



## Co-locating for Justice

The Law Centre's Next Chapter:  
An interview with Glenn Gallins, QC

## A Unique Environment

Experiential Learning:  
A year in review at the ELC

## Career Track:

An Interview with Alison Brewin ('91)

## Myanmar in: Transition

A Co-op perspective





University  
of Victoria  
Law

# VISTAS

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# Dean's Message

**JEREMY WEBBER**  
Professor and Dean



**Jeremy Webber**, Dean of Law.

It is wonderful, as the new Dean of Law, to welcome you to this issue of *Vistas*.

I share your commitment to the law school. I taught at McGill from 1987 to 1998 and then was Dean of Law at Sydney University in Australia from 1998 to 2002. I loved (and still love) both universities. But when it came time to resume my scholarly career after my first time as Dean, I decided to join this fabulous law school. I am now honoured and humbled to serve as its Dean.

One of my great pleasures is to meet with many of you at various events. There are two constants in those conversations. First, everyone has great things to say about Legal Process. That comes as no surprise! From my first days at the law school, it was clear that Legal Process is pivotal to the UVic Law experience. It is by far the best introduction to law I have seen. And it provides the foundation for the strong bonds that exist among faculty, staff, and students and that endure with alumni.

Second, alumni mention our various legal clinics. UVic Law is the Canadian leader in practical legal education. We have three cutting-edge clinics: The Law Centre, the Business Law Clinic and the Environmental Law Clinic. Our students also have opportunities for Co-op placements and volunteer positions with Pro Bono Students of Canada and our longstanding Legal Information Clinic. Over one-third of our students participate in The Law Centre alone, and just about another third in each of the BLC, ELC, and Co-op (some students do more than one.)

This is an amazing suite of offerings and they have a strong educational pay-off. Our students learn how to look at legal issues from a client's perspective. Employers regularly tell me that they are impressed at the practice-readiness of our graduates.

These opportunities also have a huge impact on the community. The Law Centre is 36 years old and serves almost 1,900 clients a year. The Business Law Clinic assists 90 clients a year, mostly non-profits and small businesses that could not otherwise afford legal assistance. The ELC works on environmental files throughout the province, from the management of the Creston wetlands to the Northern Gateway pipeline. All three of our clinics provide access to justice for the people of British Columbia. You will find many more success stories in this issue.

Clinical education is expensive. There is very good reason why talk about experiential learning outstrips action at law schools across Canada: law schools are not funded to provide these critical learning opportunities. UVic Law is immensely grateful to all of our alumni and friends who support our clinics and allow the law school to serve the community. I too am a donor. We are also very grateful to our institutional funders: the Law Foundation of British Columbia, the Tula Foundation, the Ministry of Justice and the Victoria Bar Association. Thanks to all of you.

I am excited for the future of UVic Law and look forward to getting to know many more alumni in the coming years. Wishing you all the best for 2014! ■

# Alumni Relations: Reconnecting

**ERIN HALLETT**  
Alumni Relations Officer



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In this issue, we highlight our three legal clinics: The Law Centre, the Environmental Law Clinic and the Business Law Clinic. When I connect with alumni who participated in any of these clinics, they share experiences that were diverse, innovative and ultimately helped them in their respective fields. These clinics also provide invaluable support to the community and promote access to justice.

For this issue, I had the chance to interview Professor Glenn Gallins, QC. Glenn is the Executive Director of The Law Centre and has been involved with this clinic since its inception. We talked a lot about the changes and challenges that continuously affect The Law Centre. As many of you may know, a recent change was The Law Centre's move to co-shared premises with the province's new Justice Access Centre at the Victoria courthouse (see page 6). It was great to see so many of you at the open house on November 20! And as most of you likely know, a constant challenge is ensuring The Law Centre has enough funding to meet the needs of its students and its clients.

I continue to see more alumni engaging with each other and with the law school. The UVic Law Alumni LinkedIn group now has over 800 members! Since our last issue, four classes — 1983, 1988, 1993 and 1998 — got together and celebrated with successful reunions. Plans are already in the works, led by Najeeb Hassan ('89), for his class' 25 year reunion in May 2014. I want to thank all of our alumni who organize, support and attend their reunions. They are an important way of maintaining a connection to your former classmates and the law school. I am here to help fa-

cilitate your reunion planning and I look forward to hearing from you if you want to re-connect in this way.

I also want to welcome our newest alumni, the Class of 2013. I invite our newest graduates to stay in touch with the law school and continue to participate as active members of the UVic Law family. As reflected in the pages of Vistas, our alumni are a diverse, exciting group that affect change in their communities, the legal profession and in the broader global community.



## 2014 Reunion Years

1979 – 35 year  
1984 – 30 year  
1989 – 25 year  
1994 – 20 year  
1999 – 15 year  
2004 – 10 year

## 2015 Reunion Years

1980 – 35 year  
1985 – 30 year  
1990 – 25 year  
1995 – 20 year  
2000 – 15 year  
2005 – 10 year



# Co-locating for Justice: The Law Centre's Next Chapter

—BY ERIN HALLETT, ALUMNI RELATIONS OFFICER



Glenn Gallins, QC, Director  
The Law Centre Clinical Law Program

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**G**lenn Gallins, QC, the 2013 co-recipient of the CBA's George A. Goyer, QC Memorial Award for Distinguished Service, has a long association with UVic Law that dates back to 1977. Hired by founding Dean Murray Fraser as an assistant in the fledgling Law Centre Program, Glenn moved into teaching the program from 1980 to 1984, and returned to direct The Law Centre Clinical Law Program in 1992. I recently had the pleasure of interviewing Glenn and got his historical perspective on The Law Centre and a glimpse into what the future holds now that The Law Centre is co-located with the province's new Victoria Justice Access Centre.

**Q: What are the most significant changes you've seen during your Directorship?**

The IT changes. We have moved from desks, dictaphones and a secretary who typed all correspondence, to students doing all their own computer and administrative work.

In the 70s and early 80s, students used to write out all their letters longhand. They were approved by me and then typed by the Clinical Program's secretary. That was not good! Due to the large number of letters that were written, sometimes it took two weeks for a letter to be typed.

Also, until about eight years ago the actual work we did was more or less the same from year to year. Then we started a Human Rights Clinic where we represented both Complainants and Respondents. The Clinic has enabled us to do really significant work. Our other work in criminal and family law is very important but I think the human rights work really resonates with students in terms of doing things that they think might make society better.

Another significant change is that The Law Centre has acquired a social worker, Susan Noakes, who works with students to help address clients' problems. Students find that the interdisciplinary approach to helping resolve their clients' issues is one of the most rewarding things they do. They can actually make a change in an individual's life. Students take care of the

legal work and then together with Susan they address whatever the problems were that brought their client into contact with the law.

Another challenge in the early years of The Law Centre was convincing members of the UVic faculty that experiential learning was a good and effective way to learn the law. There were not many people engaged in experiential learning when I started at The Law Centre. Now, of course, experiential learning has become an important component of most law schools' curriculum. For example, Osgoode students are required to have an experiential learning component in their law school career.

**Q: When do you expect to open the doors of the new Law Centre location?**

The Law Centre has been in its new location since September. On October 24, Attorney General, Suzanne Anton, officially opened Victoria's new Justice Access Centre (JAC) that co-shares space with The Law Centre. Alumni, friends, faculty, students and members of the local Bar were invited to an open house at The Law Centre on November 20, 2013.

**Q: How did the decision to relocate come about?**

I think credit really needs to go to former Dean Donna Greschner for making an initial overture to the former Deputy Attorney General, David Loukidelis. They were both attending a Law Society Benchers' meeting and David was talking about the Ministry's desire to open a JAC in Victoria. Donna approached him and said that The Law Centre might be interested in being a component. We subsequently got a call from the Ministry saying they wanted to have some exploratory meetings to discuss the possibility of The Law Centre co-locating with the JAC. The two Ministry of Justice staff that were most instrumental in bringing the JAC-Law Centre project to fruition were Irene Robertson and Dan VanderSluis.

We came to an agreement in principle about how the shared space would work. Essentially we would be co-locating in the former Land Titles Office, but The Law Centre would maintain its independent status. III▶

The synergy would result from our respective offices being in the same location: one-stop shopping for clients that need help the most. For example, JAC staff might determine that a client initially meeting with them might need the services of The Law Centre and vice versa. The co-location would mean that clients could literally be walked over to the appropriate office.

It took just over 18 months from the initial discussions to completion of renovations. It's not a lot of time to come up with the funding agreements, the lease agreement, architectural plans and execute a significant renovation.

The Law Foundation has been a party to all of this and The Law Centre is enormously grateful for their support. Wayne Robertson, QC, Executive Director of the Law Foundation, was very involved in moving this process forward.

**Q: What benefits do you see resulting from The Law Centre's co-location with the JAC?**

We recently had a student-staff meeting with the Manager of the JAC to talk about how referrals would be handled. We worked out that if one of our students identified a client problem that couldn't be dealt with by The Law Centre, and the duty lawyer agrees with the student's assessment, the student will literally walk the client to the reception area of the JAC and personally introduce the client to the JAC staff. This allows for the legal needs of the client to be articulated clearly.

The JAC has limited offerings at the moment because they're still hiring their staff. They currently have a Family Justice Counsellor doing mediation. They will also have a computer room where clients will be able to use computers to access legal information with the help of a JAC staff member.

If The Law Centre is not going to act for a client, we will usually give the client information to help them start resolving their problem. The co-location of the JAC with The Law Centre will enable us to walk a client over to JAC for further assistance in obtaining legal information.

**Q: Will the move have any impact on the structure of the Clinical Program or how it is run?**

No. However, there are several significant practical advantages to the move. We are now literally 75 feet from the closest courtroom. So, we no longer have to walk from our office to the Victoria courthouse. This will save about thirty minutes per court appearance - 15 minutes there and back. When you consider The Law Centre did 474 court appearances in the last six months, the amount of time that will be saved is huge. Since staff supervise every significant court appearance we will also save a significant amount of staff time.

Another advantage of our new location is that students now have access to the courthouse library. The library is an enormously useful resource. While students do a lot of research on the computer with programs like Quicklaw and Westlaw, there are times when the library is the best resource. In the past I have suggested to students that they go to the courthouse library to do research and I know that because of the time involved they don't want to go. I think quick access to the courthouse library will be terrifically useful.

Our new location also makes it easier in terms of client referrals from court. Courtroom 103 is the court where persons charged with a criminal offence first appear in court in Victoria. The JPs presiding in this court usually tell unrepresented people to go to The Law Centre for help. Now these people only need to walk around the courthouse building to come to our office, as opposed to crossing downtown to our old location. Previously many people, for whatever reason, never made it to The Law Centre. So The Law Centre's new location will make it easier for clients to obtain help.

Our fear, of course, is that we won't be able to handle the great increase in clients because our staffing is going to remain the same. And our staff is basically Judy Jones, the Program Administrator. While she normally does the work of four people, we can fore-

see real challenges in dealing with a great influx of new clients.

**Q: What are the greatest areas of need that The Law Centre supports?**

About 30% of our caseload deals with criminal law, 30% family law, 10% human rights, and 5% representation agreements and wills. The remaining cases deal with administrative law issues. Which of those areas are the most important? I don't know. I guess for each client their problem is the most important. I am not sure that we change the world but I like the saying I first read in one of John Grisham's books, "What we do is make the world better one case at a time."

The Law Centre isn't an agency focused on major systemic change. We aren't looking for test cases or that sort of thing. We sometimes get a human rights case where we can obtain a Tribunal decision or an agreement with a respondent that really will make a difference. For example, there was a case we brought against the Save-on-Foods Memorial Centre to require the Centre to provide an extra free seat for someone who was so disabled that they could not attend an event unless they were accompanied by their caregiver. We were able to reach an agreement that included the requirement that the Centre would in the future provide a free seat in these circumstances and would also post in a conspicuous place in the Centre the fact that they had this policy.

**Q: Given the recent difficulties that students are having finding articles, do you think that The Law Centre provides an advantage to students? If yes, what do you think these advantages are?**

Absolutely. Because of our experiential focus, a Law Centre student is an asset that is immediately useable and efficient. Firms that do family law, criminal law or provincial court civil litigation can assign much of the work needed to accomplish the client's objectives to former Law Centre students and expect that work will be done well.

I think former Law Centre students are also an asset because they know how to think about a file. One of



the things our students learn is that before you begin work on a file you need to understand what the client really wants as an outcome. Students learn to address clients' problems not only by determining their legal rights but also by looking at non-legal resources to achieve the client's true goals.

Law Centre students also tend to be ahead of the curve because they have had time to develop basic lawyering skills. They have interviewed large numbers of clients and have been critiqued in their interviewing skills. They know how to appear in court on various matters and how to fully prepare for trials and hearings. They know how to interact with counsel and they have been engaged in numerous negotiations.

As a result of all of these things, students have more confidence in their skills and abilities and have more to offer future employers.

**Q: Do you see The Law Centre experience as benefiting the profession?**

One of the most important things we do at The Law Centre is to expose students to the population of clients we work with. Students come in contact with people who are not only economically disadvantaged but have numerous other challenges. For example, about 15% of our clients have mental health issues, often along with a whole array of other problems. The result is that our students not only assist in a resolution of our clients' legal problems, but they also become really very aware of the fact that if they weren't helping the clients, the outcomes for the clients would be far worse.

A good example of this relates to a simple criminal matter. When a person is charged, the Crown provides what is called an Initial Sentencing Position (ISP). An ISP is the sentence that the Crown will ask a judge to impose in the absence of further information about the person.

When acting for someone with a criminal charge, Law Centre students do a detailed work-up of our client's background, the circumstances of the offence and the steps the client has taken to address the underlying causes of the offence. This information is

conveyed to the Crown and often leads to an agreement with the Crown to seek a lesser sentence. Such agreements when presented to a judge almost always result in a lesser sentence for an accused than would have been imposed if the client had not been represented by a Law Centre student.

Thus, students see firsthand the impact that legal help can have on individuals and that access to justice changes people's lives for the better.

**Q: What message do you want alumni to hear about The Law Centre?**

Funding remains a significant challenge. Alumni love The Law Centre. The Law Centre has faculty support, it has the Bar's support and the Judges have accepted and really welcomed our students.

The Law Centre needs alumni to support it financially. Its continued success and longevity is dependent upon the support of alumni, donors and friends. The Law Centre receives significant support from the Law Foundation of British Columbia but it is about 75% externally funded. Every donation has an impact and I am grateful to our generous alumni donors.

**Q: What kinds of opportunities are available for alumni to support The Law Centre and the work you are doing?**

We have a full contingent of local lawyers that provide students with articles on a temporary basis. At the start of each academic year, Judy calls lawyers from our list. When I first started doing this in the late 1970s, calling lawyers was more a question of explaining who we were. Now it's easy and almost all of the lawyers who serve as principals are former Law Centre students.

When a student gets temporarily articulated they meet with their principals for another source of advice. They can get excellent advice from our staff, Steve Perks ('87), Tybring Hemphill ('92) or me, but other perspectives are always useful. So typically they will meet several times during the term with their principals. Some principals invite students to bring over a

couple of files to discuss at each meeting. Others invite students to bring over all of their files.

The lawyers that serve as principals make a huge contribution to The Law Centre and I want to thank them for their volunteer commitment.

**Q: What is one of your favourite comments you have received from a Law Centre alumni?**

The comment is in reference to the student orientation that takes place at the law school in the moot courtroom before the students move to The Law Centre. An alumni commented that, "Glenn Gallins is the only professor I know with whom I could spend four weeks in a windowless room and still like at the end."

**Q: Is there anything else you want to say about The Law Centre and its goals for the foreseeable future?**

I hope I am able to contribute to The Law Centre program for many years to come. 



# The Law Centre Open House

November 20, 2013





**Alison  
Brewin** ('91)

# Career Track: An Interview with Alison Brewin ('91)

—BY JOHN LEE

**W**hen Alison Brewin began her UVic Law studies in 1988, she wasn't keen on following her father into practice and she didn't have a dedicated career path in mind. But she did have a strong feeling that her legal training could have a deep and practical service role.

More than 20 years later — and with the benefit of hindsight — that “missing” career track is self-evident in a resume that runs from non-profit management to women's equality work. Now leading her own consultancy, she credits her formative UVic years and the network of alumni she developed as invaluable.

## **Q: What do you recall about your early UVic days?**

Most of the other students were moving towards careers at the Bar, but I just didn't feel that kind of motivation. I arrived with a deep interest in compassion and women's rights — I think I was hoping to use my degree to do something useful in society. But to be honest, my main aspiration was to be a novelist!

## **Q: Which UVic classes really worked — or didn't work — for you?**

I loved Family Law. The instructor John Kilcoyne had a very open view of the family and how it worked in the world — including the idea that family conflict is usually fine until emotions come into play. Criminal Law was less enjoyable: I found it challenging to

have conversations that didn't really address the human side.

## **Q: Was feminism an early influence?**

I applied the gender lens from day one at UVic. But I found the school to be very progressive even then: all views were welcome and the university was one of the first to adopt non-gender-specific language in its classes. I've since done presentations at several law schools and I've found UVic students to be among the most open and engaged — they're always ready to contribute ideas and solutions.

## **Q: Did your views shape your time at UVic?**

I've always been much more interested in hands-on approaches than ideological debates — my feminism is more about workshops than jargon — so my approach at UVic was to find practical ways to help. I worked at the city's Women's Sexual Assault Centre while I was a student and this made me realize that making a difference on the ground was always going to be more important to me.

## **Q: What happened after you graduated?**

I worked in non-profit management for several years before becoming Executive Director at West Coast LEAF (West Coast Legal and Education Action Fund, an organization that uses legal means to advance women's equality). I accepted the job with the understanding that my grassroots approach would take them in a more practical direction — we were soon building education programs and getting involved in law reform work.

## **Q: Did your UVic background help with these projects?**

The network of lawyers I developed among my fellow students has been really useful for getting projects moving: I've had access to some great volunteer lawyers over the years. There's always a debate about whether those who lead legal organizations should also practice — I never have — but UVic has provided me with a ready-made network that keeps me connected to the legal community.

## **Q: What advice would you give to young women considering law degrees?**

Go into it without getting caught up in the legal profession's idea of success. And consider it even if you don't have a career in practice in mind. The important thing is to think about your personal goals and how this can help you achieve them. But if you enter the non-profit sector — and I think a legal background is vital for that — it's important not to get used to the idea of earning a high income!

## **Q: Why did you move into consultancy?**

After a decade at West Coast LEAF, it was time for a change. I have four kids and I wanted to work from home. I also wanted to support non-profits in a more general way — finding more creative solutions to support and empower these organizations. I haven't really changed my philosophy from the early days, but I think I'm being more practical than ever now.

## **Q: And what about that “missing” career track?**

When people used to ask me: ‘what is your career path?’ I always thought I didn't have one. But now I look back, I can see I had one all along. I've always asked myself whether something was important or not — and I've never stopped asking that question.

But I haven't forgotten about becoming a novelist either! I've been working on a story recently and it's starting to come together. It's a theme's that's important to me: an historical novel set in Vancouver in the 1930s and 1940s about the conflict in equality rights.

**N**

**Called to the Bar in 1992, instead of practicing law, Alison pursued a career in the non-profit sector in BC — working with service and advocacy organizations such as East Side Family Place, the Domestic Workers Association, and most recently as Executive Director of West Coast LEAF. Alison currently works as a non-profit organizational, planning and evaluation consultant for a range of clients. For more info see [www.alisonbrewin.com](http://www.alisonbrewin.com)**



# A Unique Environment: A year in Review at the ELC

—BY MARNI MACLEOD ('93)

UVic Law is unique in the number and variety of its experiential learning programs. The Environmental Law Centre (ELC) is a non-profit incorporated society that partners with the Faculty of Law to operate UVic's nationally-acclaimed public interest environmental law clinic program. Other clinic-style programs at UVic Law include The Law Centre, The Business Law Clinic and special intensive offerings like the Criminal Law Term and Managing Intellectual Property.

The environmental law clinic program at UVic was established by Professor Chris Tollefson ('85) and a handful of enthusiastic students in the early 1990s. In 1996, Tollefson became the founding Executive Director of the ELC, a position he still holds.

The ELC clinic program is the first-ever and the largest of its kind in Canada. It operates on a law firm model, with four staff lawyers supervising the work of upwards of thirty clinic students per year. ELC operations are also supported by a full-time paralegal and an articling student. All new ELC cases and projects are approved by the ELC's Board of Directors. The ELC is wholly reliant on external funding. While its core funder for the last seven years has been the Tula Foundation, it also receives ongoing support from the Law Foundation of British Columbia.

It's been a banner year for the ELC if the earned media is anything to go by.



Anthony Ho ('14), ELC clinic student  
Professor Chris Tollefson ('85), Executive Director, ELC  
Natasha Gooch ('13), ELC articling student

## (Some of) the ELC's Accomplishments 2012-2013:

- » Conducted over twenty-five hours of cross-examination of four separate expert witness panels in Prince George and Prince Rupert as legal counsel to the joint intervenors BC Nature/Nature Canada during the federal hearings into the proposed Enbridge Northern Gateway pipeline. Tollefson and his clinic students also filed a lengthy final written argument in May and (on a fifth trip north in eight months) appeared in Terrace in June to make oral reply submissions.
- » Persuaded Canada's Information Commissioner to investigate allegations that government scientists are being muzzled in contravention of federal access to information laws, a story that has received national and international attention (including rants from both Rick Mercer and Jian Ghomeshi).
- » Spearheaded a legal team that represented a broad-based community coalition (the Friends of Nanaimo Harbour Society) which successfully defeated a plan by the federal Port Authority to privatize Nanaimo harbour under an MOU that contemplated a 30 year lease with an American developer. Our team included fellow UVic Law alumni Peter Behie ('85), Q.C., a partner at Nanaimo law firm Ramsay Lampman Rhodes and classmate of Tollefson's.
- » Led the legal fight against the Raven Coal Mine on northern Vancouver Island by, among other things, seeking a drinking water protection order on behalf of a variety of North Island-based clients.
- » Published a compendium of environmental law reform proposals to inform the debate on environmental issues during the last provincial election.
- » Developed website content to enable tracking of resource development and regulatory approvals in northwest BC (for its client Rivers without Borders).
- » Represented six appellants (with ELC Fellow Richard Overstall) in a contested application for standing before the Environmental Appeal Board. The appellants are seeking to challenge a permit granted to Rio Tinto Alcan that would significantly increase the quantity of SO<sub>2</sub> in the Kitimat/Terrace airshed.
- » Filed a written brief to the federal and BC Ministers of Environment detailing concerns about the nature and pace of LNG development in northern BC and requesting a strategic economic and environmental assessment.

For further details see [www.elc.uvic.ca](http://www.elc.uvic.ca)

While you may have heard about the ELC's activities in the news, you may not know that the ELC is engaged in enhancing the capacity of the public interest environmental law Bar. It has done so through two initiatives: the ELC Associates Program and, more recently, through the creation of the ELC Advisory Council. Both initiatives provide avenues for engaging alumni (and others) for the purposes of providing a rich learning environment for students and affording participants invaluable networking opportunities and access to continuing professional development opportunities.

Created six years ago with funding from the Law Foundation of BC, the ELC Associates Program assists the ELC in serving its province-wide clientele by networking the ELC with alumni and members of the Bar in BC. Through this unique program, private practitioners with an interest in public interest environmental law are recruited to serve two-year terms as Associates of the ELC. Each group of Associates is known as a 'cohort'. Each cohort assists the ELC in mentoring and teaching clinic students, collaborating on cases, and participating in ongoing professional development and education activities. Cohorts I to III (over thirty lawyers in all) have completed the program and have earned the designation of 'ELC Fellow'. Cohort III completed its term in August 2013.

Educational and professional development activities include regular teleconferences, face-to-face meetings and semi-annual CLE-style public interest environmental law conferences (both provincial and one national in scope). The most recent of these conferences was held in March 2013 at Thompson Rivers University and inaugurated what the ELC hopes will be an ongoing collaboration between the two law schools.

This past year, the ELC Associates Program has focused on service delivery to communities and organizations in northern British Columbia that are grappling with resource development pressures. To this end, Professor Tollefson and his students have worked closely with various ELC Associates and Fellows rep-

resenting other intervenors in the Enbridge Northern Gateway hearing process by coordinating research, motion filing and cross-examination responsibilities on behalf of various intervenor groups.

The lawyers selected to comprise ELC Associates Cohort IV are:

- » Brenda Gaertner, Mandell, Pinder
- » Lani Gibson ('03), Giddings and Co (Kitimat)
- » Anna Johnston ('10), West Coast Environmental Law
- » Ethan Krindle ('11), solo practice (Victoria)
- » Reidar Mogerman ('96), Camp Fiorante Mathews Mogerman
- » Marie Potvin (Master of Laws '06), solo practice (Kamloops)
- » Eric Regher ('03), Hart Legal (Victoria)
- » Barry Robinson ('06), Ecojustice
- » Maya Stano, Bull, Housser & Tupper LLP
- » James Tate, Ratcliff & Company LLP
- » Patrick Canning, solo practice (Tofino)

Seven members of this cohort are UVic Law alumni, and many took the ELC program while in law school.

There are also opportunities for alumni to get involved in the activities of the Centre, as well as the Intensive Stream course, via the ELC Advisory Council. The ELC Advisory Council (ELCAC) was established in 2013 to provide strategic guidance and an experienced sounding board for the Environmental Law

Centre as it develops and undertakes cases on behalf of a broad range of intervenor public interest groups. Selected from local, provincial and international communities, ELCAC members are chosen to provide the mix of expertise necessary to inform and support the ELC's activities. Members of the ELCAC also assist in advancing the goals and mission of ELC, and may serve, as agreed upon, through events, public speaking, professional work, and outreach to contact networks. III►



L-R:  
**Anthony Ho** (Intensive Stream ELC Clinic student),  
**Bev and Dave Carter** (Friends of Nanaimo Harbour Society),  
**Megan Seiling** (Intensive Stream ELC Clinic student),  
**Chris Tollefson ('85)** (Executive Director, ELC),  
**Holly Pattison** (Administrator, ELC),  
**Jeremy Webber, Dean of Law.**



PHOTOS: PERSONAL ARCHIVE



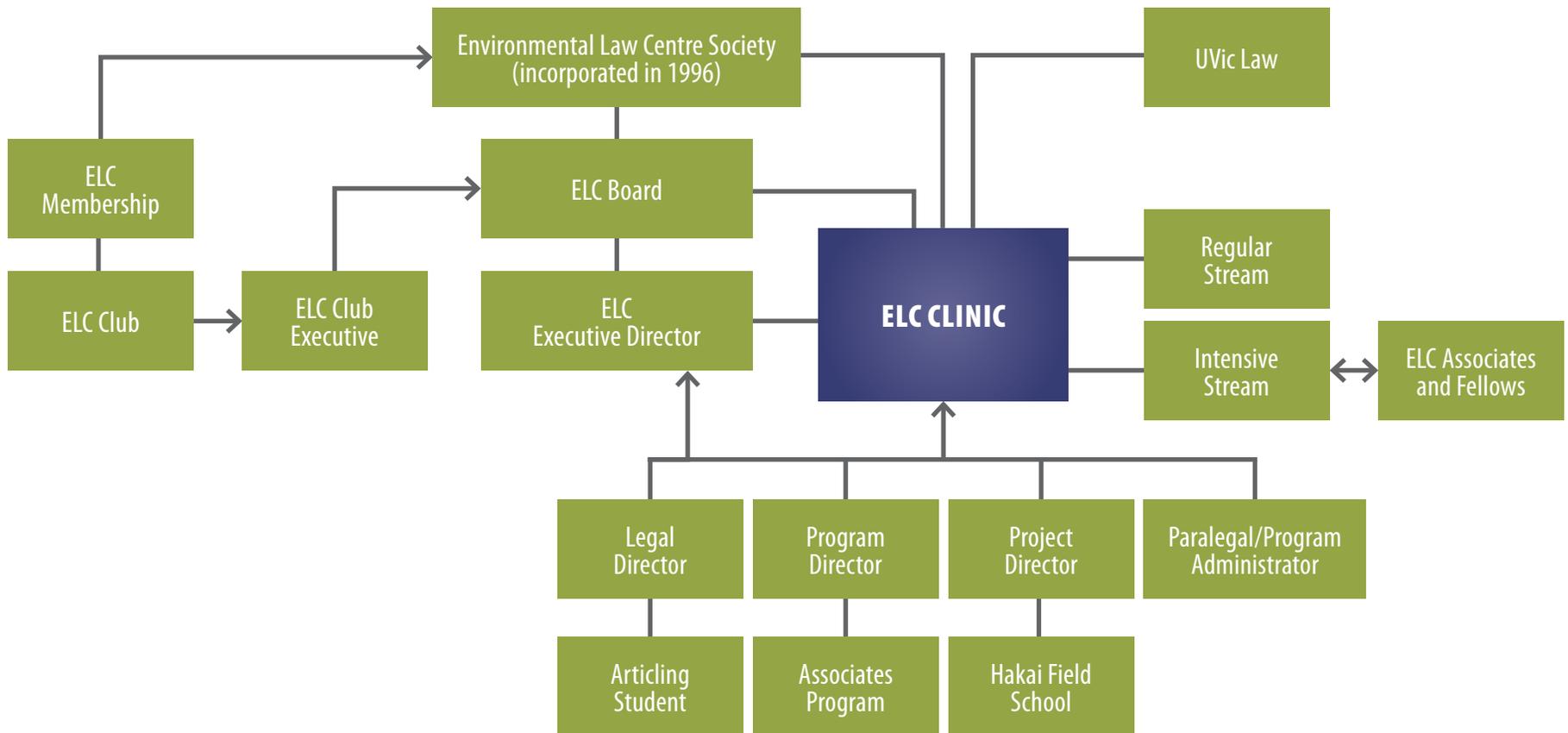
The ELC accepts nominations on an ongoing basis and expects, when fully operational, to have up to 15 active members on the ELCAC to assist the board and staff in the following key areas:

- » Community development and engagement
- » Multi-sector partnership development
- » Indigenous Law and traditional knowledge
- » Environmental law and policy
- » Litigation
- » Science

ELCAC operates on a flexible, ad hoc basis that allows for the ELC to draw on its expertise as needed.

As such, ELCAC members are not expected to attend regular meetings nor undertake any fiduciary duties for the organization. ELCAC members can, however, expect to be called upon for their advice and expertise (sometimes on fairly short notice) particularly as the ELC becomes more engaged in time-sensitive regulatory and litigation work.

To find out more about the ELC Associates Program or how to be nominated for the ELC Advisory Council you are invited to contact Holly Pattison, the ELC Paralegal and Program Coordinator, at [elc@uvic.ca](mailto:elc@uvic.ca) or by phone at 250.721.8188. 



# Hakai Field School



**DEBORAH CURRAN ('96)**  
Hakai Professor in Environmental  
Law and Sustainability

The Faculty of Law is privileged to offer Law 384, a unique Field Course in Environmental Law and Sustainability. With generous support from the Tula Foundation and Hakai Beach Institute, up to fifteen Law and Environmental Studies students spend almost two weeks at the end of August at the remote Hakai Beach Institute in the Central Coast of BC. Located in the traditional territories of the Heiltsuk and Wuikinuxv Nations, the Institute occupies 87 hectares on the north end of Calvert Island in the Hakai Luxvbalis Conservancy. The focus of the course is on the interaction between colonial and Indigenous laws in the area, particularly in the areas of environmental and resource management. The students explore the unique legal arrangements that have resulted from what are popularly known as the "Great Bear Rainforest Agreements". Taught since 2011, the course became national in scope when five law students from law faculties across Canada joined the UVic students in 2013.

"The Field Course is an exceptional learning opportunity for law students in Canada," says Deborah Curran, the Hakai Professor in Environmental Law and Sustainability and instructor for the course. "It is a unique field experience outside of urban areas where

students are immersed in the operation of both Indigenous and colonial legal systems. We are honoured to make a small contribution to legal information and knowledge about the Central Coast by having students complete their final research paper on issues identified by both the Wuikinuxv and Heiltsuk Nations."

The Tula Foundation is the core sponsor for the Environmental Law Centre, and also operates the Hakai Beach Institute at which a wide range of scientific research and ecological monitoring occurs.



# UVic Welcomes Family Law Practitioner in Residence Jane Henderson ('78), QC

— BY ERIN HALLETT, ALUMNI RELATIONS OFFICER



© UVIC PHOTO SERVICES

Jane Henderson ('78), QC  
Family Law Practitioner in Residence

## **Q: How does it feel to be UVic Law's "Family Law Practitioner in Residence"?**

It's fabulous! A bit daunting but everybody has been so friendly and welcoming that I am really enjoying it.

## **Q: What do you see as the purpose of your new role?**

I hope I can get students excited about family law practice and encourage them to consider family law as a possible career. I will have been practicing family law for 35 years in July 2014. That's a bit of a shocker I can tell you! It's a great and broad range of practice. You do a bit of everything. It's always challenging and you meet very interesting people. Although you may not be changing the world on a huge scale, you are definitely making an important difference for individual people. People come into your office and they are absolutely miserable and they think they will never be happy again, life is over as they know it, etc. And a few years later, or a couple of weeks later if it's a mediation file, they walk out feeling better. It's transformative.

But family law lawyers have to be careful not to burn out. I came close. It took me probably 10 years to figure out that I can't save everybody. They make their own mistakes and will continue to do so. Especially when the same client comes back with a second or third partner.

I have always been really lucky that I have practiced with other family law lawyers who have a sense of humour. It helps to be able to walk down the hall at the end of a challenging day and share a bit of levity. Having good partners and not being alone, or at least having someone to call, is critical. So I hope I can show students that you can have a long and satisfying career practicing family law, and give them some useful pointers on how to do it.

## **Q: What do you think are some of the critical changes in the new Family Law Act that students and lawyers need to be aware of?**

There are a lot of small tweaks but there are two main things. There is a fair bit of encoding in the legis-

lation of a lot of practices that family law lawyers were already doing.

I think one of the main things is the recognition of the interdisciplinary nature of family law i.e., that it's not just lawyers. We are working with counsellors, child psychologists, accountants, and others... and the more we can all share our expertise the better. It is also cheaper for the parties than having each party hire their own group of experts.

The second piece is probably the duty that is now imposed on lawyers, and all family law professionals, to really seriously inquire as to whether there is evidence of family violence and then to be able to advise your client what to do about it if there is. This really clicked with me as a critical duty when I was preparing for the family violence course that Eugene Raponi ('81) and I put on. We have an obligation to inquire about family violence and let our clients know about the resources available. If we are going to encourage people to settle outside of Court, we need to be sure that they are not acting out of fear, or under duress.

So, for example, you have to know enough to know that survivors of domestic violence may initially deny there is a problem. You have to know when to probe further and when to exercise some judgment if it seems obvious that violence is not an issue. The presence of family violence doesn't necessarily mean that mediation or arbitration can't work, different professionals have different opinions about that, but if it is present, you have to make sure that the process is safe and allows for a resolution that is fair.

Personally, if it seems clear to me that there are no signs of any violence and my client says there wasn't, then I would believe my client and not belabour it or push it. But it's a judgment call that family law lawyers really haven't had to make before. I think imposing the duty to make the inquiry is a positive change as it's about time that there was a recognition that family violence is still a really prevalent problem in our society. III ►

**Q: What are some of the most significant changes to family law since you started your practice?**

We go to court far less than we used to. There was no alternate dispute resolution when I started. Most cases settled BUT you might have gone to court three or four times before you actually achieved a settlement. I remember when mediation became available and lawyers were initially very suspicious of the process. Now arbitration is very new. We never had specialists like parenting coordinators and we would never have thought about both parties together instructing an expert, like a business evaluator or an appraiser. Each party would pay separately and get their own experts and then you would hope that they (the experts) weren't also going to be fighting. So, I think the biggest change is the move away from the courts and towards other dispute resolution techniques.

**Q: What was it like being a member of the first graduating class of UVic Law?**

In lots of ways it was great and in other ways it was not so great. I was very judgmental back then and I think I was pretty much a pain to quite a few people but I found them to be pretty painful as well. I was less tolerant than I am now.

The students didn't seem competitive but there were political differences; the usual left-right divide but often not even that concrete. And I would say that there were gender differences. I think most of the women would have called, and still call, ourselves feminists, but I had the feeling that some of the men thought that we shouldn't even be in the law school, let alone think about being lawyers. I think they wondered how they ended up in a law school with all those girls. So that was a bit of an issue for some.

Having said that, we were a very cooperative class. For instance, we made a big point in first year that there wasn't going to be a president of the Law Students Society. We had a council with a rotating chairperson. Don't forget this was the 1970s! So we elected about 6 or 8 representatives and we each took a turn being the chairperson of the council. Did that make a big difference to our experience? Well, none of us

graduated with "President of the Law Students Society" on our resumé.

I am still friends with lots of people from law school although I don't see many of them very often.

The Faculty were great. There weren't very many of them, several seemed really young, and they were very collegial and really enthusiastic about the new school. I think to a large extent they infused us with their enthusiasm. Even though we, and I am speaking for myself, didn't know what was so great about the law school (never having known any other) they did and they certainly made the point that it was different. And then you found out later that UVic Law was different.

We used to, I think Jack Woodward ('78) gets the credit for this, create class outlines so that around exam time everybody would contribute their notes. We had an old Gestetner machine that we used to print the outlines. The one Xerox machine in the library would have been too expensive. I remember that the class notes were available to everyone whether you took notes in class or not.

On the whole, it was pretty congenial. I think we were all reasonably tolerant, if not respectful, of our differences... and overall I look back with real fondness to my time as a law student.

**Q: Do you have a favourite memory of UVic Law or a favourite professor?**

I remember all of my professors really fondly. However, this is one thing that stands out for me and it's maybe part of the UVic Law difference. It was exam time at the end of my second year and I think it was my Business Transactions exam. I think we took that class from Professor Wuester. I overslept, probably because I had been cramming all night as I wasn't very good at Business Transactions. I woke up to the phone ringing and it was Mrs. Cummings, the Dean's assistant, saying so sweetly, "Jane, I think you have an exam. Did you oversleep?"

They noticed I wasn't there and they called to find out where I was. Who would have thought that would have happened? So then of course I had to run around

like a chicken with my head cut off, got to the law school an hour after the exam had started – it was a three hour exam – and I remember Professor Wuester saying I had three hours, starting now. In other words, everyone is going to be done but if you want to take an extra hour I will stay here and supervise you. Good news... bad news is that I didn't know enough about Business Transactions to take three hours to write the exam. I was still one of the first people finished. But still, it was pretty amazing that they would notice me missing and track me down. It is definitely a standout memory for me.

**Q: Tell me about your family law work with mediation and collaborative law.**

I originally trained as a mediator in 1985 which was very early. But I didn't really practice as a mediator except for maybe one or two cases. I found it difficult to put together a regular family law practice and a practice as a mediator. As a mediator you have to be flexible in terms of your timing to accommodate the parties and their lawyers; in a regular family law practice, particularly in those days, you never knew when you were going to get served with a Chambers Application and have to be in court in a few days. So it was hard to reconcile the two.

It wasn't really until about 2008-2009 that I started ramping back my regular family law practice and going into mediation. And that was part of a deliberate move to a part-time practice because mediation works really well as a part-time practice.

I think it's hard to do mediation full-time. I think it is too intense to be doing five days a week and for me there has never been enough work to do that anyway. So the part-time approach works out well as long as you can keep your overhead down. Often young lawyers tell me they want to be mediators straight out of the gate. But it is hard to get clients in the door until you have been around for awhile and established a reputation. Virtually all of my mediation clients are either referrals from other lawyers or referrals from other clients. It's hard to jump right in and start a mediation practice if you are unknown. Economically it

can also be challenging because often mediations get adjourned, and unlike an advocacy practise, there isn't another file just waiting to fill that particular time. So you have to be in the lucky position of being able to forgo that income and appreciate the time off.

I wasn't one of the earliest adopters of collaborative law in Victoria but I started fairly soon after because it made sense as a way to resolve issues. With both mediation and collaborative law, the goal is to stay out of court and find a reasonable resolution. Now I think if a matter can be resolved without fighting in court that is a much better approach. Collaborative law allows people to sit down together in a civilized way, looks at the problem holistically and figures out the best way to solve it for the family.

Collaborative law involves the two parties and their lawyers and shared experts, like child development specialists and accountants, who give them advice on how best to deal with the problems they have to solve.

With mediation, lawyers may or may not be there and the mediator facilitates the discussion. My own personal view, and not everybody would agree with me, is that mediation is probably cheaper particularly if lawyers don't come into the process until the end. But in some cases where people are really intractable, collaborative law can be a better option because one of the fundamentals is that each party has a coach. The coaches act like private therapists during the process, helping the parties deal with each other productively because the parties often know exactly how to push the other person's buttons and how to make them crazy. A coach helps calm the waters and the two coaches will also talk, which can clear the way for productive dialogue between the parties. The coaching aspect of the collaborative law process can help people who are very high conflict deal with issues that the mediator doesn't usually address. The problem is that most parties don't want to pay for coaches on top of lawyers. It does add a layer of expense but I think in the long run it may save a lot of money in cases where it is really needed.

**Q: You believe that practicing family law has opened the door to interesting volunteer opportunities. Can you talk a bit about some of those opportunities?**

It wasn't just practicing family law, though my practice helped. A lot of opportunities had to do with being a woman and a lawyer back in the 1970s and 1980s when there weren't that many around. It meant I represented, what I later learned is called in the nominating business, a "twofer"; the board could get a woman and a lawyer in one person. So I had lots of opportunities to serve on different boards and do different things. I was involved with the YMCA-YWCA for a long time and ended up on the national YWCA nominating committee. That was fabulous. I learned so much from everybody there about organizational structure and governance and it was great fun. I was also on the board of Kaleidoscope Theatre; that was interesting and different to be involved in the arts end of things and something I never would have seen otherwise.

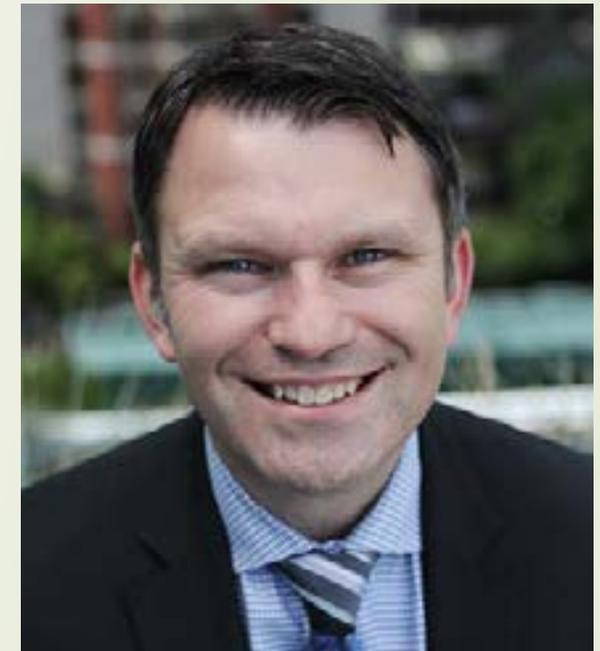
The BC Racing Commission was the absolute best. We regulated horse racing in British Columbia and I got to hang out at the track and go to the horse races and that was fabulous. Absolutely fabulous – most fun I ever had practicing law! We regulated horse racing, we distributed the money that was raised through betting to the various horse racing organizations, and then we adjudicated appeals from decisions of the racing stewards. That was a great experience.

**Q: Are there any ways that alumni could help support you in your role as Family Law Practitioner in Residence?**

I would like alumni to interact with the students and give them all jobs! That would be the best thing they could do. Hire UVic Law students and come up to the law school and see how fabulous it is here. There are so many neat things going on and I am hoping that I can encourage people to come and take advantage of what is happening at the law school. Not just alumni but everybody in the Victoria Bar. 

# An Invitation to Engage: An Interview with CBA BC President, Dean Crawford ('94)

—BY MARNI MACLEOD ('93)



Dean Crawford ('94) is the President of the CBA BC and a partner at labour and employment law boutique, Coutts Pulver LLP (cplaw.ca)

© SIMON BURSELL

**Q: When did you first get involved with the CBA?**

Other than a short break early in my practice when I went to Ottawa to take on a policy role, I've been involved with the CBA for most of the 18 years I have been in practice.

**Q: What prompted your involvement?**

I articulated with R&D (now Fasken Martineau) and a CBA membership came with the job. I started by attending practice section meetings that interested me. I came to law from a government relations and public policy background and quickly recognized that the CBA provided a good intersection for policy and law. As time went on, I became increasingly interested in the CBA's advocacy activities. After my return from Ottawa I got back involved with the CBA and sat on the Government Relations Committee for a couple of years. During that time I met past CBA BC President Sharon Matthews, QC and she really encouraged me to get involved with CBA activities and got me to attend meetings with her to inspire me. It worked. The next step from there was to seek election to the Provincial Council and from there I secured a spot on the Executive Committee.

**Q: What are the benefits for alumni in getting involved with the CBA?**

We are lucky in BC. We have roughly 75 CBA sections and many actively provide quality programming for their members. Now that CPD is mandatory, the CBA is a great resource for lawyers who want to keep up with developments in their practice areas and earn free CPD credits.

In addition, the people you meet are terrific. They come from diverse backgrounds and areas of practice and bring so much to the table. I'm always learning. As an employment law lawyer I came from a relatively specific area of the Bar. Through my involvement with the CBA I have met people from across the province that I would not otherwise have had the opportunity to meet. This has expanded the knowledge base I bring to my practice and broadened my perspective.

I can also say without hesitation that my deeper involvement with the CBA has operated as a mid-career recharge for me. I'm enjoying connecting with younger members of the Bar and working with experienced practitioners in exploring how the practice of law is evolving and how best to meet the challenges we face as a profession.

The CBABC's Sections and Forums continue to be the lifeblood of Branch activity for many of our 6,900 members. If you are a member of the Bar in BC, I encourage you to participate in your local Section or Forum. They provide great networking opportunities and a very inexpensive form of professional development to meet your CPD requirements in BC.

There are many opportunities for engagement at the CBA. I know from my years at UVic Law that many of my classmates felt very strongly about access to justice issues and there are numerous avenues available for making your voices heard. Whether it's working on legislation and reform committees (the CBA was instrumental in providing input on the new BC Family Law Act and the new Limitations Act), advocating for sustainable legal aid funding and adequate funding for court services as part of the Agenda for Justice initiatives or contributing to the professional development of law students, fellow lawyers and other legal professionals. I encourage you to explore the CBA website ([www.cbabc.org](http://www.cbabc.org)). This is your organization and there are many resources available that may be of interest (and benefit) to you.

**Q: What's on the agenda for the CBABC in the coming months?**

Without question, access to justice, through long-term and sustainable funding of the legal aid system, as well as proper funding of the court system, continues to be a priority. Our Agenda for Justice, which we published in advance of last spring's provincial election, sets out the CBABC's recommendations to the provincial government on access to justice and in respect of legislative reforms.

There are also a number of other important initiatives underway, including the provincial government's

implementation of the Civil Resolution Tribunal. The Tribunal, as presently constituted, may severely restrict the role of a lawyer in representing clients before that body and we must be vigilant that justice and fairness are protected.

In addition, the CBA has been a strong advocate for the interests of the profession and the public by making submissions to the Legal Service Providers Task Force that is currently considering whether the Law Society should take on the task of regulating other legal service providers (like notaries and paralegals) in the province. They just issued their Interim Report this past July ([http://www.lawsociety.bc.ca/docs/publications/reports/LegalServicesProvidersTF\\_2013.pdf](http://www.lawsociety.bc.ca/docs/publications/reports/LegalServicesProvidersTF_2013.pdf))

One of the issues under consideration is whether an expanded role for notaries and paralegals might help remove access to justice barriers and whether the Law Society should play a role by taking on the supervision of the proposed expanded roles.

**Q: Do you feel any progress has been made on improving access to justice?**

I do feel we are making some progress on the implementation side. For example, prior to the last provincial election both the Liberals and the NDP made commitments to increase funding levels for Legal Aid and the Liberals have given Legal Aid a \$2 million bump for next year. I believe this is a direct result of the CBA's lobbying efforts.

The Access to Justice Committee (CBA National) has recently released its road map to equal justice which includes an invitation to the legal community to take on contributing to meaningful access to justice as a personal challenge. I encourage all alumni to read the report ([www.cba.org/cba/equaljustice/main/](http://www.cba.org/cba/equaljustice/main/)). You can decide for yourselves what contribution you can make. 



THE CANADIAN  
BAR ASSOCIATION  
British Columbia Branch

# Reunions

## Class of 1988

Organized by Michael Doherty ('88), the Class of 1988 celebrated their 25 year reunion in Victoria in September. The Class got together at the law school for a reception on September 20 and then enjoyed dinner at the recently re-opened Oak Beach Hotel on the Saturday night. Professors John Kilcoyne, Hamar Foster, Bob Howell and Dean Jeremy Webber were in attendance. Thank you to everyone who travelled to Victoria to attend the celebrations! 🇺🇸



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PHOTOS: PERSONAL ARCHIVE

## 20 Years seemed like yesterday

The class of '93 celebrated their 20th Reunion in typical fashion with a "Kitchen Party" reception at Skunkworks Creative Group Inc. on September 27th, capped off with a dinner at La Terrazza Restaurant the following evening. Many thanks to those who braved torrential rains to come out and renew old ties including UVic Law's new Dean, Jeremy Webber and Prof. Chris Tollefson ('85). 



PHOTOS: DOUG JASINSKI ('93)

## Class of 1998 Reunion

Greetings alumni and alumnae! On July 27, 2013, the UVic Law Class of '98 held its 15-Year reunion party, which took place at the Joe Fortes Seafood & Chop House restaurant in Vancouver.

The event was well-attended, with more than 30 UVic Law graduates and guests taking part. The group also welcomed some special guests from UVic Law, including recently-appointed Dean of Law, Jeremy Webber and Alumni Relations Officer, Erin Hallett. The fantastic July weather and great hospitality on the outdoor patio contributed to a great evening full of memories and laughs.

Many thanks to one and all for coming; we look forward to seeing you again in 2018! 🍷



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PHOTOS: PERSONAL ARCHIVE

# For the Love of Family

— BY ERIN HALLETT, ALUMNI RELATIONS OFFICER

Sarah Beth Hutchison ('13) and her sister Annie, were awarded Medals of Bravery by The Governor General of Canada, His Excellency the Right Honourable David Johnston, at the Decorations for Bravery Ceremony that took place in Ottawa on June 7, 2013. Sarah and her sister rescued their 86-year-old great uncle from a possible drowning in the Winnipeg River.



**Sarah Beth Hutchison ('13)** and the Governor General of Canada, His Excellency the Right Honourable David Johnston

PHOTOS: PERSONAL ARCHIVE / ISTOCKPHOTO.COM

# Alumni Vistas: News and Updates

## The 1980s



**Ronald Skolrood, QC ('86)** was appointed as a judge of the Supreme Court of British Columbia in June 2013. Before his appointment, Ron was a senior litigator and partner with Lawson Lundell LLP in

Vancouver where his practice focused mainly on civil and commercial litigation. While studying at UVic Law, Ron received numerous awards for his academic excellence and for his involvement with extracurricular activities. He clerked at the Supreme Court of Canada with Mr. Justice William McIntyre. Ron was Chair of the BC Law Institute from 2007-2012 and a sessional lecturer at UVic Law from 1996-1998. In 1997, he received the Dean's Cup for his outstanding contributions to the law school. Ever a forward thinker, Skolrood J. (as he now is) has obliged us by providing a "Selfie" to accompany this update.



**Scott Sweatman ('86)** recently joined Dentons Canada LLP's Vancouver office as a partner and lead of the local Pensions and Benefits practice. He is known as one of Canada's leading lawyers in

this area. Scott is a member of the Board of Directors of NAV Canada and is the past National and Regional Chair of the Canadian Pension & Benefits Institute. In 2012, Scott was recognized in The Best Lawyers in Canada in the area of Employee Benefits Law.

## The 1980s



**Russell Benson ('88) and Glenn Leung ('88)**, along with two other veteran commercial real estate lawyers, left a national firm in July 2013 to establish Terra Law Corporation. Terra Law Corporation is a boutique firm in Vancouver that represents developers and other commercial real estate players. The firm currently has nine lawyers, three paralegals and 19 staff in total. [www.terralawcorp.ca](http://www.terralawcorp.ca)



**Rita Andreone, QC ('88).** Rita's last term as an active Bencher of the Law Society of BC (Vancouver County) comes to a close December 31, 2013, after 8 years. She faces this with mixed emotions. She will struggle to fill the huge void it will leave, but is honoured and clearly grateful for the opportunity and to those that have enriched her professional life so much. Rita is not sure what life will bring as a Life Bencher, except that it should entitle her to, at least, one free meal a year at the annual Life Benchers' Dinner! Rita is a partner at Lawson Lundell LLP in Vancouver.

## The 1990s



**Jack Tannerya ('94)** recently joined Dickinson Wright LLP as a partner in their Toronto office. His practice focuses on corporate transactions and in addition he frequently works with both in-house and US counsel in cross-border transactions. Working with his professional network, Jack also helps high net worth Chinese families to establish their businesses in Canada and locate additional business opportunities.



**Leonard Marchand ('94)** was appointed a judge of the Provincial Court of British Columbia on September 3, 2013 and is assigned to the interior region. Before his appointment, Len was a partner with Fulton & Company LLP in Kamloops where he began his legal career in 1995. While with Fulton & Company, Len's practice was primarily focused on civil law though most recently he focused exclusively on residential school claims. He was also selected to serve on the Selection Committee to recommend the appointment of Commissioners to the Truth and Reconciliation Commission.



**Merle Alexander ('99)** joined Gowlings in August 2013 as a partner in their Vancouver office. He is a member of the Business Law Group, practi-



## The 1990s

ing Aboriginal resource law. Merle's expertise includes negotiations and business transactions that touch on a number of resource law areas. He has been recognized by the Canadian Legal Expert Directory as a leading practitioner in Aboriginal Law.

## The 2000s



**Sarah Klinger ('00)** opened her own firm in Victoria on December 1, 2012, and has been enjoying the last year as a solo practitioner. She practices personal injury, employment law, and estate litigation. She can be reached at [sklinger@sklaw.ca](mailto:sklinger@sklaw.ca).



**Kathryn Deo ('03)** is pleased to announce that she and partners Micha Menczer, Ming Song and Andrew Unger have formed Arbutus Law Group LLP. Arbutus Law Group LLP is a boutique firm focused on Aboriginal Law, with offices in Victoria, Vancouver and Toronto. [www.arbutuslaw.ca](http://www.arbutuslaw.ca).

## The 2000s



**Lorne Neudorf ('07)** joined the Faculty of Law at Thompson Rivers University as a Professor. He teaches first year Legislation, Administration and Policy and Administrative Law and Trust Law in the upper years. After graduating from UVic, Lorne earned his LL.M. at the Institute of Comparative Law at McGill University and is currently a PhD candidate at the University of Cambridge. His work has been published in a numerous leading law journals, including the Cambridge Journal of International and Comparative Law. [www.tru.ca/law/faculty-staff/faculty/neudorf.html](http://www.tru.ca/law/faculty-staff/faculty/neudorf.html)



**Tamara Olding ('07)** joined Gowlings in August 2013 as associate counsel in Vancouver. She practices in the Aboriginal Law group with a focus on the business aspects of Aboriginal economic development and governance, corporate structuring, and natural resource regulation. Tamara serves on the Board of Governors for the Justice Institute of British Columbia and is also on the Board of Directors of the Aboriginal Mother Centre Society and Vancouver Native Health Society.

**Tina Parbhakar ('09)** has joined the Board of Shanti Uganda, a Vancouver-Luweero based non-profit that works to improve infant and maternal health. For more information about this organization, go to [www.shantiuganda.org](http://www.shantiuganda.org)

## The 2000s



**Trevor Smith ('09)** has travelled east to head up the Toronto office for family law boutique Henderson Heinrichs LLP. He's settling in nicely at the centre of the centre of it all (aka 140 Yonge Street near Yonge & Queen) and invites fellow Toronto-based alumni to get in touch via LinkedIn.

## The 2010s



**Claire Truesdale ('12)** joined Janes Freedman Kyle Law Corporation's Victoria office as an associate. Her practice is focused primarily on Aboriginal, environmental, natural resources and constitutional law.



**Fy Virani ('12) and Stefan Wittman ('13)** have founded Quest Sports Management Group. Quest represents aspiring professional athletes and helps them to realize their full potential. Using a mix of legal and business services including: online marketing, contract negotiations, representation in dealing with sports organizations, private investors and obtaining corporate endorse-



# In Memoriam

## The 2010s

ments, Quest seeks to facilitate the growth and success of its athletes. [@QuestSportsMgmt.](http://www.questsportsgroup.com)

**Ania Zbyszewska ('12)** was awarded the 2013 University Association for Contemporary European Studies (UACES) Best PhD Thesis Prize for her thesis, *Gendering the European Working-Time Regimes—The Universe of Political Discourse, Working-Time Regulation, and Gender Equality in the Wider European Union and in Poland*

**Alvaro Cordova ('13), LL.M.**, completed his LL.M. in October 2013. His thesis is titled *The Right of Indigenous Self-determination and the Right to Consultation in the Peruvian Constitutional Tribunal Jurisprudence (2005-2011)*. Alvaro is currently pursuing a Doctoral degree at McGill University.

**Jared Giesbrecht ('13), PhD**, completed his PhD in June 2013. His thesis is titled *Back to Rough Ground: Towards a Conservative Theory of Democracy*. Jared is currently articling in Fort St. John.

**Chong Ke ('13), PhD**, completed her PhD in June 2013. Her thesis is titled *Infrastructure, Participation and Regulation: An Analysis of the Politics and Potentials of Village Elections in China*.

**Supriya Routh ('13), PhD**, completed his PhD in August 2013. His thesis is titled *Informal Workers in India: Reconceptualizing Labour Law to Promote Capabilities*. Supriya has obtained a publishing contract with Routledge, a global publisher of academic books and journals, for his dissertation.

### OMISSIONS:



**Allan Seckel ('83), QC** has our apologies for omitting his QC in the last issue of Vistas. Allan was appointed QC in 2003 and continues to be the CEO of the BC Medical Association. 

**Do you know an alum who should be featured in Vistas?**

**Contact Erin Hallett,  
Alumni Relations Officer:  
[lawalum@uvic.ca](mailto:lawalum@uvic.ca)**



**Jill Turner ('89) (November 6, 1964 — September 26, 2013)**. Jill passed away after a brief illness in Victoria at the age of 48.

I know she was surrounded by her loved ones, and I can only assume TSN was playing in the background. Anyone who knew Jill knew what an avid sports fan she was. Anyone who attended law school with her will also know how inconvenient it was to have the NCAA basketball championships occurring at the same time she was supposed to be preparing for final exams. However, as with so many challenges in her life, Jill rose to the occasion and not only managed to watch all the games of her favourite teams but excelled at her exams as well. Jill will always be remembered for her dry sense of humour and courageous determination to not let anything get in her way of being a compassionate, effective lawyer and a loving and enthusiastic daughter, sister, aunt and friend. Jill will be greatly missed.

*Written by Jill's former classmate,  
Margaret Sasges ('89) *



**Jill Turner ('89)**

**Emil Chapelski ('78) (November 6, 1944 — November 23, 2013).** Emil Chapelski was born on November 6, 1944 in Myrnam, Alberta and raised in Vegreville. By the time he was a teen his father Matt had passed away and he was the man of the family. Married with a child on the way by the age of 20 (precocious was “one” of the words used to describe him) Emil, accompanied by his wife Wendy hit the road for the bright lights of Toronto and then Vancouver as a banker with the CIBC. Banking was glamorous business for a young prairie man who spoke only Ukrainian until he started elementary school. However, a banking career seemed to consist of curling bonspiels and three martini nicotine fuelled lunches and Emil yearned for more intellectual pursuits.

At the age of 30, with 3 kids, a dog, and a mortgage, Wendy went out to earn a living in order to put Emil through law school. Emil graduated as the Gold Medallist of the inaugural class of UVic Law. Emil and Wendy then returned to Alberta to raise their young children close to their extended families and settled in Drumheller in 1979.

There, Emil practiced commercial law for almost 20 years before being stricken by a massive stroke likely accelerated by the three martini lunch lifestyle and cigarettes. However, several years before the stroke, Emil became a friend of Bill W's and he had even (finally) quit his 3+ pack a day habit. There were some sweet days for Emil and Wendy during that time period, except of course, for the tragic loss of their youngest child Scott at age 19.

The stroke left Emil paralysed on the right side and unable to speak or write. However, with God's grace he could still play a mean game of crib, re-program the clocks for day-light savings time and take immense delight in the arrival of his six grandchildren who loved to play with his cane and scooter. With Wendy's

leadership, they travelled, socialised, volunteered and LIVED notwithstanding his immense handicaps.

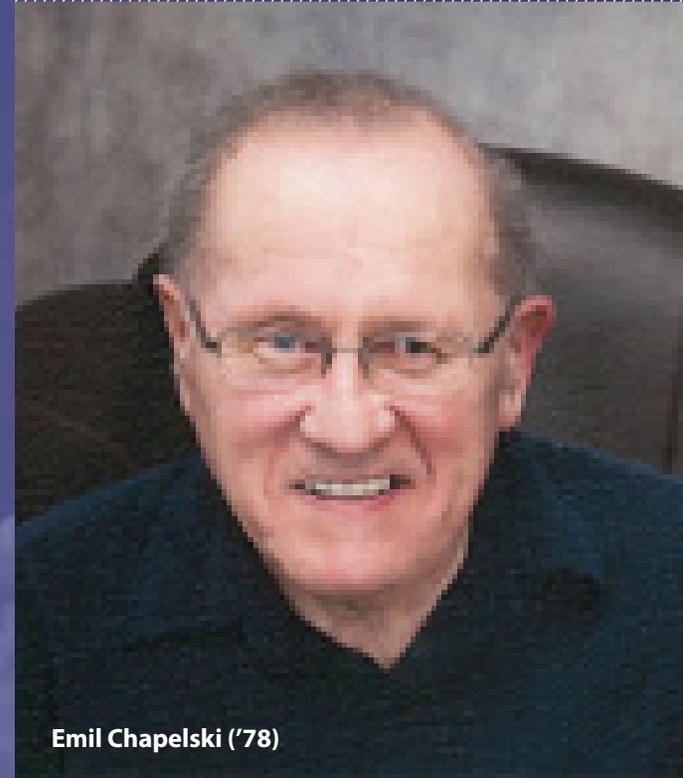
No one was braver or showed more grace than Emil during the last 18 years except his wife Wendy. We lost Mom to cancer last year and Emil's world became quite narrow, especially after falling and breaking his hip. It was just a matter of time before Emil would be freed from his earthly limitations and have the opportunity to join his high school sweetheart again. That occurred on November 23, 2013 in Lloydminster.

We learned more about courage and acceptance from Dad after his stroke than we could have ever learned from him before. Emil lost his own father at a young age, suffered through many struggles before finding sobriety, then lost a son to a car accident. Subsequently he lost his speech, his ability to write and finally his mobility. Despite all of those challenges, he did his best to share love, friendship and lots of laughter. We are proud to be his children.

Emil is survived by his sister Emily Samoil, brother in law Barry Wilinski, and their respective families, many nieces and nephews and his children Shelley Chapelski (Merle McKenzie) and Mark Chapelski (Sandra). He was “Gido” to his grandchildren Alex and Emily McKenzie and Matthew, Nicolas, Anna and Josh Chapelski. Emil was predeceased by his son Scott and wife Wendy (Wilinski) Chapelski.

A service is planned at the Knox United Church in Drumheller on December 23rd. Arrangements through Courtney Winters Funeral Home.

*Written by Emil's daughter, Shelley Chapelski* 📧



**Emil Chapelski ('78)**

# Thanks from the Development Office



BY AMANDA TAYLOR  
Development Officer

UVic Law alumni and friends contribute greatly to the Faculty of Law in innumerable ways. Volunteers have donated countless hours as supervisors, mentors and coaches. Through monetary gifts, alumni and friends have ensured that academic achievement is not hindered by financial burden, programming can continue in light of reduced government support and experiential learning remains a core component of a UVic Law degree.

November 15 is officially recognized as National Philanthropy Day in Canada. It is a day set aside to recognize and pay tribute to the great contributions that philanthropy—and those people active in the philanthropic community—have made to our lives, our communities and our world. Thank you to all our generous alumni and friends, for all that you do, to ensure that UVic Law continues to be the premier, destination law school in Canada.

Over the past 5 years alumni, friends, law firms and organizations have donated over \$18 million dollars to UVic Law. Dollars raised have supported a myriad of initiatives that are instrumental to the faculty. As the culture of philanthropy continues to grow, we are witnessing an increase in the number of gifts and the number of donors who choose to give each year. Every gift, regardless of size, makes a tremendous impact on the lives of our current students and those yet to come.

Fundraising priorities that are integral to the law school—clinical education, student support and access to justice initiatives, have been outlined on the new faculty website under the ‘Give to UVic Law’

page ([www.uvic.ca/law/alumni/givetouviclaw/](http://www.uvic.ca/law/alumni/givetouviclaw/)). This concise list is not the limit of our fundraising efforts; rather it serves to guide the areas of focus that are important to the law school. Students, faculty and staff all share your passion for UVic Law and, while there is still work to be done to reach our incredible potential, there is much to celebrate. On behalf of everyone at UVic Law, I want to express my appreciation of your continued support of our students and the law school.

If you have not already done so I encourage each of you to consider UVic Law among your charities of choice. Whether you choose to donate online or by mail, all gifts are 100% tax deductible. Donations made on or before December 31, 2013 are eligible for a 2013 tax receipt.

For more information about making a gift or to discuss fundraising initiatives, please contact Amanda Taylor, Development Officer, by e-mail, [lawdev@uvic.ca](mailto:lawdev@uvic.ca), or by telephone, 250.472.5627. 



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# Thank you to all our Donors and Volunteer Contributors!



# What's your story?

BY ADAM QUINEY ('12)\*

“What is this conversation really about?” I wonder to myself as I sit in my office listening to my client on the phone. Although I've traded in my tabs, robes and legal books for a cordless headset and a home office, many of the questions I need to be alive to as an executive coach remain the same.

My training as a lawyer, both while at school and while articling with my principal, prepared me in a great many ways for the next path my career would take. For instance, as a coach, I'm usually listening for the context underneath the details of what my client is telling me.

## It doesn't matter what you say, it matters how you say it.

Someone might be complaining about how they were wronged at their job, but the conversation is really about the fact that they hold themselves fundamentally unworthy of the success they want. This latest snub at work is just more evidence they're gathering in support of that story.

Lawyers need to be alive to what lies underneath the content of the conversation. So much is said in the silences, pauses and context of the story we're being told by our clients (both yours and mine).

How is your client showing up? Are they a victim or are they empowered? Is the way they are relating to the legal process potentially dangerous or concerning?

## There's always more to the story.

As people, we view the world through a lens of our own creation. We have stories about the way the world works, the way people perceive us and what is acceptable—and unacceptable—behaviour. What holds true for me may not hold true for you. As a coach, I'm always looking to uncover the frame through which my clients are getting stuck. For example, if they have



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a story that following up with someone makes them appear needy, that might get in the way of generating the thriving practice they desire.

As lawyers, your client's context is equally important. While it may seem unimportant to them that they told their employer to “stuff it” before they left the jobsite, it may make the difference between an employment case worthy of pursuing and one that isn't.

My principal once said, facetiously, “You can lie to your wife, you can lie to your friends, but don't lie to your lawyer.” The same is true for a coach. I work with people to generate the breakthroughs that they've been actively avoiding all their lives. Coaching is uncomfortable stuff and it often involves being open and frank about areas of our lives that are vulnerable. The more authenticity we can create, the more we have to work with.

In both the practices of law and coaching, the job of a successful practitioner is to get to the bottom of things. To get the whole truth and then to get to what's underneath it. There's always more to be uncovered. Our time is valuable and it's easy to get impatient with our clients when they aren't giving us information that we suspect they are withholding, but at the end of the day, establishing trust and coming from a place of non-judgment are the keys to moving things forward.

## Being curious.

Curiosity is the greatest asset a coach can bring to the table. In theory, it's so easy to make use of curiosity: just keep on asking the next question. It only becomes complicated when I start to make it about me. If I'm busy worrying about whether asking my next question will cause my client to assess my credibility as a coach, what I “should” do next, or the right move,

it becomes harder for me to stay present and client-focused, and continue the process of discovery.

Your job as a lawyer is no different. No one will say that it's easy delivering well-thought-out pleadings or conducting an effective cross-examination, but it becomes far more difficult if you make the opposing counsel's reaction to your work about you personally.

If we can remember that it's not really about ourselves, then we can shift away from doing what will have us look good or avoid having us look bad, and instead simply continue on with genuine curiosity. Got a client that didn't think to ask his health insurance provider about any travel clauses? That's interesting — be curious about that. Maybe he was given the impression that it was covered. Maybe he simply didn't think about it. Don't guess, assume or interpret: Ask.

In both your job as a lawyer, and mine as a coach, we need to approach our clients with the beginner's mind. To show up, replete with all of our wisdom, and then set it aside and approach what the client is telling us with the open-minded curiosity of a novice.

## Don't just stop at your job.

The more you can spend time being curious, the more you can reflect on your own life and continue to grow into the unknown. Be curious about everything you do. Is it tough for you to create space and time to simply relax? Be curious about that. How does it serve you to stay perpetually busy? What would you have to give up in order to have that space and time? What would relaxing look like for you?

Lastly, be curious about your colleagues. Be curious about the paths that your classmates have travelled that may differ from your own. Be curious about what their paths may teach you about your direction. And be curious about what's next for you.

*\* Adam Quiney ('12) is the founder of Evergrowth Coaching & Consulting, an executive coach specializing in working with high-performance professionals. Prior to his career as a coach, he worked as a software project manager and a lawyer. More of Adam's writing is available at [evergrowthcoaching.com/blog](http://evergrowthcoaching.com/blog). *

# Myanmar in Transition: A Co-op Perspective

BY MIKE TALLIM ('13 CO-OP)

I was working in a dilapidated Soviet-era hotel in Yangon, Myanmar, an intern at one of the country's first international law offices in one of the world's most isolated countries. This was January 2012, and I had just completed my first semester of second year at the University of Victoria law school.

The University of Victoria's law program has earned a reputation for being 'different.' While its friendly atmosphere and small class sizes support this reputation, for me, the biggest difference came in its Co-operative education program. I was selected as one of 40 students who would alternate between semesters spent in class and on work placements. In my second work placement, I was selected as one of two students to work with the Thai commercial law firm Chandler Thong-Ek. So, for the 2012 winter semester, I went to learn corporate law in South East Asia.

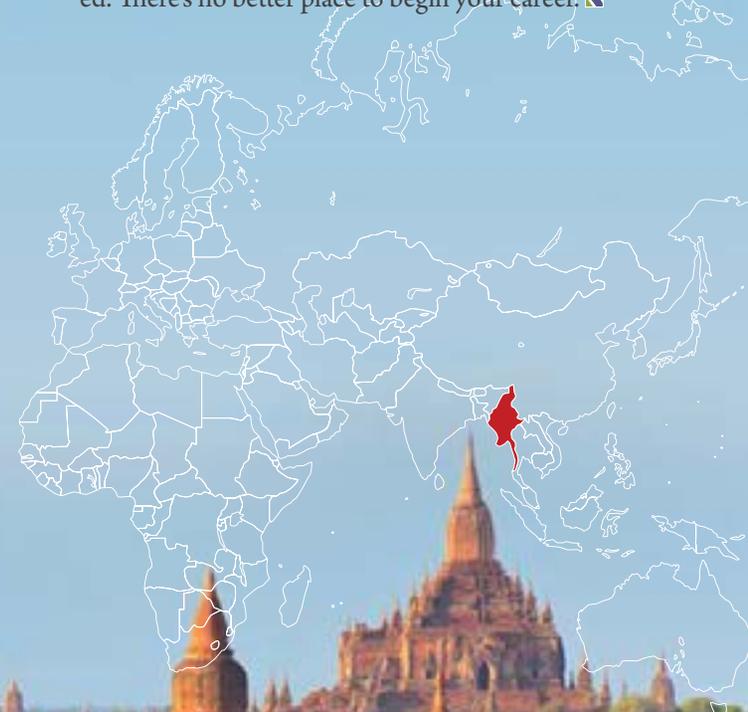
I arrived in Bangkok a week before the managing partner, Al Chandler, returned from the States. During that week, I volunteered to help another lawyer prepare memos on various sanction regimes that, at the time, were imposed against Myanmar. This country fascinated me, and I took every opportunity to learn whatever I could. Upon his return, Al Chandler took note of my interest and mentioned that he was working with a Burmese lawyer to open a new law office. He asked me, and the other UVic intern, if we'd like to go to Yangon to help.

I spent the next four months witnessing first hand the country begin its transition out of 50 years of military dictatorship. Under the guidance of Daw Khin Cho Kyi, a former judge and head of Myanmar's only law school, I devoted myself to learning about Myanmar law; reviewing laws that were to be debated before parliament and helping advise clients from all over the world. Outside of work, I attended functions with the European Union's exploratory delegation, I stood in a crowded street outside the National League for Democracy's headquarters as they announced election results from the country's first truly free election, I visited Shwedagon Pagoda, and I made amazing friendships.

After finishing my first internship, I arranged to return to Myanmar Legal Services in September to

continue my work. This second internship provided greater responsibility; I took more autonomy working on client files, met with Fortune 500 clients, provided information to international news organizations, and helped prepare tender bids and incorporate new international companies. All this while watching Myanmar awaken out of isolation, speaking with its people and learning more about a country that, a year ago, was a complete mystery to me.

UVic Law can offer experiences available from no other Canadian law school, and if you're open to new experiences, it can take you places you never expected. There's no better place to begin your career. ▣



## Teaching excellence + publications

A Q+A with Gerry Ferguson is featured on the UVic Learning and Teaching Centre website. The Centre highlights the winners of UVic Teaching Awards on their homepage every month. Gerry was the winner of the 2012 Law Students' Society First Year Class Teaching Award. Read the Q+A here: [www.ltc.uvic.ca](http://www.ltc.uvic.ca)



**Gillian Calder** has received the 2013 Terry J. Wuester Teaching Award. A strong supporter of diverse educational methodologies (including political theatre, expressive media and experiential learning), she is

committed to the study of critical legal pedagogy and encouraging her students to engage and explore different ways of understanding the law and how it operates. Clearly her students appreciate her commitment to teaching innovation, as this is the third time she has won! Congratulations Gillian. Read her interview here: [ltc.uvic.ca/servicesprograms/teachawards/documents/GillianCalder-3.pdf](http://ltc.uvic.ca/servicesprograms/teachawards/documents/GillianCalder-3.pdf)

## New additions to the faculty

**Ryan Alford** joins UVic Law as a visiting Assistant Professor for the 2013-14 academic year. Ryan will be teaching Contracts, Restitution, and Commercial & Consumer Law. Ryan brings practice experience from Manhattan and Brussels and a background in legal history to the classroom experience.



**Jane Henderson ('78), QC**, joins the Faculty as the Family Law Practitioner in Residence. Jane is a former partner at Brown Henderson and currently an associate counsel at Brown Henderson Melbye. Jane will be teach-

ing an advanced family law course on BC's new *Family Law Act* in Spring 2014. Learn more about Jane at [www.uvic.ca/law/facultystaff/facultydirectory/henderson.php](http://www.uvic.ca/law/facultystaff/facultydirectory/henderson.php)



**Michelle Lawrence ('98)** joins UVic Law as a tenure track faculty member. She'll be teaching Criminal Law and Evidence. Read Michelle's profile at: [www.uvic.ca/law/facultystaff/facultydirectory/lawrence.php](http://www.uvic.ca/law/facultystaff/facultydirectory/lawrence.php).

## Visiting professors + events

**Dr. Alan Berman** joins UVic Law as a visiting scholar from Newcastle Law School in New South Wales, Australia. His research interests include comparative constitutional law, gender and the law, sexuality and the law, indigenous peoples and international law, and international human rights law. To learn more about Alan, visit his profile page at: [www.newcastle.edu.au/profile/alan-berman](http://www.newcastle.edu.au/profile/alan-berman)

UVic Law welcomes **Dr. Bradley J. Condon** in Spring term 2014. Dr. Condon is an internationally recognized expert in international trade law and the environment. Brad is also the World Trade Organization Chair Professor of International Trade Law and a founding Director of the Centre for International Economic Law at the Instituto Tecnológico Autónomo de México (ITAM).

UVic Law has a unique opportunity to have Dr. Condon teach a course in his area of expertise while spending time at UVic Law as a Visiting Professor this spring. He'll be teaching "Climate Change and Global Economic Governance," Tuesday/Thursday @ 1:30-3:00. The course will count as an elective for the Concentration in Environmental Law and Sustainability. Click the link below to review the preliminary course information summary: <http://www.uvic.ca/law/assets/docs/pcisspring2014/3432climatechangeeconcondonspring2013.pdf>.

## Victoria colloquium in political, social and legal theory

The Victoria Colloquium is a forum for regular interdisciplinary dialogue and exchange among faculty, graduate students and upper level JD students on critical issues in political, social and legal theory. We have another excellent line up of speakers for the Victoria Colloquium this year. Each colloquium takes place on a Friday at 2:30 pm in Fraser Rm 152. A pre-seminar is held one week before the colloquium on Friday at 12:30 until 2 pm at the same location.

The fall session kicked off on September 27th at the law school with Jim Tully who gave a presentation and discussion of Professor Dipesh Chakrabarty's paper, "The Anthropocene and Its Challenge to Humanist Thought". Next up the Colloquium hosted Anthony

# Donald Galloway publishes monograph on Migration Law in Canada

Simon Laden, Professor and Chair, Department of Philosophy, University of Illinois at Chicago. Professor Laden addressed the question of trust in democracies under conditions of cultural diversity and how to foster trust when it is absent in a lecture entitled: “The Gift of Trust: How to Get There from Here.”

The final fall speaker was Senior Lecturer, Shlomi Segall, Department of Political Science, The Hebrew University of Jerusalem. Professor Segall’s talk, held Friday, November 29, 2013 at the law school, was a defence of principles of equality. Pre-seminars are held one week in advance in the same place at 12:30pm. UVic Law alumni are welcome to attend and links to visitors’ papers will be active for a period of six months after the date of presentation.

Spring session speakers include:

- » **Professor Janine Brodie**, Canada Research Chair in Political Economy and Social Governance, University of Alberta
- » **Professor Fonna Forman**, Associate Professor of Political Science, University of California, San Diego.
- » **Professor Ingrid Robeyns**, Professor of Practical Philosophy, Dept of Philosophy, Erasmus University Rotterdam.

The complete 2013-2014 schedule and links to presentation materials is here: [www.law.uvic.ca/demcon/victoria\\_colloquium/2013-2014.html](http://www.law.uvic.ca/demcon/victoria_colloquium/2013-2014.html).

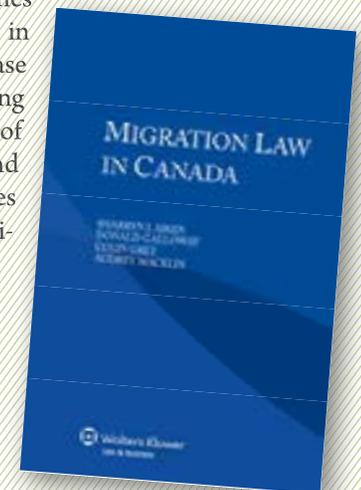
If you have any questions about the colloquium, please contact Renée McBeth ([demcon@uvic.ca](mailto:demcon@uvic.ca)). 



Donald Galloway, UVic Law Professor

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In collaboration with Sharryn J. Aiken, Colin Grey and Audrey Macklin, Donald has published a monograph as part of the well-known series, *The International Encyclopaedia of Laws*. The authors examine immigration rules and the rights of residence as well as the administrative conditions for persons not having the citizenship of a State to enter the country, stay and reside here. Recognizing the link between migration and economic activity, the authors taken care to include an analysis of labour market access and regulation of self-employed activities for non-nationals. The book reviews the status specific categories of persons including: students, researchers, temporary workers and asylum seekers, as well as the position of their family members and identifies applicable legislation, administrative procedures, sanctions, legal remedies and guarantees. In addition, the authors canvass the impact of international law (human rights, bilateral and multilateral agreements) as well as domestic laws on non-citizens in areas including family relations, labour, social security and education. The book is structured along the same lines as other monographs in the series to allow for ease of comparison among countries and the study of comparative trends and harmonization initiatives currently affecting migrants worldwide. 



# 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 interested in 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 worth highlighting, please feel free to contact us at [lawalum@uvic.ca](mailto:lawalum@uvic.ca).

## Errors? Omissions?

*If you spot something incorrect in Vistas please accept our apologies. If you send the corrected information to [lawalum@uvic.ca](mailto:lawalum@uvic.ca) we will happily publish the correction in the next issue of Vistas due out in Spring 2014.*



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