the Law Centre relocated there in 2013.



PHOTO: UVIC PHOTO SERVICES

The Law Centre Turns 40 continued

Gallins was awarded the George A. Goyer, QC Memorial Award for Distinguished Service for his contributions to the legal profession and residents of British Columbia – the highest honour that that can be bestowed by the Canadian Bar Association British Columbia branch.

In 2003, the BC government was looking for a way to improve the adjudication of human rights issues. It abolished the BC Human Rights Commission as well as the Advisory Council. The new process provided for direct access to the Human Rights Tribunal, and to assist complainants and respondents with that process, the government decided to fund human rights clinics. The Law Centre was awarded a contract by the BC Ministry of Justice to operate one of those clinics and still does so today.

Over the years, the students have become very aware of the fact that if they weren't helping clients that come to the Law Centre, the outcomes for those clients would be far worse. Because of this, many students have been inspired by their work at the Law Centre to follow careers in social justice.

In 2013, the Law Centre moved to the Victoria Courthouse building where it co-located with the Justice Access Centre. It now houses five staff members with seven interview rooms, 17 student work stations and a reception area. Each student is temporarily articulated to a member of the local bar and receives advice and assistance on the conduct of their files from their principals.

Paul Pearson ('98) is an alumnus of UVic Law, who practices criminal law with Mulligan Tam Pearson and teaches as a sessional instructor at the law school. He has also volunteered as a supervising lawyer at the Law Centre, so he's been with the Law Centre, and Glenn Gallins, both as a student and as a practicing lawyer. He had a lot of wonderful things to say about his experiences there:

"When you experience the Law Centre as a law student, you see why it is consistently described as the best thing students did in law school. While many students enter the program with a keen desire to put what they have learned at UVic to practical use, they soon realize the problems their clients face are very, very real. Without the calm guidance of Glenn Gallins, these problems could all too easily become overwhelming. Law students who have completed Law Centre are changed people, and carry with them life-long empathy for the persons in society who most desperately need the courageous protection of lawyers.

The mutual benefit received by both law students and members of the public is a rare example of what can be achieved with a modest budget and strong support from both the University and the community. Well over a thousand law students, and countless thousands of British Columbians have benefited from this pioneering and ever adapting program."

Students in the clinical program work with staff lawyers Stephen Perks and Tybring Hemphill, both of whom have been mainstays of the Law Centre for over 15 years. They assist students with their files and help them prepare for trials, often accompanying them to court. Students also work with Susan Noakes, the staff



social worker who helps address the full range of clients' problems, and who assists the students with how to interact most effectively with clients, some of whom have led very difficult lives. Students have found this interdisciplinary approach immensely rewarding.

The face of the clinic is Judy Jones, the Program Administrator. As far as Glenn is concerned, she runs the place and deals with every aspect of administration. "It's clear that she truly loves her job," says Glenn. "She's down to earth, knowledgeable and easy to deal with, but she's not afraid to tell the students to pull up their socks. She is the eyes and ears of the place." And so is her dog, Misty - a sweet little Maltese-Shih Tzu cross. "Misty is an institution who keeps the »

student's stress levels under control," explains Glenn. "She's also wonderful at calming down our clients. She's the secret."

And it seems Judy truly does love her job. "Our students work tirelessly to assist so many people on a daily basis," explains Judy. "With cutbacks to so many agencies, The Law Centre continues to help those who can't help themselves or navigate the legal system. Glenn Gallins, as director of the Law Centre, oversees not only the teaching and support of the students, but also all of the funding challenges. Glenn, with the help of the outstanding staff of the Law Centre, is dedicated to the ongoing learning and most importantly, professional and empathic assistance to clients."

The Law Centre has been able to keep its doors open for 40 years thanks in large part to the support of the Law Foundation of BC, which has provided uninterrupted funding every year since 1984, and, more recently, by the friends and alumni of the Faculty of Law through donations.

The Law Centre's record of contribution is impressive – truly worth celebrating! 🇨🇦

"When you experience the Law Centre as a law student, you see why it is consistently described as the best thing students did in law school."

- Paul Pearson ('98)



Law Centre founding director Neil Gold with current director Glenn Gallins.

PHOTO: LIBBY OLIVER



Glenn Gallins with Law Clinic students in the new Dispute Resolution Room.

PHOTO: JUVIC PHOTO SERVICES



2017 Slaughter Cup Champions!!

IAN GAUTHIER (2L) AND ROBYN FINLEY (2L), UVIC LAW STUDENTS AND SLAUGHTER CUP TEAM MEMBERS

PHOTOS BY DEBBIE PRESTON

The Slaughter Cup Tournament is the annual rugby grudge match between UBC and UVic's law schools. Drawing from their pool of students, each school fields a team to secure bragging rights and promote ties in the West Coast law community.

The Slaughter Cup is named after the late Todd Slaughter, who organized the UBC-UVic tournament in 1985. Mr. Slaughter had a career in the British Navy before coming to Canada to study law as a mature student. Todd is remembered by alumni who played in the inaugural Slaughter Cup as a gentleman who always did right by his friends and his clients, and as a skilled mooter, evidenced by the plaques hanging in the halls of the Fraser Building on which his name is engraved. This year's Slaughter Cup Tournament was also the inaugural year for a new women's trophy, christened by the UVic and UBC teams as the "Diva Cup".

Wallace Field at the University of Victoria was host to a wet and wild event on Saturday, March 11th. Rain poured down all morning and for the majority of the women's game. Luckily, the sun broke through, and the UVic men were offered a reprieve from the weather, only to contend with the mud.

Yet the weather did not dampen the spirits of the UVic fan base. The UVic Law student body came out in full force with costumes, signs, and noise makers: a big shout-out to Gi-Gi Pao for rocking the bagpipes from the sidelines! It was unclear whether official Slaughter Cup commentators Sam Maroney and Will McClary knew that they were speaking at a rugby game, not a DJ battle or a cattle auction. For what this rag-tag duo lacks in fashion sense, sporting knowledge, and social decorum, they make up for with bad jokes and heartfelt birthday wishes.

Despite the adverse conditions, Dean Jeremy Webber was elated to present trophies to both the UVictorious men's and women's teams! »

Women's Game Recap

Undeterred by the driving rain and muddy conditions, UVic's women arrived ready to rock on Saturday morning. The women's rugby program has undergone a complete overhaul in the last year. Determined to improve on last year's tied score and bolstered by an infusion of talent from the 1L and 3L classes, the 2017 women's squad surpassed any that UVic Law has ever seen.

Dispensing with the International Touch guidelines that previously governed the women's match, the UVic women devised a new set of rules that mimicked fast-paced Rugby Sevens more closely. These modifications lifted the game's intensity as high as the jumpers in the new addition of lineouts.

The game began with a kick deep into UBC territory, a quick turnover, and a beautiful try scored by 1L Emily Pitre (5pts). The speed and fluidity of UVic's play in that first minute would set the tone for the rest of the game, as the women settled into an iron-curtain defense and aggressively opportunistic offense. Midway through the first half, team captain 2L Robyn Finley capitalized on an uncaught airborne pass between two UBC players, and after a couple of dirty dangles, scored the game's second try.

The second half brought tough defense and more UVic tries. Relegated to their own try line on several occasions, UVic's women were unrelenting and wore down UBC's offense to regain possession. 3L Audrey Yen was a standout on defense, repeatedly forcing UBC to concede territory by driving players back with her quick touches.

Sylvie Vigneux, a last-minute addition to the team, made textbook moves on the wing and scored the game's third try. UVic was boosted by this success on the outside, and was positively unstoppable for the rest of the match. 2L Grace Campbell, a natural athlete but first-time rugby player, scored a dank try on the wing, lighting a fire for her teammates that spurred valiant



2017 Diva Cup Champions, UVic 25 - 0 UBC

runs and mid-air catches from the other UVic women. Soccer convert Jordyn Bogetti assumed the role of post-try kicker, and Emily Pitre sealed the deal with some fantastic charges down the field, culminating in another glorious try, to the joy of her teammates. The final score was 25-0.

After three cheers for UBC, Dean Jeremy Webber presented, for the first time ever, the coveted Diva Cup. While the statuesque trophy does not, in fact, feature any kind of chalice, the UVic women christened the

Diva Cup, toasting their victory to the score of bagpipes, ushering in a shining new era of women's law school rugby.

The **Working Class Hero** award for all guts and no glory was presented to Sarah Jackson, a 1L rookie who never missed practice and became a force to be reckoned with on the pitch. Sarah had never touched a rugby ball before entering law school, but by game day, had hands that were a scrum-half's dream and was hitting the ball at pace with impressive proficiency. »

Slaughter Cup Champions continued

Sarah's only post-game comment has been to inquire as to the next opportunity for buggers, exemplifying her awe-inspiring work ethic and positivity.

The UBC team named Emily Pitre and Robyn Finley **Women of the Match**. The fly-half/scrum-half duo made a strong showing early in the game, scoring the match's first tries.

The **Diva of the Day (DOTD)** award was presented, for the first time ever, to Lola Churchman. DOTD is an award meant to honour a player who embodies the qualities ascribed to our trophy's namesake. Lola brims with natural talent, and sells her fakes with Oscar-worthy theatrical conviction. Lola carries a quiet poise and confidence that translated beautifully on the pitch, culminating in a very impressive rookie season for this 1L.

Brooke Habersstock said it best, and speaks for all of us, when she said, "K, but actually there is a Diva Cup shaped hole in my heart now. Like, it feels like the best of the semester is behind me."

Men's Game Recap

"Men's game" is a misnomer; this year we had two hardcore women among the ranks. Chelsea Harris and Emily Pitre continued their winning streak by switching up their jerseys and jumping on the pitch to throw-down in the full contact game. According to Bryn Green, they "were the only ones who were actually rucking out there."

Poor weather made the Men's game a muddy affair. UBC's roster was seriously sparse, but they rallied and really took it to UVic hard out of the gate, keeping play in the UVic end for the first quarter of the game. UVic pushed play into UBC's end when an opportunity to score presented itself by way of a penalty awarded to UVic. Mr. Bryn Green assured everyone, "I got this," and proceeded to kick the ball as far as he could to the right of the goal-post, presumably distracted by remembering a clever joke he dreamt up in the shower the evening prior.

More on UVic Law Rugby

On Facebook:

[UVic Law Rugby](#)

Email:

uvicslaughtercup@gmail.com

After about 15 minutes of play, David Litner got mud on his jersey and went ballistic. Furious that his pristine white short-shorts got a little dirty, he took the ball for a huge run through the entire UBC team, scoring the first try of the match (5pts). Bryn followed up by actually making a successful kick (2pts).

Still upset about his shorts, "Too-Lit-to-Quit" Litner repeated the same strategy and scored UVic's second try. Bryn tried his best on conversion number two, and that's what counts. After finally realizing that maybe »



2017 Slaughter Cup Champions, UVic 17 - 0 UBC

the kicking game is not his forte, Bryn busted through the UBC line to touch down a third try for UVic, making the final score 17-0.

Ibrahim Halawi, Bryn Green, and Sabdeep Sidu were named **Men of the Match**, with David Litner crowned **MVP** for the second year in a row. Honorable Mention went to Matt Janssen for remaining aggravatingly photogenic despite being caked in mud at the bottom of a ruck.

The **Working Class Hero** award for all guts and no glory went to Irish exchange student Jack Bergin, playing the forward position of 8-Man. Despite looking like he gets winded walking down the stairs in the library, Jackie Boy had no trouble keeping pace with the speedy back line, and was instrumental in a number of plays, all the while laying huge hits with the forward line.

Jerk du Jour is the moniker awarded to the player whose incompetence on the playing field must be formally recognized and ridiculed. This is done by way of the sacred ritual of “Shoot the Boot”, where the biggest liability on the team must drink out of a rugby shoe. The usually infallible (and breath-takingly handsome) team captain Ian Gauthier was forced to endure this humiliation in front of his peers for failing to score while inside the end-zone. Mr. Gauthier ran into the end-zone and was in the process of touching the ball down (required to score) when UBC made a successful last-ditch attempt to stop the try and punched the ball out of his hands. Ian maintains that the rainy, muddy conditions made the ball **EXTREMELY** slippery and the opposing player was **EGREGIOUSLY** offside. (Note: UBC was not remotely offside. But still, it’s best not to mention it to him.)

A big thank you to UBC Law Rugby, and to our sponsors who made the event a huge success!!!

- ▶ University of Victoria Law Students’ Society
- ▶ McEachern Harris & Watkins
- ▶ Artillery Regiment Officers Mess, Bay Street Armoury
- ▶ Watson Goepel LLP
- ▶ Alumnus Mark Slay, Northshore Law LLP
- ▶ Vikes Rugby
- ▶ Borden Ladner Gervais LLP
- ▶ Lawson Lundell LLP
- ▶ Whitecap Legal
- ▶ Tevlin Gleadle Curtis
- ▶ Allard Law Students’ Society
- ▶ University of Victoria Student Society
- ▶ Dean Jeremy Webber

If you are interested in being involved in next year’s Slaughter Cup hosted by UBC in Vancouver, be sure to get on the mailing list and join our Facebook page! 🇨🇦

2017 DIVA CUP CHAMPIONS

Emily Pitre	Sylvie Vigneux	Lola Churchman
Jordyn Bogetti	Chelsea Harris	Sarah Jackson
Audrey Yen	Robyn Finley	Brooke Habershtock
Laura Floyd	Grace Campbell	

2017 SLAUGHTER CUP CHAMPIONS

Sean Tamboline	Jack Bergin	Matt Janssen
Giovanni Boscaroli	Ibrahim Halawi	Sebastian Chern
Chelsea Harris	Ian Gauthier	Daniel Babcock
Alex Lonergan	Sabdeep Sidhu	Mitch Dick
Conner Wear	Marcus Mueller	Wesley Perrin
Patrick Johnston	Dave Machat	Emily Pitre
Sean Richey	Quasim Kareemi	David Litner
Nojan Kamoosi	Bryn Green	



New Dispute Resolution Room Open House

LAURA PRINGLE, ALUMNI ANNUAL GIVING OFFICER



On April 27th, the UVic Law Dispute Resolution Room (the DRR) celebrated its official opening with a Launch Reception. The DRR is the product of a major renovation to the former Moot Courtroom, which was well known to students for its lack of light, windows and ventilation! The new room has been designed with three key features: transparency, accessibility and flexibility. In his opening remarks, Dean Webber noted the ability of the DRR to not only act as both a real and practice courtroom, but to easily transition to a classroom, a lecture space, or a space for other forms of dispute resolution such as mediation and First Nations Court. The evening's other speakers were the Honourable Chief Judge Thomas Crabtree of the British Columbia Provincial Court and Lynda Cavanaugh, Assistant Deputy Minister for the Ministry of Justice in charge of Court Services, both of whom shared Dean Webber's excitement and cited the DRR as an inspiration for the future of court services. Following the speeches, the attendees enjoyed a brief and silly skit used to demonstrate the room's state-of-the-art technology. For those who were unable to attend the Launch Reception, please note that we at UVic Law would be more than happy to provide you with a tour of this beautiful new facility. Please feel free to contact Laura Pringle, Alumni Annual Giving Officer at lawalum@uvic.ca if you are interested. 🇩🇪



The new
Dispute Resolution Room
– an inspiration for the
future of court services.



(L-R) Lynda Cavanaugh, Assistant Deputy Minister for the Ministry of Justice, Honourable Chief Judge Thomas Crabtree of the British Columbia Provincial Court, Professor Jerry McHale, QC, UVic Dean of Law Jeremy Webber and Professor Mark Gillen.



Honourable Chief Judge Thomas Crabtree ('83) of the British Columbia Provincial Court and Lynda Cavanaugh, Assistant Deputy Minister for the Ministry of Justice.

Alumni: News and Updates

The 1970s

Phillip Rankin ('78) was awarded a Queen's Counsel appointment. Phillip is a partner with Rankin & Bond Law Corporation in Vancouver and practices criminal and immigration law.

The 1980s



of the Victoria Bar Association.

Dean Lawton ('80) was awarded a Queen's Counsel appointment. Dean is a partner with Carfra Lawton LLP in Victoria. He was elected a Benchers of the Law Society of British Columbia in 2013 and is a past President

Judge Brian Hutcheson ('84) was appointed to the BC Provincial Court. He has practised civil and criminal litigation and appeared at all levels of court in BC. Hutcheson joined Swift Datto Law Corporation of Courtenay in 1989 and was the partner in charge of litigation.



Chris Johnson ('85) of Johnson Doyle Sugarman & Ferguson was recently awarded a Queen's Counsel appointment. He has practiced criminal law for over 27 years, appearing as counsel on many notable cases, including most recently lead counsel on the Surrey 6 trial.

The 1980s



In 2013, Barbara was also appointed as Harper Grey's Chief Diversity Officer.

Barbara Norell ('85) of Harper Grey is the third member of the 1985 class who was awarded a Queen's Counsel appointment. She is a partner in the Health Law Group and a member of the firm's Practice Management Committee.



He continues to practice franchise law at Boughton Law Corporation in Vancouver, and was extremely involved in advising the provincial government on BC's new *Franchise Act* and regulations.

Tony Wilson ('85) is the third member of the class of '85 to be awarded a Queen's Counsel. Tony has been an elected Benchers of the Law Society of British Columbia since 2012 and a regular small business columnist for the *Globe and Mail* since 2010.

Judge Peter LaPrairie ('89) was appointed to the BC Provincial Court. For more than 20 years, LaPrairie served as a federal prosecutor and was general counsel for the Public Prosecution Service of Canada in Vancouver. He has been an active supporter of many community events and organizations in the Lower Mainland.

The 1980s



School of Law since 2014.

Earl Phillips ('80) was awarded a Queen's Counsel appointment. He is a former Vancouver managing partner of McCarthy Tétraut LLP and has been Executive Director of the Trinity Western University



Deborah A. Todd ('81) has started her own practice, Deborah Todd Law, in Victoria. Deborah has focused on family law for over 30 years and also practices in the areas of wills and estates.

The 1990s



Garry F. Benson, QC ('91) was awarded a 2017 BC Community Achievement Award and the 2016 Fred Macklin Memorial Award, given to Kelowna's Man of the Year. Garry is the founding partner of Benson Law LLP in Kelowna and his community involvement includes working as the director of the Uptown Rutland Business Association and the Rutland Park Society, volunteering as a chef at a BC Cancer Society Event, providing numerous hours of *pro bono* legal services, and much more. »

The 1990s



In 2016, **Darren Blois ('94)** became a partner in the firm of Murphy Collette Murphy (Moncton, New Brunswick) and was elected to the Council of the Law Society of New Brunswick.

Corinne Swystun ('94) was awarded a Queen's Counsel appointment. Corinne is Chief Legislative Counsel for the British Columbia Ministry of Justice after joining the British Columbia Office of Legislative Counsel in 1995.



Bruce Hallsor ('95) was awarded a Queen's Counsel appointment. Bruce is the managing partner of Crease Harmon LLP in Victoria. He is past President of the Victoria Bar Association and a past

national Chair of the Canadian Bar Association section on Wills, Estates, and Trusts.



Charlotte Salomon ('95) was awarded a Queen's Counsel appointment. Charlotte is a Senior Partner at McConnan Bion O'Connor & Peterson Law Corporation in Victoria. She is also

a member of the Federal Judicial Advisory Committee for British Columbia and Chair of the Equality and Diversity Committee of the Canadian Bar Association, BC Branch.

The 2000s



Stephanie Mitchell ('05) has started her own business, Telegram Writing Consulting, in Edmonton, AB. She specializes in writing workshops and individual writing coaching for lawyers and business leaders.

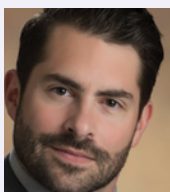
Her website can be found at <http://telegramwriting.com>.

The 2010s



Marlisa Martin ('10) has opened her own practice, Nanuq Law, as of January 1, 2017. Marlisa primarily practices personal injury law and also assists clients with human rights complaints and WorksafeBC appeals.

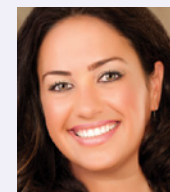
Todd Ferguson ('11) has joined Cook Roberts LLP, returning to Victoria from the Mainland. Todd practices in the areas of corporate and commercial transactions, residential and commercial real estate, and estate planning and administration.



Greg Phillips ('12) received a Vancouver Island Top 20 Under 40 Business and Community Achievement Award. Greg is a lawyer with Johnston Franklin Bishop in Nanaimo and »

The 2010s

mainly practices in the area of personal injury and ICBC injury cases.



Nicole Bresser ('13) was selected to attend this year's Governor General Leadership Conference. She recently appeared before the Supreme Court of Canada and was also selected as a finalist for a Vancouver

Island Top 20 Under 40 Business and Community Achievement Award. Nicole is a lawyer with DGW Law Corporation in Victoria and has both a civil litigation and solicitor's practice.



Sean Dillman ('15) has joined Dinning Hunter Jackson Law. Sean practices in the areas of real estate, business law, and estate planning.

Rob Hamilton LL.M. ('17) is a UVic Law PhD candidate who will take up the position of tenure-track Assistant Professor at the University of Calgary Faculty of Law on July 1st. He will be teaching property law, legal research, and Aboriginal law while continuing his research on land rights in the maritime provinces. 🇨🇦

Dean Fortin ('84): Putting Policy Into Action

NIKOLA MENDE, FORMER SENIOR COMMUNICATIONS AND
DEVELOPMENT OFFICER, PACIFICA HOUSING

Dean Fortin ('84) joined Pacifica Housing as Executive Director in August 2015, where he leads the not-for-profit society into a new area of growth and development. Prior to joining Pacifica, his varied career has been that of lawyer, inner city community leader, councillor, city mayor, part-time lecturer and basketball coach; his success in all these different areas demonstrates one thing—his passion for social justice.

Dean's interest in law was sparked by his view of the legal system as a way to fight for individual rights and social justice. He was attracted to the UVic Faculty of Law because it had a reputation for community involvement and innovation, which fit his values and approach to career and personal life. The study of law provided him with strong fundamentals to succeed in the various roles he subsequently enjoyed, including working with street youth, directing a thriving community centre, and assuming the responsibilities of civic representative.

Dean's role as director of the Burnside-Gorge Community Centre for 17 years was the natural lead up to his involvement in politics. He enjoyed working in an inner city neighbourhood, especially advocating change for the betterment of the community. His work provided the impetus to move from trying to influence decision-makers to becoming one as mayor of the City of Victoria. He describes the difference between the two roles, as follows, "There are pros and cons to both. »



Dean Fortin ('84) at Pacifica Housing.

Pacifica Housing is
currently serving more
than 1,600 people
through the provision
of affordable housing.



“As a decision maker, you get to implement ideas, yet there are demands to try and find balance...”

As an influencer, you can stay focused on a single issue, and be a fearless advocate for your special interest group. As a decision maker, you get to implement ideas, yet there are demands to try and find balance, so that all are equally represented.”

In his time as mayor (2008-2014), Dean pursued community goals of creating affordable housing and ending homelessness, of building a more robust transit system, and investing in infrastructure for the vibrant downtown and neighborhood villages.

Dean truly enjoyed his time as mayor, and described it as “six incredible years of opportunity to work on behalf of residents.” But he knew he wasn’t done yet! From his time in office, he knew first-hand how fundamental affordable housing is for a healthy and sustainable city. On a personal level, he had always had a passion for affordable housing, knowing how important it is for one to have a stable base from which to improve oneself. As Prime Minister Pearson said, “It is a rare soul that can soar in a hovel.”

His experience as mayor, combined with his passion for improving lives and pushing for social justice, led him naturally to his current role at Pacifica Housing. As executive director at Pacifica, he now puts policy into action.

Pacifica Housing is a leading, innovative provider of affordable housing and support services in Greater Victoria, Duncan, and Nanaimo. With 36 buildings totalling

1,095 units, Pacifica currently provides homes for over 1,600 people. Pacifica also operates the highly successful Greater Victoria Streets to Homes Program. Streets to Homes is a flagship program that moves adults from chronic homelessness directly into long-term, private market housing and provides additional supports to ensure they stay housed. In addition to housing services, Pacifica runs youth groups, an art and work program, community gardens and community meals.

For years affordable housing has been an issue that the City of Victoria and the Capital Region have struggled to tackle through increased development and creative housing solutions. The emerging homelessness crisis combined with a 0.4% vacancy rate has hit the province’s vulnerable populations the hardest.

That is why Dean and Pacifica Housing always look for new and innovative projects for affordable housing.

As Pacifica expands, the organization is committed to providing housing for those who face the greatest challenges in finding affordable housing and securing tenancy. This includes individuals with disabilities, single-parent families, and the elderly.

You can learn about Pacifica’s projects in our [annual report](#). For an overview of recent projects click [here](#).

At Pacifica Housing, we believe affordable housing is the key to reducing homelessness. It offers the possibility for individuals to create better lives for themselves and their families. In Dean’s words, “Decent,

affordable housing allows individuals to address their quality of life whether it is through employment, education or community connections.”

But Dean also strongly believes that Pacifica Housing is more than a landlord and a non-profit developer. All of Pacifica’s programs and projects provide tenants with skills to achieve self-direction, empowerment, self-sufficiency and promote practicality and sustainability. These programs are designed to not only enhance the quality of life for Pacifica’s tenants, but also to address all aspects of human wellbeing, on an emotional, mental, physical and spiritual level, thus enabling them to create better lives.

Pacifica Housing is currently serving more than 1,600 people through the provision of affordable housing. There is always a need for a helping hand. Many individuals and companies donate to Pacifica, to help create more housing. Others participate in Days of Caring, where teams of volunteers spend a day improving a playground, community room or community gardens at one of Pacifica’s 36 different complexes.

Pacifica has several lawyers on its board, most notably Jaime Hall of Reed Pope, and Rajinder Sahota (’05) of Acheson Sweeney Foley Sahota. If you are interested in learning more about how you can contribute your skills to Pacifica Housing, feel free to contact Dean Fortin directly: dfortin@pacificahousing.ca. 🇨🇦

Echo the Companion Dog: A Wellness Story With Legs

KIM NAYYER, ASSOCIATE UNIVERSITY LIBRARIAN, LAW
ADJUNCT ASSOCIATE PROFESSOR, FACULTY OF LAW

During the spring 2017 exam term, the Law Library, with the dogged encouragement of Faculty of Law professor [Andrew Newcombe](#), embarked on a pilot program—of signing out a “wellness companion” named Echo. Prior to the launch of the program, this four-and-a-half year old black Labrador retriever was [dog-alogued](#) (thanks Gail!), a “book” to place-hold and sticker-hold was created and “bark-coded”, and library assistant David Everard aptly gave her the call number of K9 – a slam-dunk that had been overlooked by librarians and cataloguers alike! An easy-going and gentle dog by nature and one already familiar with the law students, Echo quickly adapted to the daily routine of being part of the collection: arrive at 10am, reunite with library staff, check out any new smells, then settle into Marisa’s office to await an equally eager law student. Basically, work like...a dog! The program was conceptualized as an element of our ongoing Relaxation Station wellness activities (puzzles, colouring sheets, knitting) designed to support pawsitive stress management for students, and linked with the Faculty of Law’s Amicus program wellness initiatives. We figured adding a dog was the leashed we could do! »



Student Alex Marr and Echo are interviewed by Adam Sawatsky for CTV Vancouver Island's Sawatsky Sign-Off.

Figuring out the logistics was a bit ruff, but we managed:

- ▶ Loan period 30 minutes to law students (kind of dogmatic, perhaps, but actually important for the dog's well-being and safety as she already knew most of the students)
- ▶ First-come, first-served basis (no advance bookings – although we did waive that for the TV crew...)
- ▶ Could be taken to one designated study room or outside the Fraser building; on leash at all times
- ▶ Care essentials were provided including treats, a brush, a leash, and bags, as well as handling guidelines
- ▶ Exception to UVic's policy on animals in buildings was sought by Kim and granted for this pilot. Kim and university administration will revisit it for potential recurring application, to allow us to embark on this initiative again.

Students responded with enthusiasm and glowing reviews; word of mouth spread the news quickly – come to UVic Law and pet this dog, this IS the UVic difference! Echo took stardom in stride, greeting all with copious tail wags and lapping up the attention. And staff took the program in stride, as well, learning how to incorporate a live, dependent animal in the workplace and helping to figure out some of the unexpected logistics on the fly.

As word spread, the media came calling and Echo became an overnight sensation:

- ▶ Global News: [Dog on demand: UVIC library loans out canine companion to students](#)
- ▶ [CTV Vancouver Island's coverage](#) for the Sawatsky Sign-Off became the most watched video in Canada on the CTV National website the day after it aired.

Echo was a social media hit too and got the conversation going about wellness for law students:

- ▶ [Global BC Facebook](#): 835 shares, 658 comments and 4,500 likes
- ▶ [Global BC Twitter](#): 33 retweets, 66 likes, 6 comments
- ▶ [CTV Facebook](#): 283 shares, 500 likes and 69 comments

From the reporter on this story: "Our story ended up being picked up by the whole network. On social media it earned thousands of likes and shares across the country. On Friday it was the #1 most-watched story on the CTV National website."

- ▶ [CTV Twitter](#): 25 retweets, 39 likes, 1 comment

The story was also shared in the American Association of Law Libraries daily mailing (circulation of 5,000), and by the Law Society of New Zealand.

Now that's a student wellness story with legs! 🇨🇦



PHOTO: LISA ABRAM

Echo's bark-code.



PHOTO: LISA ABRAM

Southeast Asia in Global Context Roundtable Series Continues in the Fall of 2017

VICTOR V. RAMRAJ, CAPI CHAIR IN ASIA-PACIFIC LEGAL RELATIONS

PHOTO: EJUN LOW



Victor V. Ramraj.

Situated between India and China—along the busiest maritime sea routes in the world—Southeast Asia remains today at the crossroads of ideas, commerce, migration, language, religion, and law, as it has for centuries. With a total population greater than

that of the European Union, the countries of Southeast Asia have been working through the ASEAN—the Association of Southeast Asian Nations—to integrate their economies and cooperate politically and economically on matters of common concern, increasing the region's influence on global affairs.

For its part, the Centre for Asia-Pacific Initiatives (CAPI) has been engaging with Southeast Asia since its inception, and its round table series—**Southeast Asia in Global Context**—brings experts together to situate contemporary Southeast Asia in Asia and the wider world, examining the many ways the pressing issues in the region affect us all.

As CAPI's Chair in Asia-Pacific Legal Relations, I founded the roundtable last year to bring experts together to discuss the issues in a genuine conversational format, situating the contemporary challenges in their broad-

er, while bringing the issues to life through a lively and engaging discussion.

The inaugural round table on 8 November 2016, considered Thailand's Political and Constitutional Future after the death of His Majesty, the venerated King Bhumibol Adulyadej (Rama IX) on 13 October 2016 after a remarkable 70-year reign. The second round table, The South China Sea and US-China-ASEAN Relations, examined the rising tensions in the region, starting with some background on the South China Sea Arbitration Award on 12 July 2016, before turning to a the legal, political, and economic implications of rising instability in the region two weeks into the Trump Administration in the United States. The third roundtable, Ethnic Conflict and Peace-Building in Myanmar: The Rohingya Crisis and Beyond looked at the reports from the Rakhine state in Western Myanmar and whether the Rohingya Crisis should be considered a genocide. Panellists included Dina Siddiqi, Centre for the Study of Social Difference at Colombia University, Gwen Robinson the Chief Editor of the Nikkei Review and Fellow at Chulalongkorn University's Institute of Strategic and International Studies in Bangkok, along with D. Mitra Barua, Neilesh Bose, and Donald Galloway from the University of Victoria.

The fourth installment of the series will take place in the Fall of 2017. Visit www.uvic.ca/capi for more info. 🇲🇻



Research4Refugees Research-a-thon

KIM NAYYER ASSOCIATE UNIVERSITY LIBRARIAN, LAW AND ADJUNCT ASSOCIATE PROFESSOR, FACULTY OF LAW
LEILA GEGGIE HURST (3L)

On February 4, law students from every law school in Canada participated in a 12-hour legal research-a-thon geared to helping the non-profit Canadian Council for Refugees develop possible legal and advocacy solutions for refugees arriving in the US and facing difficulties from the US presidential Executive Orders issued in late January. The idea originated from a law student at McGill, and within a couple of days all the schools were on board. Students from some schools, including UVic, sought guidance from their law librarians. Caron Rollins, Alex Burdett, and Kim Nayyer quickly prepared a blog-based research guide to help the students the day preceding the research-a-thon, and they updated the guide throughout the event itself. Caron and Kim also were able to be onsite at the law school to give US law, immigration and refugee law, and government information legal research instruction and guidance throughout the research-a-thon.

UVic Law students Leila Geggie Hurst and Ayse Karakucuk were instrumental in organizing the research-a-thon. Here's how Leila described the day:

Over the course of a day, over 838 participants from 22 law schools across Canada logged a total of over 3000 research hours, gathering information for the Canadian Council for Refugees.

Here's the blurb from the national event: "This Saturday, law students from law faculties

across Canada will unite for 12 hours of legal research relating to the recent travel bans in the United States and their Canadian impact. This event will mark the first time that Canadian law students have coordinated an effort of this magnitude. As law students, we know that sometimes there is a chasm between what is legal and what is just. This "research-a-thon" will focus on closing that gap -- by gathering information and drafting arguments to use in potential legal challenges to the Canada-U.S Safe Third Country Agreement (STCA). It will also raise funds for the Canadian Council for Refugees and any litigation they may bring forward on this issue."

UVic's participation numbers were by far the highest of any law school in the country--87 people is the number I have. Our huge contingent of students was supported by several faculty members (including Associate Dean Calder), alumni, and the incredible research support from the law library staff.

Overall, it was an incredible day of excitement, hard work and solidarity. UVic participants showed up in droves with little more than 48 hours notice, and devoted a humbling amount of time and energy into creating a remarkably thorough (hopefully helpful!) piece of research. I can say personally that it was incredibly moving to see so many people using their legal educations to confront laws that create risk for marginalized people, and to make a stand against racism, Islamophobia and injustice. 🇺🇸



87 UVic students participated in the research-a-thon.

Want more on this story?

- ▶ [CBC](#) and the [Victoria Times Colonist](#) published stories about UVic Law students participating in the research-a-thon.
- ▶ Read the [summary document](#) that resulted from the event.
- ▶ Have a look at [this post on Slaw.ca](#) written by Kim Nayyer.
- ▶ Search the [#research4refugees](#) hashtag, or the Twitter account [@Law4Refugees](#) for more on the event.
- ▶ Check out the [@UVicLawLib](#) account for some photos [here](#) and [here](#).
- ▶ More photos on Facebook [here](#) and [here](#).

John Borrows Wins National Killam Prize

JULIE SLOAN, COMMUNICATIONS OFFICER

Professor John Borrows has won the 2017 Killam Prize in the Social Sciences – the most prestigious prize for scholars in the social sciences (including law) in Canada!

This year's Killam prizes were conferred by the Right Honourable David Johnston, Governor-General of Canada, in a ceremony at Rideau Hall on May 30, 2017. Every year, five Killam prizes are awarded, one in each of five areas which together cover all areas of research. The prizes are administered by a committee formed by the Canada Council.

The citation introducing John summarized his accomplishments as follows:

“Professor Borrows, BA, MA, JD (Toronto), PhD (Osgoode Hall) holds the Canada Research Chair in Indigenous Law at the University of Victoria. He is Anishinaabe and a member of the Chippewa of the Nawash First Nation in Ontario. He bears the Anishinaabe name Kegeedonce.

“Professor Borrows is the pre-eminent Indigenous legal scholar in Canada. He has made enormous contributions to Canadian society and to Indigenous peoples. He is recognized internationally for his outstanding scholarship, especially in the United States, Australia and New Zealand.



John Borrows and the Right Honourable David Johnston, Governor General of Canada.

“His publications have won national book awards and have been cited by scholars and courts throughout Canada. He is a recipient of the Aboriginal Achievement Award in Law and Justice; Fellow of the Trudeau Foundation; Fellow of the Royal Society of Canada; recipient of the Indigenous Peoples Counsel; and holder of an honorary doctorate from Dalhousie University.

“He works tirelessly to explain how Indigenous people should be recognized by the Canadian

constitutional system. He works just as tirelessly with Indigenous peoples to help revitalize their legal and governmental systems.

“He has brought rigorous attention to Indigenous law into law schools throughout Canada and around the world. Indeed, under his stewardship, a pathbreaking joint Indigenous Law/Common Law degree has been approved, subject to funding, by the Senate of the University of Victoria. »

That transformative program will bring Indigenous legal traditions into the very heart of North American legal education, enabling students to reason with Indigenous law, work across Indigenous and Canadian legal traditions, and build the institutions of a productive and respectful relationship.”

In his remarks accepting the prize, John spoke movingly of the importance of education: “My grandfather taught us to: ‘get all the education you can; it is easy to carry with you’. He said it can’t be stolen. This came from a man who was abused in Indian day-schools. His advice was made more poignant because his father and grandfather felt the Indian Residential School’s sting.

“As a new teacher, a Cree student told me education is the new buffalo; today our peoples’ survival depends on it. In an era when 50% of on-reserve children live below the poverty line, and receive 30% less financial support than those off-reserve, I am grateful to have been supported in my educational journeys.”

John went on to thank the faculty and students of UVic Law for, in his words, “their brilliance,” as well as the family members whose support had been so important to his own development. These included his parents, his sister who had obtained a PhD and then returned to work on the reserve and who “models what my students hope to accomplish: using her education in selfless service to family and community,” his wife Kim, and his daughters Meagan (“whose insight into human nature is made extraordinary by her special needs”) and Lindsay (“whose creativity lights my way” – and who also is a graduate of UVic Law: ’16). 🇨🇦



Governor-General David Johnston and Sharon Johnston, Killam award recipients, their supporters, the Killam Prize Committee. Front left, John Borrows. Upper left, Jeremy Webber.



L-R: Tom Mulcair, Leader of the NDP in the House of Commons; John Borrows, Canada Research Chair in Indigenous Law and Killam Prize Winner; Dean Jeremy Webber; Murray Rankin, MP for Victoria, former Professor at UVic Law.

Herman Van Ommen ('84), QC Awarded University of Victoria Distinguished Alumni Award

ANDREW NEWCOMBE ('95), ASSOCIATE PROFESSOR, UVIC LAW

Herman Van Ommen, QC ('84) is the latest recipient of the University of Victoria Distinguished Alumni Award. Dean Jeremy Webber presented the award to Herman at the Law Society President's Reception, which was held in Victoria on May 5, 2017. Herman, who is the President of the Law Society of British Columbia, is the first UVic Law grad to lead the Law Society and has been a great friend of and contributor to the Law Faculty over the past 35 years.

Herman grew up around Salmon Arm and left school at an early age to work as a farmhand and logger. After running his own small logging business, Herman returned to school to obtain his grade 12 diploma before attending SFU and McGill. Herman entered the Faculty of Law in 1981, the same year as classmate Professor Emeritus Martha O'Brien. Also new at the Faculty in the same year was a young professor by the name of Jamie Cassels, now, of course, UVic President.

After graduating from UVic Law in 1984, Herman articulated and then practiced in Vancouver at what was then Shrum, Liddle & Heberton (now McCarthy Tétrault LLP). He was called to the bar in British Columbia in 1985. Ever helpful, one evening Herman assisted a young Chris Tollefson ('85), now a UVic Law Professor, who was working at the same firm. When Chris' car would not start Herman offered to give him a tow using his truck. Unfortunately the bumper on Chris' car pulled off as the pair turned onto Burrard Street. Luckily carnage was averted and the car was able to stop!



Herman Van Ommen, QC and Jeremy Webber.

At McCarthy Tétrault, Herman works as a highly successful commercial litigator and arbitrator. In 2012 he was appointed Queen's Counsel and served as Regional Managing Partner at McCarthy Tétrault from April 2012 to April 2015.

Herman has a long record of professional and public service. He has served in many capacities at the Law Society, including chairing the Discipline Committee, Governance Committee, Ethics Committee and the Access to Legal Services Advisory Committee. Herman has been back to the Faculty many times over the years, whether representing his firm at the Faculty launch for the mooting program and the McCarthy Tétrault LLP Mooting Fellowship or guest lecturing in classes such



Herman Van Ommen.

as legal ethics. In addition to his role as president of the Law Society, Herman has been a Director of the United Way of the Lower Mainland for the past three years. Herman is married to Barbara Norell ('85) and they have two children, Clara and Dirk.

At the reception where he accepted the University of Victoria Distinguished Alumni Award, Herman highlighted the importance of cooperation and collaboration to the practice of law, noting that these were skills that had been emphasized in his legal education at UVic.

Congratulations to Herman on his most deserved recognition as a distinguished alumni. 🇨🇦

2017 Moot Competition Round-up

2017 was a busy mooting season, with UVic Law students competing in eight different competitions across Canada. One of our teams took a national title and went on to compete in the International Client Consultation Competition in the UK.

WESTERN CANADA McINTYRE CUP TRIAL COMPETITION

Edmonton, February 9-11

Students: Alexa Ferguson, Matt Janssen, Kaitlin Kuefler, Schuyler Roy

Coaches: Michelle Daneliuk, Clare Jennings, Laura Wheeler

BY ALEXA FERGUSON (2L)

This is a trial advocacy competition involving the mock-trial of a criminal prosecution. There were no major surprises at the McIntyre Cup, but there were some things we were not expecting. For example, the defence's strategy was slightly different than we had anticipated but I think we knew the case well enough that we were able to adapt on the fly.

Because this moot was trial style, we got to work with "witnesses" who were paid actors. They were hilarious and did a great job including one of our witnesses full-on yelling in the courtroom! Justice Henderson of the Alberta Court of Queen's Bench presided over our trial and we had 12 jurors in the jury box which was a bit



UBC and UVic Team (Kaitlin Kuefler and Alexa Ferguson are in the centre).

intimidating at first, but as the trial got going, it really made the experience feel like a real trial. Our opposing team was from UBC.

Both teams got good feedback from our assessors; they complimented our Crown strategy, which felt great. They gave us some useful pointers about trial advocacy that we can move forward with as well. Our coaches took us out for a delicious celebratory lunch after the moot and we were all able to debrief and relax after the adrenaline rush brought on by the trial.

Thanks so much to UVic and to our coaches for this awesome opportunity.

GALE CUP

Toronto, February 17-18

Students: Casey Dheensaw, Adam Lewis, Michael McCurrach, Christopher VanBerkum

Coach: Veronica Jackson

BY CHRISTOPHER VANBERKUM (2L)

The Gale Moot is an appellate moot competition in the area of criminal law (including the Canadian *Charter of Rights and Freedoms* and the law of evidence). Mooters are asked to appeal from a recent decision of the Supreme Court of Canada.

We had a great time mooting in Toronto - certainly a highlight of my time in law school so far. Adam and Michael were our Respondent Team - and they submitted their arguments against the Appellant Team from Osgoode Hall. They were effective, efficient respondents. Osgoode presented a wide range of arguments in their Factum. Michael and Adam dealt with those submissions, and were able to 'think on their feet' and submit arguments that responded to the questions given to them in court and the issues raised by their 'friends from York.'

Christopher and Casey were our Appellant Team - and they defended the Appellant's privacy rights and the responsibilities of police when searching cell phones »



L-R: Adam Lewis, Michael McCurrach, Veronica Jackson (coach), Christopher VanBerkum, Casey Dheensaw.

2017 Moot Competition Round-up

incident to arrest. Christopher and Casey answered the questions presented to them by their judges and made sure they delivered a strong, substantive defence of our Charter-guaranteed freedoms. The judges asserted that the team's pace, tone, and etiquette were laudable. The judges also acknowledged the Appellant's reply was particularly well done.

Though the team did not place for either their written or oral submissions (along with all the British Columbia teams, I believe), all the team members acknowledged it was an excellent learning experience, and personally, I would absolutely pursue a career in litigation—or and appellate-level legal work. I hope to moot again next year. All the team members recognized the support of the team's sponsors and the school.

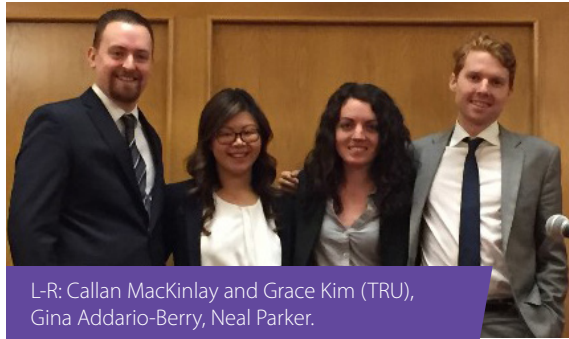
BRITISH COLUMBIA LAW SCHOOLS COMPETITIVE MOOT

Kamloops, February 18

Students: Gina Addario-Berry, Neal Parker, Radu Popescu, Rachelle Trenholm

Coaches: Kelly Doerksen, James Legh, Michael Mark

The BC Law Schools Moot is an appellate moot competition between UBC, TRU, and UVic focusing on a question of private law (broadly contract, tort or property law). Teams are composed of four students each and



L-R: Callan MacKinlay and Grace Kim (TRU), Gina Addario-Berry, Neal Parker.

subdivide into appellant and respondent pairs. Each pair prepares a factum and presents oral argument to a court consisting of three judges drawn from the Superior Courts of British Columbia.

WILSON MOOT

Toronto, February 24-25

Students: Caitlin Ehman, Carolyn Leblanc (researcher), Sam Maroney, Heather Purves, Leigh Stansfield

Coaches: Leah Greathead and Tyna Mason

Not only did the students compete in the 25th annual Wilson Moot at the Federal Court in Toronto, the UVic team came home as winners of the 3rd place team plaque! An honourable mention also goes to Leigh Stansfield who was individually awarded the 4th place prize for Best Oralist out of all the students at the moot.

The spirit of this moot is to promote justice for those traditionally disempowered within the legal system, and, in particular, to explore legal issues concerning women and minorities. Section 15 of the Canadian *Charter of Rights and Freedoms* often features prominently in the arguments.

"All their hard work paid off and the students showed outstanding advocacy at the competition. Well done!" – Co-coach Tyna Mason.

BOWMAN TAX MOOT

Toronto, March 3-4

Students: Steven Davis, Jeremy Henderson, Jana Keeley, Reina Mistry (researcher) Samson Rapley

Coaches: Geoff Loomer and Martha O'Brien

BY MARTHA O'BRIEN ('84)

This year's Bowman National Tax Moot team was composed of (in order of appearance at the competition) Samson Rapley and Jeremy Henderson as counsel for the Respondent taxpayer, and Steven Davis and Jana Keeley for the Appellant Crown. Reina Mistry was the dedicated, supportive and always present "additional participant". This year's moot problem was very complex, involving the valuation and timing for tax purposes of foreign exchange option contracts.

First, we all thank Blake Cassels & Graydon LLP's Vancouver office for so generously making it possible for UVic to send a team to Toronto, and for all the coaching from Ed Kroft, Deborah Toaze and Eric Brown on the last Saturday before the competition. It makes all the difference to spend a day practising with leading tax litigators, and to have their continuing support as we make it through the first rounds. Our other practice judges, Sointula Kirkpatrick, David Poore, Andre »



L-R: Heather Purves, Leigh Stansfield, Chief Justice Beverley McLachlin of the Supreme Court of Canada, Caitlin Ehman, and Samuel Maroney.

Rachert ('94), Ryan Green and Shankar Kamath each asked us questions that enlarged our understanding of the case and we appreciate their willingness to devote so much time and thought to our preparation. Also special thanks to faculty coach Geoff Loomer for the hours and hours of working with us on our factums and hearing us practice our oral arguments.

We didn't make the semifinals. "We were robbed," given the quality of our presentations at the two preliminary rounds each team clearly did win. But with 14 law schools competing, the Bowman is now one of the largest moot competitions in Canada, and only 4 teams can make it through. We are sure we were 3rd, both for appellants and respondents.

For the first time, a team (Sherbrooke) competed in both official languages. Samson and Jeremy had their first round against Sherbrooke, a strange experience as simultaneous translation headphones were handed out part way through. The mooters in French spoke extremely fast, and didn't face a single question!

Despite not winning, the experience was valuable and memorable. Meeting tax lawyers, TCC and FCA judges and other students from across the country who love talking about tax law was the prize for participation.

CANADIAN NEGOTIATION COMPETITION

Winnipeg, March 3-4

The Canadian Negotiation Competition provides a means for law students to practice and improve their negotiating skills. The 1L competition simulates legal negotiations in which law students, acting as lawyers, negotiate a series of legal problems.

The UVic round of the competition took place on Tuesday, February 7th. The winners of the UVic Law round



L-R: Emily Dyck and Jin-Zhi Pao.

were first year Law students Emily Dyck and Jin-Zhi Pao who represented UVic at the national competition in Winnipeg.

Thanks to Dentons, a law firm that generously supports UVic Law students, for sponsoring the UVic Law competition and the two students at the National Competition.

WILLMS & SHIER ENVIRONMENTAL MOOT

Toronto, March 4

Students: Andhra Azevedo and Caitlyn Stockwell

Coaches: Mark Haddock and Sean Nixon

BY CHRIS TOLLEFSON ('85)

Andhra and Caitlin did us proud at Osgoode Hall Law Courts at the third semi-annual Willms Shier National Environmental Moot. Western and Calgary finished one-two in a closely fought final match judged by Justice Rowe (of the SCC) and Justices Feldman and van Rensburg (of the Ont CA). One of the most notable stories of the night, however, was that UVic won two of the six individual prizes for excellence in oral advocacy during the preliminary round, the only school to win more than one individual prize.

I had the privilege of judging in the semi-final round with Jerry DeMarco (associate Chair of Ontario's Environmental Review Tribunal) and Diane Saxe (Ontario's Environment Commissioner). I also judged the written facta submitted by the 14 teams (with a colleague at uOttawa Law). The quality of mootings, oral and written, was very high overall, and several observers/mooters told me what a great team Andhra and Caitlin were together.

Unfortunately, as a judge, I was not able to watch them moot. But we did enjoy a great dinner together debriefing later with various judges etc: including old friends Jerry DeMarco and Hugh Wilkins of the Ontario Environmental Review Tribunal.

A very successful night for environmental law and UVic. A tremendous amount of work goes into moots such as this – huge credit for steering that effort to this successful result belongs to our Faculty coaches, Sean Nixon and Mark Haddock. »



L-R: Chris Tollefson ('85), Andhra Azevedo, Caitlyn Stockwell.

2017 Moot Competition Round-Up

KAWASKIMHON MOOT

Calgary, March 9-12

Students: Emily MacKinnon and Kean Silverthorn

Coaches: John Borrows and Darcy Lindberg

BY KEAN SILVERTHORN (2L)

The moot is named after a word of Cree origin that means “speaking with knowledge.” The moot is unique in that it takes place in accordance with Aboriginal customs of peaceful negotiation and consensus-building rather than a typical adversarial moot competition.

The 2017 Kawaskimhon moot problem focused on a proposed pipeline, with parties from law schools across the country representing Canada, an Energy Consortium, Aboriginal Groups, and Advocacy Groups. We represented the Ontario Native Women’s Assembly (ONWA), an advocacy group concerned with advancing the interests of Aboriginal women in Ontario. »

Given the importance of the subject matter in discussion, the negotiations were often heated and emotional. Ultimately, ONWA secured significant funding for their mandate from Canada and the Energy Consortium, as well as succeeded in establishing hiring policies to ensure Aboriginal women benefitted through employment. ONWA also signed Memoranda of Understandings with the Aboriginal groups for additional funding and to facilitate the welcoming of disenfranchised women into their communities as beneficiaries of this project.



L-R: Emily MacKinnon and Kean Silverthorn.

CANADIAN CLIENT CONSULTATION COMPETITION - FIRST PLACE WINNERS!

Toronto, March 4-5 (National Round)

Canterbury, England, April 19-22 (International Round)

Students: Niles Bond, Kayli Clark, Robyn Finlay, Leila Hartford

Coaches: Steve Perks, Andrew Pirie, Nicole Smith

BY STEVE PERKS

UVic Law placed first in the Canadian Client Consultation Competition held in Toronto.



L-R: Kayli Clark, Robyn Finley, Niles Bond, and Leila Hartford.

We had two teams in this year, and they both competed well. Niles Bond and Leila Hartford tied for third in the preliminary rounds. Our coach travelling with the team, Nicole Smith, indicated that they performed brilliantly through those three rounds of competition.

Our other team of Kayli Clark and Robyn Finley placed first in the preliminary rounds, and then prevailed through the semis and finals. Their win was against strong competition from twelve teams from other law schools in Canada. Kayli and Robyn have qualified to represent Canada in the International Client Consultation Competition in April, hosted by the University of Kent in Cambridge, England. The coaches of the team have thoroughly enjoyed working with both teams.

The Client Consultation Competition involves teams of two students interviewing clients played by actors, each with different legal problems as the team progresses through the several rounds. It models the situation of a first interview with a new client, applying knowledge and skills in legal interviewing, legal analysis, dispute resolution, and professional responsibility and ethics. 🇩🇪

New Faculty joining us July 1st, 2017



Brad Bryan completed his LLM in Taxation at UBC and currently practices taxation law with Woodward & Company LLP, advising First Nations and businesses across Canada on all tax aspects of commercial transactions, corporate and other

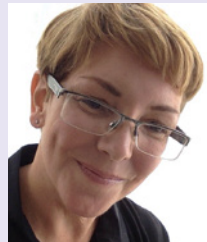
structures, treaties, and agreements. Brad's research interests encompass a range of tax law issues, including the flexibility of distinctions in tax law, the taxation of and by First Nations, and comparative tax law. He holds a PhD from the Boalt Hall School of Law, University of California, Berkeley, and an LLB from UVic. Prior to beginning graduate studies, Brad clerked for the BC Court of Appeal, and completed articles with the Sierra Legal Defence Fund (now Ecojustice). In 2017-18, he will be teaching taxation law and First Nations taxation.



Asad Kiyani completed his PhD at UBC and is currently an Assistant Professor of Law and an Adjunct Professor with the Centre for Transitional Justice and Post-Conflict Reconstruction at Western University. Asad's research interests include critical

legal theory, legal pluralism, domestic and transnational criminal law, and the legitimacy of international tribunals. He holds an LLM from the University of Cambridge

and an LLB from Osgoode Hall Law School. Prior to beginning graduate studies, he articulated with the federal Department of Justice, and worked as a Pegasus Scholar with Garden Court Chambers and 2 Bedford Row in the UK, and as part of the sentence and conviction appeal team for Issa Hassan Sesay before the Special Court for Sierra Leone. In 2017-18, he will be teaching criminal law and refugee law.



Sara Ramshaw, who completed her PhD at Birkbeck School of Law, University of London and is currently a Senior Lecturer at the University of Exeter, School of Law. Her book, *Justice as Improvisation: The Law of the Extempore* (Routledge, 2013),

was nominated by Routledge for the 2014 Socio-Legal Studies Association Hart Book Prize. Sara was the principal investigator of a UK Arts and Humanities Research Council Early Career Research project entitled 'Into the Key of Law: Transposing Musical Improvisation. The Case of Child Protection in Northern Ireland'. Sara's research interests include critical legal studies in improvisation, family law, human rights, and law and the humanities. She holds an LLM and LLB from UBC. Prior to beginning doctoral studies, Sara clerked at the Ontario Court of Justice and worked for the Ministry of Attorney General at the Superior Court of Justice, Family Court in

Toronto. In 2017-18, she will be teaching contracts and family law.

The exciting arrival of our new colleagues means we will also bid farewell to others.

Retirements and Farewells

Donald Galloway, who has been with the faculty since 1989, will be retiring at the end of June and he will be sorely missed by students and faculty alike. Retirement will be hard for his colleagues, but Donald will be relishing more time spent with wife Hester and daughter Sylvie. Happy retirement, Donald!



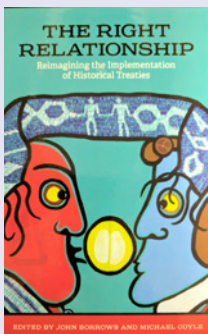
Carol Liao will also be leaving us for a wonderful opportunity in Vancouver at UBC's Allard School of Law, following her passion for corporate social responsibility. »

Awards and Accolades



John Borrows was named the 2017 Killam Prize winner in Social Sciences on May 2nd by the Canada Council for the Arts. The prestigious prize honours outstanding career achievements of eminent Canadian re-

searchers, whether in industry, government agencies or universities. John also received an honorary LL.D. from the Law Society of Upper Canada. He was the Melbourne Law School Indigenous Scholar in Residence for the month of April in Australia.



John co-edited the book "[*The Right Relationship: Reimagining the Implementation of Historical Treaties*](#)" and had articles come out in the *Windsor Law Review*, *McGill Law Review*, and *Canadian Historical Review*.

John continues to run Anishinaabe Law Camps with other law schools, which this year included [Osgoode](#), [U of T](#), [Western](#) and [Windsor](#).



Pooja Parmar received the UVic Law Student Society First Year Teaching Award this year. Pooja has also received two grants for new research projects:

1. A grant from the The Law Foundation of BC for a project titled "Ethics and Professionalism in the Legal Representation of Indigenous Peoples in BC", and
2. A Centre for Asia-Pacific Initiatives (CAPI) research grant for a project titled "Indigenous Peoples, Access to Justice and the Legal Profession in India."



In February **Donna Greschner** was in Belize City, where she spoke to the National Women's Commission of Belize about equality rights, and gave an address on constitutional issues to students at the University of the West Indies. In March she was in Kathmandu, Nepal, teaching in a professional development program for Nepalese women lawyers that was jointly organized by the Nepal Bar Association and the Canadian NGO, Women Lawyers Joining Hands. During the past year Donna has also travelled to

Europe several times as part of her work with an international research group established under the auspices of the International Association of Constitutional Law to study the rise of illiberal democracies and far-right populism. The projects, she says, are linked. "History shows us that illiberal and authoritarian regimes are no friends of women's equality, and give lip service, at best, to principles of constitutionalism."



Gerry Ferguson was recognized this Spring with an award from BC CLE for his outstanding contributions to the administration of justice as a founding and continuing author of *Canadian Criminal Jury Instructions* (CRIMJI) for the past 30 years.

He also published a second edition of his 800 page book *Global Corruption: Law, Theory and Practice* (January 2017) which is a free, open access book available on five websites including <http://icclr.law.ubc.ca/global-corruption-law-theory-and-practice>. He also prepared a paper at the request of the Department of Justice entitled "A Review of the General Principles and Purposes of Sentencing" which has been published on the Department's website at http://www.justice.gc.ca/eng/rp-pr/jr/rppss-eodpa/RSD_2016-eng.pdf. Professor Ferguson was a feature speaker on the topic »

of global corruption at the NJI Joint Education Seminar for the Alberta and BC Courts of Appeal in Vancouver in May. He is also a co-organizer of an international conference on New Strategies for Preventing Corruption to be held in Toronto on September 14-15, 2017.



Calvin Sandborn, Legal Director of UVic's Environmental Law Centre, continues to be recognized for his ceaseless and passionate work in the field of environmental law. He was awarded the 2017 Svitlana Kravchenko Envi-

ronmental Rights Award at the Public Interest Environmental Law Conference (March 2-5) in Eugene Oregon.

Kim Nayyer has had a busy year with several significant events both in terms of her academic career and in the media.

[Association of American Law Schools](#)

On January 4, 2017, Kim presented at the Association of American Law Schools annual meeting as an invited speaker for the Section on North American Cooperation. She was asked to present on *Canadian Legal Research: What US Law Professors and Lawyers Need to Know*. [Kim's presentation](#) traced the historical contextual differences of the two countries; gave an overview of the Canadian political and legal system as contrasted with US systems; noted the important and contrasting features of our constitutional documents; described the publication of legislation and case law; reviewed the court systems in Canada and their distinction from US federal and state court systems; and demonstrated key primary and secondary Canadian legal research resources, with a focus on open access and open primary legal information and law library research guides. Kim was also appointed Treasurer of the Section on North American Cooperation Section of the AALS.

[Legal Writing Institute](#)

Kim was profiled in the April issue of the [Legal Writing Institute's LWI Lives](#), a publication that features in-depth and wide-ranging profiles of LWI members. The LWI is a US-based organization of law school legal

writing program instructors, with some Canadian members.

[Presentations](#)

Kim Nayyer and Alexander Burdett presented at the annual meeting of the Canadian Association of Law Libraries/l'Association canadienne des bibliothèques de droit on the new legal research instruction model they implemented in the first-year legal research and writing program. Their model engages students in a multi-week process wherein the students will develop a legal research plan, strategically applying the steps in the legal research process to research a solution to a single legal issue.

[Writing](#)

Kim has two new articles in the Canadian Bar Association's *PracticeLink* Newsletter. The first, in the Law Firm Leaders edition, is [The law firm leader's bookshelf: Wiser](#) and focuses on the book, *Wiser: Getting Beyond Groupthink to Make Groups Smarter*, by Cass R. Sunstein and Reid Hastie (Boston: Harvard Business Review Press, 2015). The second, in the Business and Corporate edition, is [Blockchain: Lawyers, Take Note](#) and offers an overview of the technological system known as blockchain and its current applications, and suggests potential implications for the law and regulatory systems, the legal profession, and legal education. 🇨🇦

Share your Vistas

Vistas is always interested in receiving story ideas from UVic Law alumni. Although we are unable to guarantee the inclusion of materials that are sent to us, we are deeply committed to shining a spotlight on the stories that you, the alumni, care about. If you know of a UVic Law graduate who could be profiled or have other interesting story ideas or materials, please feel free to contact us at lawcomm@uvic.ca.

Errors? Omissions?

If you spot something incorrect in Vistas please accept our apologies. If you send the corrected information to lawcomm@uvic.ca we will happily publish the correction in the next issue of Vistas due out in Fall 2017.

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