

VISTAS

THE UVIC LAW ALUMNI MAGAZINE

WINTER 2014

Indigenous Law at UVic

John Borrows returns to UVic

Dr. Val Napoleon (LLB '01, PhD '09) and the ILRU

Back to School

CPD comes to UVic Law

Work in Progress

Alumni Profile: Douglas White III ('07)

UVic Law: 40 Extraordinary Years



University
of Victoria
Law



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of Victoria
Law

VISTAS

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Design and Layout

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Dean's Message: The Next Generation of Indigenous Scholars

JEREMY WEBBER
Professor and Dean



Jeremy Webber, Dean of Law.

Among the many accomplishments of UVic Law, one has always impressed me: the conviction of each and every professor and staff member that a law school has to speak to every member of society, including those who must fight for recognition. That conviction is evident throughout UVic Law's long and

distinguished contributions to Indigenous peoples and the law. The record is impressive.

More than 150 Indigenous students have now graduated with a UVic LLB or JD. More than 20 Indigenous students have enrolled in our LLM and PhD programs — between 20 and 25 percent of our total graduate enrolment since the programs were created in 2004.

The alumni of those programs have gone on to do amazing things. They are lawyers in firms from one end of the country to the other. They have been leaders of their peoples in First Nations, Nunavut, and Métis communities. One has been Mayor of Iqaluit. They include two judges of the BC Provincial Court.

They form the next generation of Indigenous scholars. Our Indigenous alumni are now teaching from UVic, UBC and VIU to the Universities of Saskatchewan, Manitoba, Ottawa and Shingwauk's Institute. They hold tenured positions in two leading law schools in New Zealand/Aotearoa: Otago and Wellington.

And one mustn't neglect our non-Indigenous alumni. They too have made huge contributions to Indigenous law as lawyers, judges, politicians, scholars, and citizens. When I visit firms, when I speak with scholars at other universities, when I look at what has been accomplished in the last 40 years, I am so proud of the role of our alumni. You will encounter many of those amazing contributions, Indigenous and non-Indigenous, in this issue.

Our students in turn have helped their fellow students to understand the Indigenous dimensions of

Canada. One great innovation, started by Ann Roberts and her classmates 20 years ago, is the Aboriginal Awareness Camp. Each year, something like 40 or 50 first-year students spend four days in a local First Nation, receiving a privileged introduction to the first peoples of this land. The Camp was long supported by the Law Foundation of British Columbia. Woodward & Company, Devlin Gailus Westaway, JFK Law, Rana Law, and Mandell Pinder have stepped up their support to ensure that the Camp survives and prospers.

At the level of scholarship, teaching, and ideas, UVic faculty members have similarly been at the forefront. John Borrows has had a huge impact, within Canada and internationally, on how we understand Indigenous law, first as Law Foundation Chair in Aboriginal Justice and Governance, now as Canada Research Chair in Indigenous Law.

Val Napoleon's work has been pathbreaking in its collaboration with Indigenous communities to draw legal resources from within their traditions — principles, procedures, institutions, methods of reasoning — for resolving the challenges that Indigenous communities face. She now holds the Law Foundation Chair.

Indigenous scholar Heather Raven has pioneered support systems for Indigenous students. Hamar Foster has taught us all the history of Indigenous/non-Indigenous relations. I could list the contributions of at least a half dozen more of our colleagues.

And we have taken some amazing educational initiatives. The Akitsiraq program delivered a full LLB to Inuit students in Nunavut between 2001 and 2006. It



Justice Rosalie Silberman Abella Visits the UVic Faculty of Law

—BY JOHN BULLOCK, THIRD YEAR LAW STUDENT

was very successful. We have been approached about doing a second Akitsiraq program. We are working with our northern partners to see if we can make that happen.

An innovative National Consortium for Indigenous Economic Development has just been launched in collaboration with the Gustavson School of Business at UVic, building on the fundraising initiatives of former dean Andrew Petter ('81). Its Interim Director is Miles Richardson. See the story on page 16.

And the big vision is to develop a dual degree program in the Common Law and Indigenous Legal Orders, which would enable students to examine Indigenous law with the rigour we apply to the Common Law, assisting them with how to approach Indigenous law, come to understand it, and work with it to develop governance structures, legal regimes, enterprises, and forms of regulation that have traction within Indigenous communities. You will see references to that big vision sprinkled throughout this issue. Stay tuned for more information in the months to come.

This is an amazing record of contribution and innovation. It has had a leading impact on the world in which we live. It will have still more impact in the years to come. Let us know if you would like to help. ▀

The University of Victoria Chapter of Pro Bono Students Canada (PBSC) hosted Madam Justice Rosalie Silberman Abella on Thursday, October 30, for an engaging, touching, and at times hilarious, discussion moderated by Dean Jeremy Webber of the Faculty of Law. After introductory speeches from UVic's PBSC Program Coordinators, Kayleigh Harrison and Victoria Merritt, and Emily MacKinnon of McCarthy Tétrault LLP's Vancouver office, Justice Abella entertained a packed lecture hall for over an hour with a range of inspirational anecdotes from her nearly 40 years as a jurist. An ardent proponent of human rights, Justice Abella spoke of narrowing the gap between the ideal and the reality of justice in Canada. Her take-home message to the hundreds of law students in attendance was that the legal profession is only as good as they will make it.

Justice Abella's narrative began with a tale of Dean Webber's apparent infinite youth, before shifting to the moving story of her decision to pursue a career in law. She told of her family settling in Canada after WWII, only for her father to be denied entry to the Law Society due to its Canadian citizenship requirement. In an interesting twist of fate, her own Royal Commission on Equality in Employment would first be cited in a judgment^[1] that held a denial of admission to a provincial bar, on the basis of non-citizenship, was in violation of s. 15 of the Charter.

With regard to her extensive CV, Justice Abella commented that she had never been looking for experience; rather, she just "never said no when [she] had the opportunity to get it." Then, touching on the legal

profession's aversion to change, Justice Abella quipped that she had always seen the *status quo* as merely the "beginning of a conversation."

Towards the end of the event, Justice Abella thanked McCarthy Tétrault for their work with PBSC. Reminiscing on the interesting twists and turns her life and career took, beginning with her birth in Germany, to her sitting as the most senior Puisne Justice of the Supreme Court by the end of this year, the Madam Justice concluded the event by commenting: "Canada — what a country, for that to happen." ▀



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^[1] *Andrews v. Law Society of British Columbia*, [1989] 1 SCR 143.

Alumni Relations UVic Law: 40 Extraordinary Years

ERIN HALLETT

Alumni Relations and Annual Giving Officer



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🌐 [Linkedin.com/pub/erin-hallett/20/39b/b4](https://www.linkedin.com/pub/erin-hallett/20/39b/b4)

By now I hope you have received your invitation to attend UVic Law's 40th anniversary weekend. The celebrations will take place March 6–8, 2015 and will mark the law school's 40 years of remarkable history, academic excellence and societal contributions. This occasion is an opportunity to reconnect with many of the things, and the people, that make UVic Law an extraordinary place.

On Friday, March 6 everyone is invited back to UVic Law for an open house in the company of your fellow alumni, colleagues, friends and current and past professors. There will be performances by an alumni band, a student band and a chance to view some of the law school's archives. Dean Webber will be in attendance to welcome you back and share exciting news about the law school's future.

The beautiful Inn at Laurel Point is the venue for our events on Saturday, March 7. Join us for an afternoon of reminiscences with some of the law school's most cherished individuals as they share key moments in UVic Law's history. A gala dinner will be held that evening to honour the founding members of the law school and celebrate UVic Law's — and especially our graduates' — distinguished history of service and contribution. Anne Fraser, wife of founding Dean Murray Fraser, will attend Saturday night's dinner.

Other celebratory events will be announced in the coming months.

Saturday's events have limited space available and I encourage you to purchase your tickets early to avoid disappointment. The Inn at Laurel Point has provided special room rates for the weekend. You can book

rooms by either calling 1.800.663.7667 or e-mailing reservations@laurelpoint.com and quoting "40th Anniversary of UVic Faculty of Law".

We need your help and enthusiasm to make UVic Law's 40th anniversary weekend a huge success. There are many ways for you to get involved: you can organize a class dinner on the Friday night, you can share your talents and entertain your former classmates at the Open House, or you can lead a class fundraising initiative to create a lasting legacy of support at the law school. Please contact me if you want to get involved or you have other ideas regarding how we can celebrate this important law school milestone.

I look forward to seeing you in March! 🇺🇳

News from the Development Office: Class Giving and Introducing Amy Hinrichs

—BY ERIN HALLETT, ALUMNI RELATIONS AND ANNUAL GIVING OFFICER

UVic Law's 40th anniversary will bring Classes together to celebrate the law school. It is an exceptional opportunity and one that presents a chance for Classes to create lasting legacies.

Did you know that the University of Victoria only requires \$25,000 to establish an endowed fund for a scholarship or bursary? Each UVic Law Class has approximately 90 graduates so if each graduate contributed just \$300, a Class could create an endowment to support future generations of law students. Did you receive support from a scholarship or bursary? Think about what that support meant to you as a law student and how it transformed your law school experience.

The Class of '81 and the Class of '83 have already established endowed funds. In 2006, the Class of '83 came together and created an endowed bursary to honour former law professor Terry Wuester. In 2013, the Class of '81, led by alumni Greg Nash, created an endowed entrance scholarship to honour Anne Fraser. The Class's efforts were inspired by a matching opportunity created by a generous gift from fellow classmate Ron Wigham and his wife Melissa and funding from the Law Foundation of British Columbia.

Greg is a long-time supporter of UVic Law and he shared a bit about his experience in leading his Class's campaign:

"It was a great pleasure collaborating with our classmates to establish the Class of '81 Scholarship in honour of Anne Fraser. We all know what a privilege it is to have the benefit of a UVic legal education and it was gratifying to see our Class wholeheartedly support

the establishment of the Scholarship, both to honour Anne, who has made such an immense contribution to our school over the years and to benefit future UVic Law students in perpetuity. I hope that we will grow the fund in the coming years to assist those who follow in our footsteps."

Endowed scholarships or bursaries can be named to honour an individual, such as a former law professor or a student. Unlike one-time gifts, endowed funds last forever and have a critical, long-term impact for students. [Read more](#) about the University's guidelines for establishing a fund.

Of course, endowed funds aren't the only way to support UVic Law and there are many initiatives that need your support. In the coming year as UVic Law celebrates 40 years of innovative programming and in the spirit of coming together, we hope you will be inspired to make a gift to the law school. You can discuss your gift by contacting Amy Hinrichs, Development Officer, by e-mail (lawdev@uvic.ca) or by phone (250. 472.5627). [N](#)



Greg Nash ('81),
Nash & Company
Barristers



Amy Hinrichs, Development Office

PHOTO: DAVID REMP

In September UVic Law said goodbye to Amanda Taylor. After much success with the law school, Amanda joined the Peter B. Gustavson School of Business as their new Development Officer.


As we wish Amanda success in her new role, we are pleased to welcome Amy Hinrichs as UVic Law's new Development Officer. Amy's family has deep roots at UVic and in Victoria, and she herself has more than 10 years of experience in fund development. Most recently, Amy was Development and Executive Projects Manager at the London Community Foundation in the United Kingdom, securing major and corporate gift donations, while she also brings previous experience from her time at the University of Calgary to our team. [N](#)

Reunions

—BY ERIN HALLETT
ALUMNI RELATIONS AND ANNUAL GIVING OFFICER

Consider Planning a Class Dinner during UVic Law's 40th Anniversary Weekend

I invite you to contact me if you are interested in planning your future reunion at lawalum@uvic.ca or 250.853.3518. Reunions are one of the best ways to stay connected to your former classmates and the law school. It is my pleasure to facilitate your reunion planning and UVic Law looks forward to welcoming you back to celebrate these important milestones.

I also hope to see many of you in Victoria next March when the law school celebrates its 40th anniversary with a weekend of events and celebrations. Look for details in the fall but save March 6th–8th in your calendars! 

2015

Reunion Years

1980—35 year

1985—30 year

1990—25 year

1995—20 year

2000—15 year

2005—10 year

2016

Reunion Years

1979—35 year

1986—30 year

1989—25 year

1996—20 year

1999—15 year

2006—10 year


UVic Law 40th Reunion Ball Hockey Tournament Fundraiser In Support of the Law Centre

—BY MARK UNDERHILL ('95)

The Class of '95 would like to extend a challenge to all graduating classes to take part in a co-ed ball hockey tournament fundraiser in support of The Law Centre on the morning of Saturday March 7th as part of the 40th anniversary celebrations. The tournament will take place in the parking lot across from the law school from approximately 9-12, and will be a round robin format with 30 minute games running continuously (likely two side-by-side games).

There will be an "entry fee" of \$100 per person that will help fund The Law Centre. You will receive a tax receipt from the school, along with some outstanding UVic Law swag and a team photo to be placed prominently on the mantle at home. We would tell you about the championship trophy, but the Class of '95 will be taking it home, so that would just be cruel. Sticks and other equipment will be provided, and subsequently donated to a local charity.

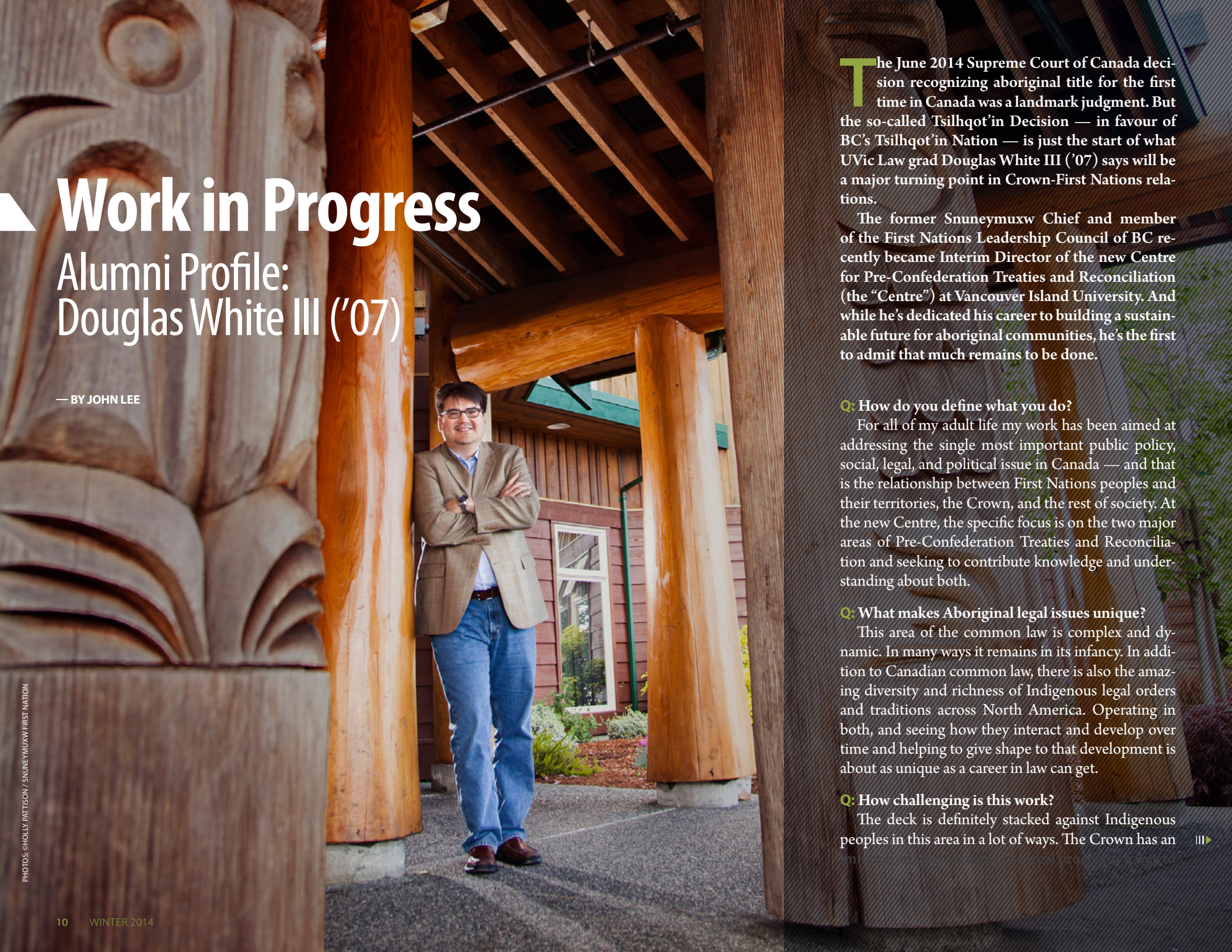
Even if you do not wish to participate, consider dropping by to support your class, and make a donation to the cause. At the least, the Classes of '94 and '96 will need your encouragement as they strive mightily in defeat.

So we can have a sense of numbers, we would appreciate everyone registering by February 9th by contacting Erin Hallett, Alumni Relations and Annual Giving Officer, by email (lawalum@uvic.ca) or by telephone (250.853.3518). Any questions can be directed to Mark Underhill ('95) by e-mail (munderhill@upblaw.ca) or by phone (604.696.9828) 



Mark Underhill ('95), Underhill, Boies Parker





Work in Progress

Alumni Profile: Douglas White III ('07)

— BY JOHN LEE

The June 2014 Supreme Court of Canada decision recognizing aboriginal title for the first time in Canada was a landmark judgment. But the so-called 'Tsilhqot'in Decision' — in favour of BC's Tsilhqot'in Nation — is just the start of what UVic Law grad Douglas White III ('07) says will be a major turning point in Crown-First Nations relations.

The former Snuneymuxw Chief and member of the First Nations Leadership Council of BC recently became Interim Director of the new Centre for Pre-Confederation Treaties and Reconciliation (the "Centre") at Vancouver Island University. And while he's dedicated his career to building a sustainable future for aboriginal communities, he's the first to admit that much remains to be done.

Q: How do you define what you do?

For all of my adult life my work has been aimed at addressing the single most important public policy, social, legal, and political issue in Canada — and that is the relationship between First Nations peoples and their territories, the Crown, and the rest of society. At the new Centre, the specific focus is on the two major areas of Pre-Confederation Treaties and Reconciliation and seeking to contribute knowledge and understanding about both.

Q: What makes Aboriginal legal issues unique?

This area of the common law is complex and dynamic. In many ways it remains in its infancy. In addition to Canadian common law, there is also the amazing diversity and richness of Indigenous legal orders and traditions across North America. Operating in both, and seeing how they interact and develop over time and helping to give shape to that development is about as unique as a career in law can get.

Q: How challenging is this work?

The deck is definitely stacked against Indigenous peoples in this area in a lot of ways. The Crown has an

improvement in the legal process, and a

immoral strategy of using the legal process as a way to engage in a war of attrition with First Nations, rather than a forum to achieve direction and clarity about respective rights. This is the ugly aspect of the hyper-adversarialism of the common law process that must change if we are ever to achieve meaningful and enduring reconciliation.

Q: Has there been any progress?

There is a definite trajectory of progress over the course of the past half-century of legal and political advocacy. The context has profoundly changed because of the work of innumerable leaders and advocates. Of course, we have a long, long way to go to achieve the future we seek for our children.

Q: How important was the *Tsilhqot'in* Decision?

For the four decades from the *Calder* Decision in the early 1970s to this past summer, courts had refused to make any legal declaration of Aboriginal Title in the country — not one grain of sand had ever been declared to be title by any court. The courts pleaded for politicians to sort these issues out — to no avail. The failure of political process over decades to deal with the challenge backed the courts into a corner where they lost their patience and effectively said, “If you won’t live up to your duties and responsibilities then we will” and made an expansive declaration of title. This decision rejects over a century of legal arguments made by the Crown and upends the foundation upon which they’ve built much of their law and policy. The world is now a very different place.

Q: What do you mean by reconciliation?

Reconciliation has many dimensions — legal, political, social, economic, spiritual. The complexity of the space we find ourselves in together, the history, the ongoing problems and issues, all together make it impossible to describe in any one word what our work is, or what our objectives should be or are. In its fullest sense, it refers to a future relationship that is profoundly different from today’s wherein we have fully dealt with the past and we stand together in respect

and recognition of each other, and our relationship embodies a full mutuality.

Q: Where does the Centre fit in?

The Centre has a mandate to facilitate and contribute to building shared understandings about the Pre-Confederation Treaties across the country and to contribute to reconciliation processes across society.

Q: Looking back, why did you choose UVic for your legal training?

When I was deciding where to go to law school, a strong program related to Aboriginal issues was a necessity. But the main attraction was Prof. John Borrows, the leading Aboriginal law scholar on the planet. The opportunity to study under him was a unique and privileged one and an obvious path to take.

Q: What do you recall about your studies?

I remember most the great professors. In addition to Prof. Borrows, UVic is blessed with a lot of fantastic professors who are gifted in their work. Of course, in the crucible that is law school, you make lifelong friendships and more — I met my wife Anisa (who was on an exchange term from a law school in Australia) in Prof. Ted McDorman’s International Law class!

Q: What happened next?

I articulated under Christopher Devlin (’97) at what was then a new and small boutique firm in Victoria — Devlin Gailus (now Devlin Gailus Westaway) — a great firm that focuses on Aboriginal law. Then Louise Mandell, QC, the great barrister that has been at the core of the development of modern Aboriginal law in



Canada asked me to come to work for her at Mandell Pinder in Vancouver. For two years, my office was adjacent to hers and I had the privilege of learning about her unique approach to the law and how to reshape the law. I also worked closely with the managing partner Clo Ostrove and Dr. Roshan Danesh — both equally remarkable lawyers. After two years, I was called home to become Chief of my own First Nation for four years — Snuneymuxw in Nanaimo. I also took on a provincial leadership role in Aboriginal politics for three of those years through the First Nations Summit Task Group and the BC First Nations Leadership Council. I now practice through First Peoples Law, a firm established by Bruce McIvor, another alumnus of Mandell Pinder.

Q: What lessons did you take away from Mandell Pinder?

The time that I worked for Louise was a real gift. It is rare to have opportunities to work with people that have become true masters of their field. She takes creative and original approaches to her advocacy that others would be fearful of. Her life’s work is grounded in a deep respect for her “clients” and an imperative to help to create space for First Nations to fully flourish and manifest their self-determination powers and their relationship with their territories. Clo Ostrove taught me how to write with razor-sharp precision — I’ve never met anyone more committed to ensuring every letter and every word is put forward in the most powerful way in service to the client’s cause.

Q: What would you say to those considering Aboriginal law careers?

As important as law school is, it is even more imperative to ensure you have a strong knowledge and understanding of our Indigenous legal orders and traditions — because over the course of time it will be increasingly necessary for us to work in both Indigenous and Canadian legal systems. ▀



Prepare for Surprises:

John Borrows returns
to UVic

— BY MARGARET SUDERMAN,
COMMUNICATIONS AND FINANCIAL AID OFFICER

This past summer, Dr. John Borrows returned to UVic Law following several years as Professor and Robina Chair in Law, Public Policy and Society at the University of Minnesota. His return was marked by the exciting announcement that he had secured one of the most prestigious research professorships in the country and had been named Canada Research Chair in Indigenous Law. In addition to being a leading scholar in Indigenous law, Dr. Borrows also teaches in the areas of Constitutional law and Environmental law.

Q: You spent several years at the University of Minnesota. What made you decide to come back to UVic Law?

Over the past five years, I've learned a lot about how Indigenous peoples use their own laws, court systems and governments to answer questions. I felt like it was time to move some of these lessons back to Canada, both in terms of what to do and what not to do — there are both troubling and fantastic things happening in the US. I always hoped I could bring these insights back to Canada.

Q: Did you notice any differences between the American approach to teaching Indigenous law and learning about Indigenous law as compared to the Canadian approach?

Yes, definitely. Teaching and practising law in the Canadian context is more interdisciplinary — you draw on the insights of history, politics, and anthropology more strongly in Canada. Doctrinally, all the United States Supreme Court examines is their own decisions, whereas our legal system looks to what Australia, New Zealand, England and various other countries might be doing in the field.

One of the reasons I went to the United States was to get a comparative perspective. They weren't as interested in hearing about what Canada was doing, whereas I think Canadian lawyers and students are more interested in hearing about what is going on in other countries.

Q: You were recently named the Canada Research Chair in Indigenous Law? Can you explain what this role entails?

The Canada Research Chair is a seven-year grant and part of each year's increment includes resources to facilitate research as well as community engagement. The Chair will enable me to devote more resources and time to understand how Indigenous peoples' laws can be studied and applied in Canada. With the profile and resources attached to the Chair, I'll be able to involve more students and Indigenous communities in my work.

Q: You were recognized again for your groundbreaking scholarship and long career of academic achievement when you received an honorary Doctor of Laws from Dalhousie University this past May. What did receiving this degree mean to you?

What I really enjoyed was the opportunity to speak directly to the students about not necessarily having your whole career mapped out ahead of time. Part of what I enjoy most about working as an academic is being able to prepare students to be surprised. If you prepare well, when that surprise comes, you are able to run with it. Sometimes I fear that law school over-programs us. The Dalhousie acceptance speech enabled me to talk about my own journey, and what I have learned over 20 years as a teacher. I really didn't



know what I was going to do when I graduated. So many opportunities presented themselves as my career progressed. I just kept following these surprises while continuing to prepare for more along the way.

Q: So you didn't have a focus on Aboriginal Law when you were first starting out?

No, I hoped I might become a labour lawyer. I thought I would work in a small town. My first job didn't work out so well but fortunately I had applied to graduate school. I finally worked on Indigenous issues in some depth for the first time during my LL.M. and Ph.D. studies. The Constitution was newly drafted and the first cases dealing with Aboriginal rights were coming out. So there was a happy coincidence of opportunities which built on my interests and preparation. I'm glad I kept my options open.

Q: What are your hopes for the coming years in terms of how the Indigenous law initiatives at UVic Law are going to change and develop? Do you have any specific goals?

Faculty Council has approved, in principle, an Indigenous law degree. I am hoping that the Canada Research Chair will be a catalyst for further support to move that approval into practice. I hope to build on the foundation set by Dr. Val Napoleon (LL.B. '01, Ph.D. '09) with the Indigenous Law Research Unit.

The other plan is to go into communities, particularly the Ojibway communities of which I am a part. I hope to work with them in further developing regulatory and dispute resolution systems that build upon their own legal orders. They have already done the preliminary groundwork and I want to help them reach the next level. Many communities have already heard about Val and UVic Law. This makes it easier to do my work because they know what is going on at our school.

You can [watch](#) an archived feed of Dr. Borrows' speech at Dalhousie Convocation on May 23, 2014. The ceremony begins at the 1:34:40 mark. [N](#)

The Indigenous Law Research Unit: Developing Curriculum and Community Resources

— BY MARGARET SUDERMAN,
COMMUNICATIONS AND FINANCIAL AID OFFICER

Dr. Val Napoleon (LLB '01, PhD '09) is the Law Foundation Professor of Aboriginal Justice and Governance at UVic Law. She also serves as the Director of the University of Victoria's Indigenous Law Research Unit (ILRU). See some of the ILRU materials and projects.

Q: You are the director of the ILRU — can you give us a bit of background on its work and mandate?

For some years, the focus of my research has been on Indigenous law: finding ways to substantively articulate and restate Indigenous law and treat law as law rather than philosophy. The work we do has a dual focus in that, first, it provides us with resources for the development of Indigenous law curriculum for our proposed Indigenous Law Degree program, and second, it provides resources for communities on issues that they are working with locally. We have been able

to secure funding to support our research and work with communities across Canada. If you look at the Project's [website](#), there is a report, the [AJR Project Final Report](#), that provides descriptions of our work with seven communities and additional resources we have developed. The AJR project has now concluded and each community received an Indigenous Legal Traditions report that sets out the law in their legal order pertaining to responses to harms and injuries (analogous to criminal law). We developed and employed an Indigenous legal methodology that guided the way we worked with communities. As a starting point, we don't go to communities and say, "Tell us about your law." We draw the stories from that legal tradition, analyze those stories around specific research questions, present the legal synthesis to each community to engage in discussions to further develop and conclude the research. All of this is highly interactive. Now that the first reports have been presented, there is one community that is looking at using the materials for the establishment of a Native court, and there are other communities that are more focused on child welfare, so there is a variety of things that people are doing.

Q: Now that you've finished up the AJR Project. What is the next step for the ILRU?

Since that project, we have been part of what could perhaps best be referred to as a "legal pluralism partnership grant" for an international project in which we are taking our methodology and working with more communities and collaborating with several other universities. We have begun work with a number of communities in the Yukon, Saskatchewan, Alberta and BC. Through this partnership grant, we are not only looking at harms and injuries but also at other areas of law. For example, some people want to look at land, some want to look at family law, and some are focused more broadly on justice. We will be working with those communities over the next several years to develop the projects according to our methodologies and again, creating more resources for them and for us. We are also working with communities on marine III►



management, and management of lands and resources. We just submitted a major project to work with Indigenous and non-Indigenous communities on water law in BC in conjunction with Prof. Deb Curran ('96) who is with the Environmental Law Centre at the Faculty of Law and Hakai Professor in Environmental Law and Sustainability.

Q: In addition to its groundbreaking research, the ILRU also aims to further public legal education. How do you go about making your materials easily understandable and accessible?

We are trying to do a number of things with art and with film. So far, we've produced several highly visual resources including three posters, a graphic novel and an extensive teaching guide. For the graphic novel *Mikomosis and the Wetiko*, we wanted to find a way to explore complex questions surrounding Indigenous law, in this case, Cree criminal law, in a way that was accessible beyond universities.

It tells the story of Mikomosis — a hunter of the Nehiyaw (Cree) people who was charged with murder in 1878. We wanted to take something people were pretty familiar with, but that has been fetishized by the popular press, and in some cases, by anthropologists and others. What you see in the graphic narrative is the state moving in to monopolize rules of force by which people legally dealt with those who had become harmful. Each Indigenous legal order has a range of responses to this monopolization, anywhere from healing to other forms of reconciliation, and, in rare cases involving community safety, incapacitation. It demonstrates that all societies are concerned with the safety of their members and the safety of their community. Historic criminal law in Indigenous societies, just like Canadian law, has to be able to allow people to deal with a range of human violence and vulnerabili-

ties. Essentially that is what law is, it isn't just rules and it isn't just a code. People have to interpret, they have to apply, they have to reason through the legal traditions in order to collaboratively manage themselves. Indigenous law today has adapted to today's contexts and there are many continuing questions about the relationship of laws between Indigenous peoples and Canada.

Q: Your creative approach to legal education has seen a lot of success. Can you describe the positive response to the graphic novel and how you've built on it?

The graphic novel is now used in many universities across the country and elsewhere. It is used in law schools and, in fact, it is used at UVic Law at the beginning of the term for all of the new law students. Because the response was so great and people had questions, we realized there was a need for something to help people work with it. The teaching guide was born out of that need. It is geared towards four different audiences — law students, non-law students, community members and youth. It sets out lesson plans, questions for discussion, additional resources and history. The teaching guide has only just been made available so we have been encouraging everyone who has been using the graphic narrative to use the guide as well because it will be helpful. So far, the response has been very strong. For instance, we just received an order from a bookstore in Smithers, BC. They've sold many copies and needed to

put in another order. It is finding traction in schools but also outside of schools and at the community level.



We are also producing a series of video shorts in which we'll be posing critical questions that come up when people are talking about Indigenous laws as they relate to gender and as they relate to power. They will be two to three minutes and we are currently exploring options for what exactly they will look like. My goal is to create films that take Indigenous stories and apply them to today.

Q: Can you tell me about the proposed four year dual Indigenous law degree program and your hopes for it?

Well my first hope is for it to be funded and that we are able to offer it over the coming years. The thought so far is to have selected legal traditions as the focus for different courses — you could have Anishinabe constitutional law, you could have Giksan property law. So students would learn those specific laws from those different legal orders, alongside learning about Canadian constitutionalism and Canadian property law.

It is similar to McGill where students learn civil law and common law. They are required to think outside of distinct legal categories and think in terms of the human concerns and consider the legal resources, processes and laws from each legal order. They work comparatively — students have to learn how to draw from more than one legal order. There is extensive interest in this not just in Canada, but elsewhere — New Zealand, Peru, and South Africa for example. ▀



**INDIGENOUS LAW
RESEARCH UNIT**

AT THE
UNIVERSITY OF VICTORIA

Research, Action, Resilience: The NCIED



MARGARET SUDERMAN
Communications and Financial Aid *

On October 6, 2014, the National Consortium for Indigenous Economic Development (NCIED) was launched as a joint initiative of UVic's Peter B. Gustavson School of Business and the Faculty of Law.

The occasion was marked by an official announcement and celebratory lunch held at First Peoples House. The event brought together members of the UVic community and many leaders from Indigenous communities, business and government who will be collaborating on the initiative.

The Consortium's mandate centers on creating sustained programs of research and action to maximize conditions for Indigenous economic strength and resilience.

It is grounded in the belief that Indigenous businesses and communities across Canada have great potential to revitalize economies and contribute to national prosperity while, at the same time, moving forward with their respective agendas relating to governance, cultural protection and sustainable community development.

"Canada's future is tied to the well-being of Indigenous peoples and Indigenous communities and their participation in the economy," says Saul Klein, Dean of the Gustavson School of Business. "Unlocking the potential for economic development, in light of this, requires careful consideration and elimination of the structural and behavioural impediments to capital investment and economic growth."

NCIED will focus on seven key areas including entrepreneurship, the development of appropriate struc-

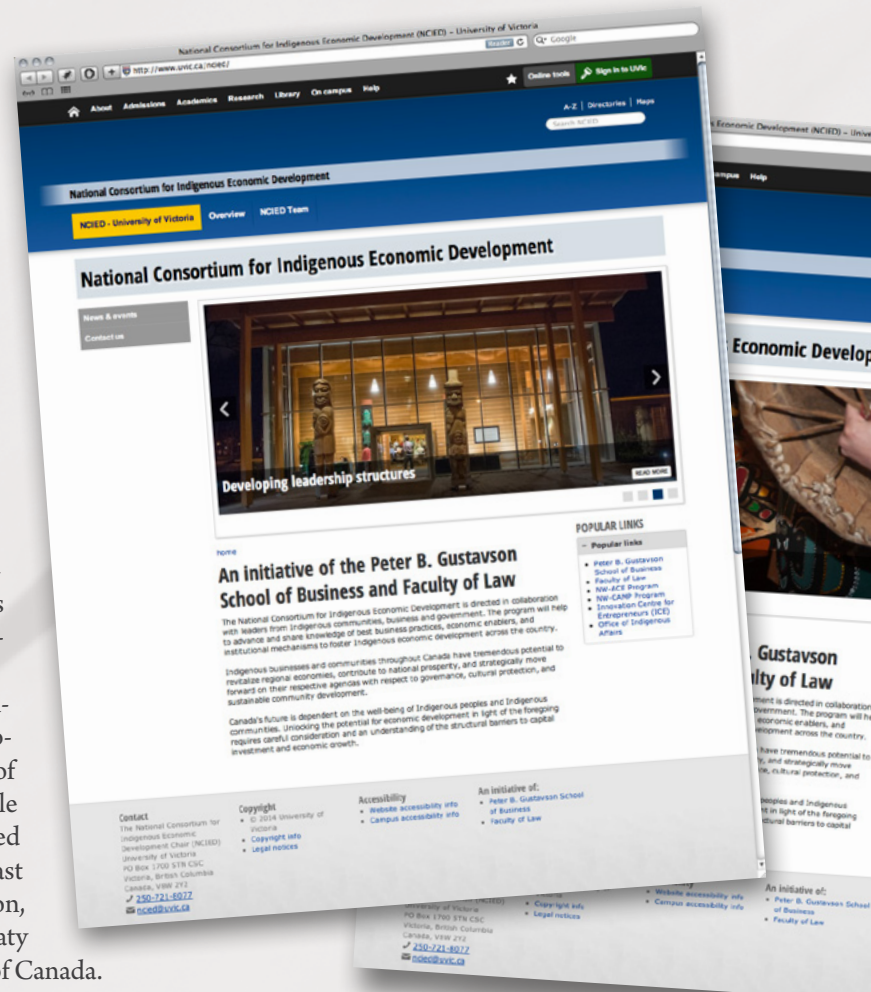
tures for Indigenous economic activity, and the conditions for effective collaboration between Indigenous and non-Indigenous enterprises.

"As Indigenous peoples gain greater control of their lands and governance, they seek to use those powers to secure their economic future. This Consortium supports those initiatives," says Prof. Jeremy Webber, Dean of Law at UVic. "Indigenous economies interact closely with their neighbouring communities. Strong Indigenous economies make for strong regional economies."

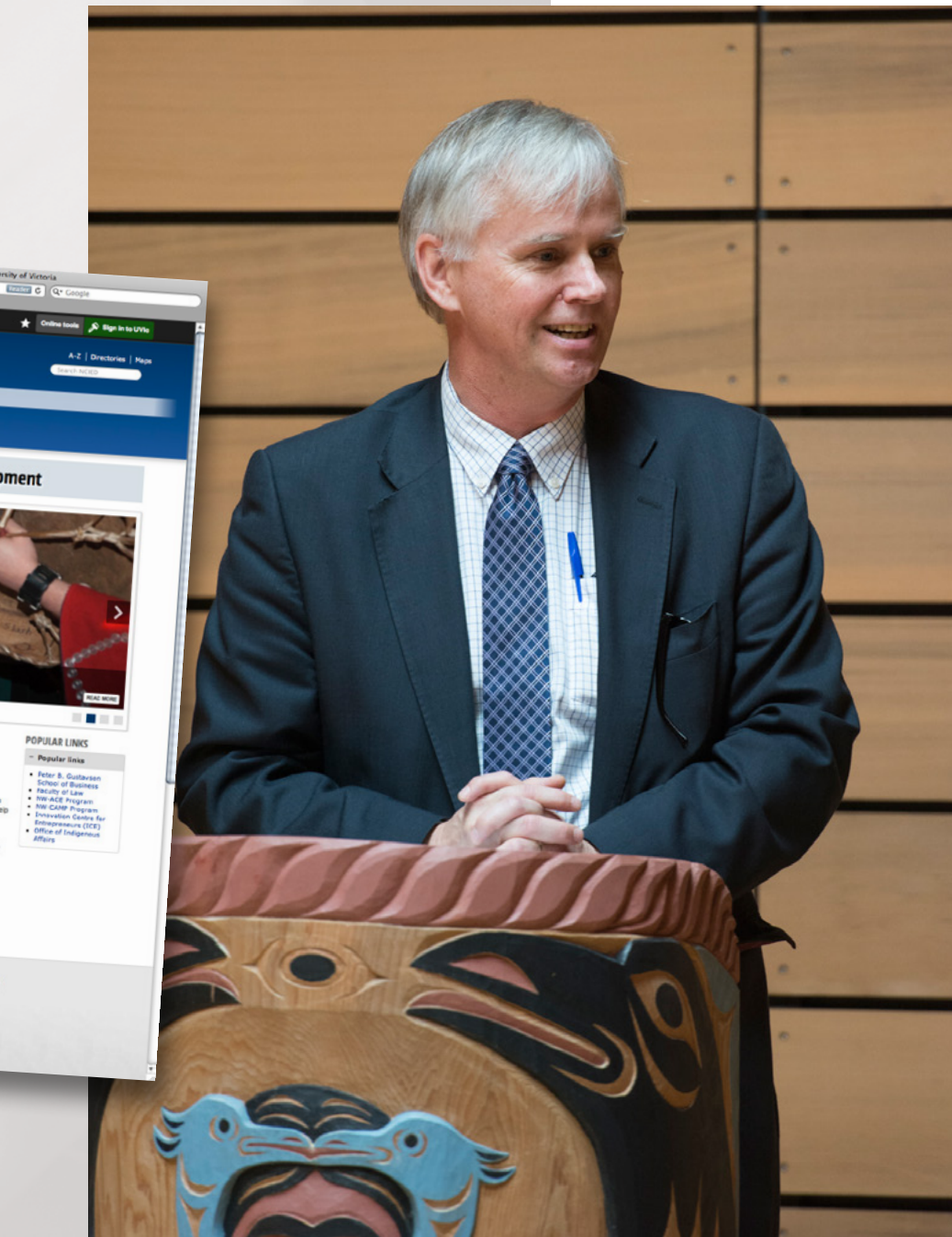
Miles G. Richardson, a business advisor, key member of the former British Columbia Claims Task Force, and Co-chair of the National Indigenous Advisory Circle for the Institute on Governance, was named as NCIED's Interim Director. He is also past President of the Council of the Haida Nation, former Chief Commissioner of the BC Treaty Commission and is an Officer of the Order of Canada.

As interim leader, Richardson (who grew up on Haida Gwaii and is a UVic grad) will oversee the launch of NCIED and development of its work nationwide.

For further information see uvic.ca/ncied 



* With thanks to Moira Dann, Communications Officer, Gustavson School of Business.



Jeremy Webber, Dean of Law.



Miles G. Richardson, NCIED Interim Director.

Local Alumni: Christopher Devlin ('97), Devlin Gailus Westaway

—BY ERIN HALLETT,
ALUMNI RELATIONS AND ANNUAL GIVING OFFICER



Devlin Gailus Westaway Law Corporation (DGW) is a national firm founded in Victoria that is well known for its Aboriginal law practice including representing a number of First Nations affected by the Trans Mountain Pipeline Expansion and the Site C project. DGW also happens to be home to quite a number of UVic Law alumni. The firm has been very supportive of the Indigenous law program at UVic Law and has contributed both time and financial resources to unique experiences like AbCamp (see page 40). Recently, I sat down with firm founder and UVic Law alumni Christopher Devlin ('97) to talk about his relationship with UVic Law.

Q: Devlin Gailus recently expanded (August 1, 2014) to become Devlin Gailus Westaway Law Corporation with an office in Ottawa. What prompted the expansion?

I have known Cynthia [Cynthia Westaway] for a long time through the Canadian Bar Association. We have a professional friendship. Cynthia came to John [John Gailus] and me because she wanted to grow her Aboriginal law practice and she was finding there were institutional challenges to doing that inside a major national firm. There were competing business interests within the firm that made growing an Aboriginal law practice more of a challenge than she wanted. Cynthia wanted to work with an Aboriginal law boutique and that was really the genesis of the change. John and I weren't necessarily looking to expand to Ottawa but here we are. Now we have an Ottawa office.

Q: What do you see as some of the opportunities and challenges with this expansion?

The opportunity is for all of us to be able to practice in BC. Cynthia hadn't had that opportunity working at her previous firm. And also to work with other lawyers who have very similar practices and really share those experiences and not feel like a fish out of water.

It also opens up new business opportunities and practice opportunities across the country for our lawyers based in BC. Prior to the expansion, our clients tended to be in western Canada and we didn't have, until Cynthia joined us, any clients east of Alberta. So our practice was in Alberta, NWT and BC. Cynthia has clients in Alberta, but also Saskatchewan, Ontario, Nunavut and Labrador. So there should be a lot of opportunity for all of us to work on cool files across the country.

Q: Why did you decide to go to law school?

I was on the Executive of a union local that was in collective bargaining and I really enjoyed the collective bargaining experience. I enjoyed the negotiations and structuring collective agreements. I thought it would be kind of cool to get paid to do it for a living as opposed to volunteering after work in the evenings and on weekends.

My romance with labour law was a short-lived one. It didn't survive the law school experience but that's what really drew me to law school.

Q: What is your most memorable UVic Law experience?

I am going to say it was the "Carbolic Smokeballers". I don't know if it's like this anymore but the Co-op (law Co-op students) group were the only ones that did the summer term. So we all came back — there were about 30 of us. Everyone else was off at summer jobs while we were at school. It was just a different feel. UVic has a softball beer league so we put in a team called the "Carbolic Smokeballers" and we had a great time. I managed the team and we won 7 out of 8 games or something like that. It was a lot of fun and

everyone got into it. Most of the Co-op folks were on the team in some fashion or another.

Q: Was Law Co-op a close group?

You sort of became closer because you didn't know anybody else. By the time you get into second year, you can get out of sync with your first year classmates. The people you started law school with graduate before you and you are left in school with people who started after you. But you weren't first years together so you didn't go through that experience with them. That group of 30 ends up being much more of a touchstone group and people develop relationships.

Q: Who was your favourite/most influential professor at UVic Law?

This is a tough question because it's hard to narrow it down.

In terms of really influential, I'd say there were four: Hamar Foster, the late Terry Wuester, John Kilcoyne ('78), and Ted McDorman. They were all just really solid, inspirational professors and all very good teachers in their own ways. They were all very passionate about the law with healthy doses of cynicism too. Which was good. None of them had stars in their eyes about the law, that's for sure.

Q: Why did you decide to practice Aboriginal law?

Aboriginal law was one of the few areas in law school that really inspired me at multiple levels.

It has lots of black letter law, believe it or not, constitutional stuff, but also lots of politics, public policy, social justice, history, anthropology and archaeology. There is such a convergence of disciplines and issues and dynamic things happening in Aboriginal law that it is continually exciting. You just never get into a rut.

Aboriginal law is the antithesis of a classic solicitor's practice where you have your precedents and you know everything and it's just a question of applying the right precedent to the right situation. Advanced solicitor's work is exciting in its own way but it's exciting in some respects because you are manipulating certainty, whereas in Aboriginal law there is no cer-



tainty. You are really learning new things every day no matter how long you practice in the area.

I really liked what I saw as the promise of Aboriginal law. It really attracted me intellectually and I really enjoy the actual practice of it.

Q: Were there Aboriginal law classes at UVic when you were a student?

I think there were maybe two classes. Hamar had a class. Jack Woodward ('78) was a sessional and he had a couple of classes and that was about it.

And then I did a Co-op job with the province's Aboriginal ministry, what is now called the Ministry of Aboriginal Relations and Reconciliation, and I also did a Co-op with Woodward & Company. I didn't start my career in Aboriginal law. I started off in a big corporate/commercial firm in Vancouver and then some insurance defence work but found my way back to Aboriginal law.

Q: As a Caucasian male, have there been challenges and/or misconceptions that you have had to overcome in your Aboriginal law practice. What were they? How did you overcome them?

I have never been asked that question — as a Caucasian male, if there were things that I had to overcome. Usually I get asked how I leverage my privilege.

One of the great things about working with Aboriginal people, and one of the things that can be, I think, difficult coming out of the ivory tower, is that you go right back to "white guys and Indians". And there isn't room for a lot of political correctness. And I don't mean that in a pejorative sense.

You know even with folks that refer to themselves as First Nations or Indigenous peoples, when you are sitting in a room, behind closed doors, you know you are the white guy. Or, at least, I know I am the white guy. And they know they are the Indians. The more honest you can be with what's going on, the better the relationship can be. If you try to pretend that their issues as Indigenous people are your issues, I think it's





delusional and I also think it really compromises the relationship you can have with them.

I have always been very clear that the work that I do is about Indigenous rights. Those aren't my rights. Indigenous causes are not my causes. I didn't grow up on a reserve. I don't have that experience. It doesn't mean I can't work for Indigenous people or that I can't be a zealous advocate for them but I don't own those issues. I don't own those rights. They are my clients' rights.

I think it's important to approach those issues as honestly and as openly as I can. Even though I am a white privileged guy with a phenomenal education, I get to go on a reserve and talk to people whose life experiences are so different from mine. I had some success in this field of law, I think, because I try to be scrupulously honest about that difference and I don't try to mask it or downplay it. Not to make too general of a statement because all people are like this in some

respects, but I have found with Indigenous people the more honest you are with them at the beginning, the healthier the relationship is as you start grappling with different problems and how to solve them.

Q: Can you talk a bit about the *Tsilhqot'in* Decision and why it is so important for First Nations in Canada?

It's a huge statement on Aboriginal title. It's the first declaration of Aboriginal title in Canada. It's the first time that a court has found that a First Nation owns a track of land — lock, stock and barrel.

I think, and I am not in the majority on this one, it's a huge decision but it is also actually a fairly limited decision. Although this is the first time this has been declared, I don't expect there will be a rush of Aboriginal title litigation. The *Tsilhqot'in* took 25 years to realize this decision. It was at enormous cost to the community, with phenomenal and consistent leadership and overwhelming community support to engage in

the litigation process. They had no expectation of any kind of financial reward. It was all about principle and it was all about preserving a way of life.

Tsilhqot'in is a remote community. An hour and a half minimum outside of Williams Lake which is not exactly a metropolis! Their first language in the community is still *Tsilhqot'in*, not English. They seem to have escaped the ravages of residential schools, although not entirely. Their community, their traditional structures and ways of life, are remarkably intact for the twenty-first century.

There aren't many First Nations in BC, or in Canada, that are similarly situated. There are some but it's not like we are going to see fifty more declarations of Aboriginal title. I highly doubt that. I think that given the overwhelming social issues and economic challenges that First Nations face in BC and given the enormous diversity of Aboriginal leaders and their abilities and their mandates, there are lots of other choices and other paths open to those communities. I actually think very few will choose the same path as the *Tsilhqot'in*.

It's a great decision for legal academics. It's a unified statement of the doctrine of Aboriginal Title. The Supreme Court of Canada (SCC) had to make the decision because the BC Court of Appeal (BCCA) made such a mish-mash of the doctrine in their decision. In my opinion, the Chief Justice in particular saw the need to make a consolidated statement of the doctrine of Aboriginal Title because their previous statements and previous judgments had been taken out of context, not only by the province of BC but also by the BCCA. That had to be rectified.

It's a great decision for legal academics and a great decision for legal theorists. I think that the most practical effect that one will see is in negotiations between the Crown and First Nations. First Nations' negotiating positions will be somewhat strengthened and the Crown will have received very strong judicial encouragement to take different approaches than it has in the past. From what I have seen, and from what I have heard, in the couple of months now since *Tsilhqot'in*



came out, people are seeing a greater willingness on the part of the Province to make deals they weren't previously willing to make in order to avoid litigation. The Province used to give take-it-or-leave-it kind of offers — go ahead and sue us but you aren't going to get much because the BCCA said there isn't much there. Well, that's different now. Everyone is doing different risk assessments and that affects negotiating positions.

Notwithstanding the restatement by the SCC, I still don't think you are going to get a rash of Aboriginal title litigation nor declarations. It's still an almost impossible test to meet and so few communities have the resources and the capacity to meet that legal test. It is remarkable that the Tsilhqot'in achieved what they did.

Q: The Grassy Narrows decision followed very shortly after Tsilhqot'in. Both decisions appear to have an impact on First Nations control over traditional lands and resources. How do you see the decisions interacting?

They don't really.

Tsilhqot'in was about Aboriginal title and *Grassy Narrows* (a.k.a. the *Keewatin* Decision) was about interpreting Treaty No. 3, one of the historic numbered treaties. The decision was really interpreting a clause in No. 3 about the Crown's right to take up land for settlement, mining, lumber and that kind of thing, and the process that the Crown has to follow to take up land under the Treaty. It's very different than unextinguished Aboriginal title where the First Nations own the land — lock, stock and barrel.

Q: You have a strong relationship with UVic Law and hire many Law Co-op students and graduates. What are some of the benefits of hiring UVic Law students? Why do you think it is important to support the law school in this way?

All of our associates except for one come from the law school. And all of our lawyers except for my Partner went to UVic Law.

We love the Law Co-op program. Specifically, it is a great way to recruit potential articulated students and

potential associates. You get high quality applicants and lots of students who go to UVic are interested in Aboriginal law — that's one of the things that may attract them to the law school in the first place. Or they are very passionate about environmental law which often dovetails nicely with Aboriginal law. So we get high quality candidates who have identified a strong interest in the area that we practice. It's a very small commitment, just four months. If they work out — the quality of their work is good, people like seeing their face around the water cooler — it's a no-brainer to invite them back for a second term or articles. If they survive articles and don't cause some huge liability issue, we invite them to be associates.

From a law firm perspective, I think it is easier dealing with the UVic Law Co-op office than dealing with posting and running your own job competitions. The only downside is that the university calendar rarely aligns with the business needs calendar. When the Co-op office has their body of potential candidates to place, it may not align with the workload in the firm at the time. But what the firm gives up in terms of flexibility is worth it. We don't pay for any postings and the first round of vetting of candidates is all done at the Co-op office. The candidates you end up interviewing are all pretty good and it's usually hard to pick someone. You are presented with a bunch of steak knives and the butter knives have already been weeded out. That's good!

Q: Your firm recently committed \$10K over five years to support the law school's Aboriginal Awareness Camp (AbCamp). Can you talk about why you think this program/experience is important to the law school and law students? How does the law school's AbCamp align with your firm's values?

I think any increase in the awareness of the other is key to eliminating prejudice and biases, whether they are institutional, personal or social. So few people in Canada that are non-Indigenous have any experiences of Indigenous culture on its own terms. And the law so affects Aboriginal people at many different levels.

Given that the Aboriginal Awareness Camp aligns so closely with the values of our firm, we did feel it was a no-brainer to support this kind of initiative. Even if none of the students that attend camp practice Aboriginal law, they will still likely occupy positions of privilege and influence within society as a whole. For them to have awareness is critical. Few non-Indigenous people have spent time on a reserve unless they happen to drive through one. To be able to hang out on a reserve in a community and actually spend time there is just a fantastic experience. And the food is always great!

Q: What is your proudest accomplishment?

Apart from my son?

As a lawyer, the proudest accomplishment was the work that I helped do through the Canadian Bar Association (CBA) Aboriginal Law Section in advocating for certain reforms to the Residential Schools Resolution Process and being part of a much greater initiative that really tried to bring justice to survivors of residential schools. The residential schools experience has so perversely affected First Nations in Canada that it was a necessary step to try to get some kind of official resolution. To not acknowledge it at all or have people go through the civil litigation process and all of the additional pain and trauma that that would cause them was unjust. So the little bit the CBA was able to do in terms of nudging the resolution process forward and supporting certain aspects of the resolution process, I felt was a huge accomplishment for Indigenous people across the country.

III►



Q: What is your advice to new graduates?

Find an area of the law you like, not just one that you think you should like.

A lot of people convince themselves that they really like to do X, Y and Z law because it's very well paying and they have a huge student debt load to service. That decision tends to result in choosing an area of law you don't really like. If you have found an area of law you like, you are more likely to have a long career in the law. If you don't, law can be an expensive route to another career because you end up burning out or hating what you do. If you were doing something part-time that really motivates you, the trick is to find out how to get paid to do that in your working time and then I think there is a long career for you. ▣



Enriching Canada with Indigenous Perspectives: The Indigenous Bar Association



ERIN HALLETT

Alumni Relations and Annual Giving Officer

PhD candidate Aaron Mills (right) serves as a Member-at-Large on the Indigenous Bar Association's (IBA) Board of Directors. He is a Bear Clan Anishinaabe from Couchiching First Nation, Treaty No. 3 Territory and from North Bay, Robinson-Huron Treaty Territory. Aaron is currently a doctoral student, a Trudeau Foundation Scholar and a Vanier Canada Scholar at UVic Law where his research is concerned with revitalizing Indigenous legal orders generally and Anishinaabe law in particular. He earned his JD from the University of Toronto in 2010; in 2012 he completed his LLM at Yale Law School as a Fulbright Scholar.

The IBA's objectives include recognizing and respecting the spiritual basis for Indigenous laws, customs and traditions as well as raising awareness of legal and social issues of concern to Indigenous peoples and promoting legal and policy reform for the advancement of legal and social justice.

[Read full list of IBA Objectives.](#)


Raising awareness about how Indigenous laws and perspectives have contributed to the positive evolution of Canada's social fabric was the underlying theme of the IBA's 26th Annual Fall Conference held in Calgary this past October. The conference, entitled "Enriching Canada with Indigenous Laws and Perspectives", focused on sharing and celebrating the work of IBA members in this regard.

The IBA actively engaged in this type of enriching activity by playing a significant role as an Intervener in *Tsilhqot'in v. British Columbia* (*Williams Decision*). The Association's submissions on "Indigenous Legal Traditions and Perspectives" made a significant contribution to the proceedings and are reflected in the judgment. This is one of many contributions that the IBA has provided and will provide to Aboriginal law and Canadian society as a whole. IBA Past President David C. Nahwegahbow, IPC, LSM made the submissions supported by a large team of brilliant Indigenous advocates and scholars including UVic Law's own Dr. John Borrows.

[Read the IBA's commentary on Williams](#)

The IBA also engages in advocacy activities that include Legislation Watch: a means of gathering commentary and perspectives from Indigenous legal professionals, academics and students on new Canadian laws that impact Indigenous peoples. The Association also embraces the international context by keeping up-to-date on developments related to international law and Indigenous peoples' rights.

[Read more about IBA's Advocacy Initiatives](#)

The IBA welcomes new Indigenous members. If you are an Indigenous lawyer, you can join the IBA online by purchasing a membership [here](#). 



Indigenous Alumni Difference Makers

More than 150 self-identified (and wonderful!) Indigenous students have graduated from UVic Law. Here are what some of those graduates have done. Did we miss any difference makers you think should be acknowledged? Please let us know. We will continue to mention accomplishments in future issues.

Sharon Venne ('79)

First female Chief Negotiator for the Akaitcho Dene. Helped establish the United Nations Declaration on the Rights of Indigenous Peoples in the 1970's Treaty 6 Ambassador to the UN

Chief Robert Louie ('82)

Chief of Westbank First Nation, Recipient of Order of Canada, 2006, Recipient of Queen Elizabeth II Diamond Jubilee Medal, 2012, and Recipient of the Commemorative Medal for the 125th Anniversary of Confederation

Robert Morales ('86), member of Cowichan Tribes

Chief Negotiator at Hul'qumi'num Treaty Group

Sharon McIvor ('86)

Member of the Lower Nicola First Nation. Lawyer and activist for individual dignity and rights, particularly those of Aboriginal women and children.

The Honourable Marion Buller Bennett ('87)

Judge of the Provincial Court of British Columbia

Sam Bull ('90)

Former Chief of White Fishlake Band #128 (now Goodfish Lake Cree Nation) Winner, Aboriginal Justice Award, University of Alberta

The Honourable Leonard S. Marchand ('94)

Judge of the Provincial Court of British Columbia

Bonnie Leonard ('96)

Former Chief, Kamloops Indian Band
Now Tribal Director, Shuswap Nation Tribal Council

Gordon Christie ('97)

Associate Professor and Director, First Nations Legal Studies, UBC Law

Lydia Hwitsum ('97)

Former Chief of Cowichan Tribes
Currently on Board of First Nations Health Authority

Maxine Matilpi (LLB '98 & LLM '10)

Former Director of Academic and Cultural Support, UVic Law
Now Instructor, First Nations Studies, Vancouver Island University

Merle Alexander ('99)

Partner, Gowlings (Vancouver)
Kitasoo Xai'xais First Nation

Annita McPhee ('99)

Former President of Tahltan Central Council

Joseph (Banjo) Linkevic ('00)

CEO at FirstWind Power Inc. (bringing power to BC Indigenous communities)

Gary Campo ('00)

Partner, Woodward & Company LLP (Victoria)

Val Napoleon (LLB '00 & PhD '09)

Associate Professor and Law Foundation Professor of Aboriginal Justice and Governance, University of Victoria
Treaty 8, Saulteau First Nation and adopted member of the Gitanyow (Gitksan) House of Luuxhon, Ganada (Frog) Clan

Anna Hunter ('02)

Assistant Professor and Director of Aboriginal Public Administration Program, Political Studies, University of Saskatchewan
Ktunaxa Nation

Mark Eikland ('04)

Council of Yukon First Nations

Sarah Morales (LLB '04, PhD in progress)

Assistant Professor, Law, University of Ottawa

Lindsay LeBlanc ('05)

Partner, Cox Taylor (Victoria),
Member, Board of Governors, UVic

Madeleine Redfern ('05), Akitsiraq

Former Mayor of City of Iqaluit (2010-2012)

Aaju Peter ('05), Akitsiraq

Received Order of Canada on December 30, 2011

Brenden Hunter ('06)

Partner, Fasken Martineau (Calgary)

Johnny Mack ('06)

Currently pursuing his PhD at the Faculty of Law
Trudeau Scholar
Toquaht, of the Nuu-chah-nulth Tribal Council

Carly Fox ('07)

Partner, Maurice Law (Alberta)
Blood Tribe

Paul Silvey ('08)

Governance and Economic Development
Coordinator, Snuneymuxw First Nation

Diane McLeod-Mckay ('09)

Appointed Yukon's first full-time Ombudsman/
Information and Privacy Commissioner on
June 30, 2011 for a five-year term

Jacinta Ruru (PhD '12)

Associate Professor, Law, University of Otago

Carwyn Jones (PhD '13)

Senior Lecturer, Law, Victoria University of Wellington

Douglas White III ('09)

Former Chief of Snuneymuxw First Nation,
Interim Director of VIU Centre for Pre-
Confederation Treaties and Reconciliation

Chad Day ('14)

President, Tahltan Central Council

Aaron Mills, PhD student

Trudeau Foundation Scholar, Vanier Scholar
and Member-at-Large, Indigenous Bar
Association's (IBA) Board of Directors

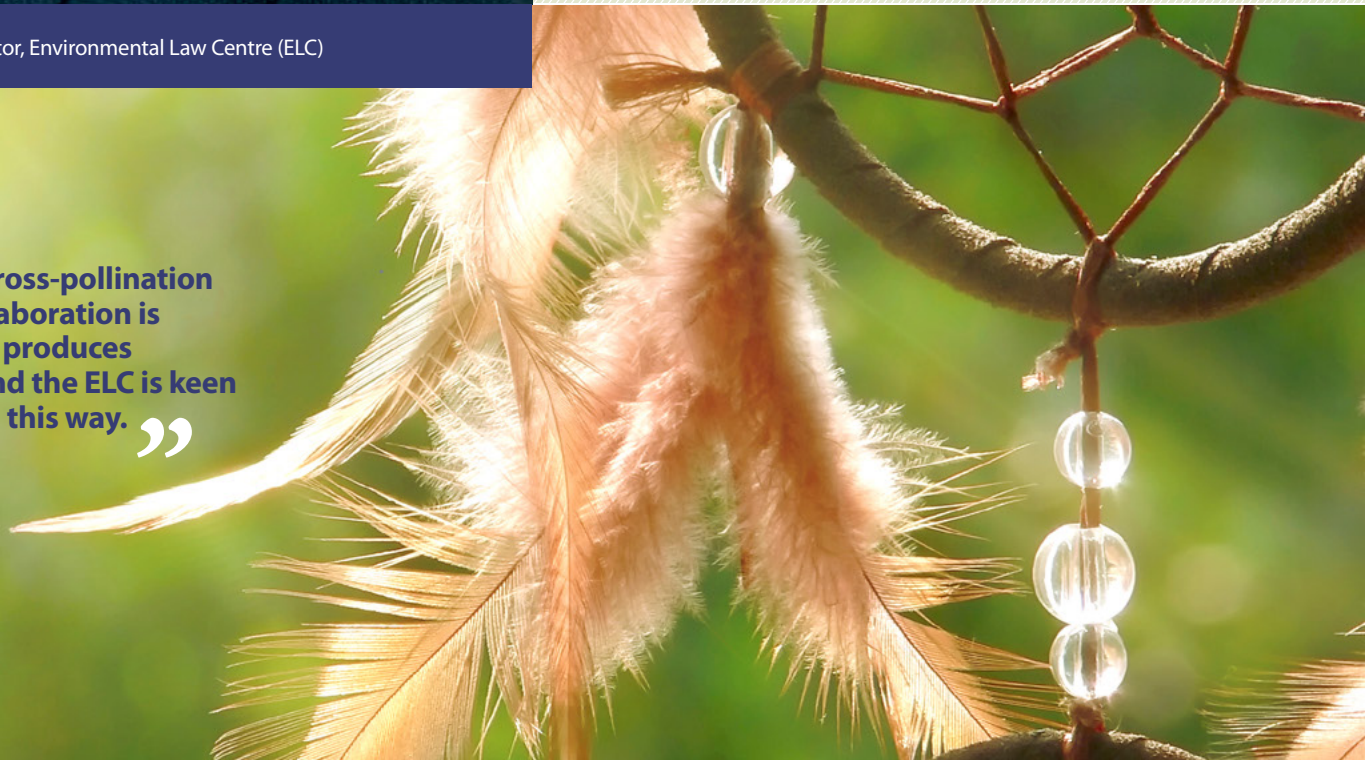


Winning Collaborations: The ELC, Indigenous Law, and Using Clinical Legal Education to Build Environmental Best Practices

—BY MARNI MACLEOD ('93)

Calvin Sandborn, Legal Director, Environmental Law Centre (ELC)

“...interdisciplinary cross-pollination and community collaboration is a methodology that produces significant results and the ELC is keen to continue working this way.”



By facilitating hands-on advocacy for students interested in a dynamic and far-reaching area of public interest law, UVic's Environmental Law Centre (ELC) has become an irreplaceable part of the UVic Law experience. The clinic has mentored and trained Canada's next generation of environmental lawyers, provided invaluable support to community groups in need of representation and has spear-headed dozens of law reform initiatives. Further, by working directly with community members and key stakeholders, like the Coastal First Nations, other Indigenous groups across BC, and Indigenous scholars, the ELC demonstrates a brand of collaboration that produces results. We sat down with ELC's Legal Director Calvin Sandborn who provided us with a snapshot of his experiences working with the ELC and an overview of some of the exciting collaborations with Indigenous peoples and scholars across BC. We also took the opportunity to ask Calvin how UVic Law alumni can get involved or refer casework to the ELC.

Q: How would you describe the purpose of the ELC?

One of our purposes is to deliver legal education. It's well known that the hands-on clinical model is one of the best ways to educate law students. In fact, a study by The Carnegie Foundation promotes the clinical model as necessary for a good law school experience. The American Bar Association (ABA) actually won't accredit law schools without clinics.

Personally, I took part in the UBC clinic while I was there. I was involved in my second year and found that, by third year, things made so much more sense to me because I was able to relate legal theory to the real world.

Q: How did you first become involved with the ELC?

Back in 2003, I was working as counsel to the Forest Practices Board and Prof. Chris Tollefson ('85) was running the ELC off the side of his desk. Chris approached me to ask if I'd be interested in working as the Legal Director of the ELC. Around the same time, I had lunch with then Dean Andrew Petter, QC ('81) who offered me a tremendous deal...an appointment as an adjunct professor with the honour of acting as Legal Director of the ELC for free! At the time there was simply no extra money to fund the clinic. I think the initial budget was something like \$700 a year. However, we all thought it was a great idea and I could see the potential, so I ended up volunteering my time for the next six months. Then some great things started to happen. At first, we survived with the support of the Law Foundation of British Columbia along with bits and pieces of funding from other organizations interested in what we were trying to do. Then in 2005, we caught a huge break. I was sitting in the student computer lab, a.k.a. my "office", when I got a call from Tula Foundation founder Eric Peterson. He wanted to know what kind of funding we needed. Due to Eric's efforts, we ended up with an extremely generous funding arrangement at just the right time and we have been very fortunate to enjoy the Foundation's support since then.

Q: How would you summarize your experience as Legal Director of the ELC?

I am the luckiest guy on earth. I get to spend almost every day surrounded by students who are excited to be taking part in the clinic and I get to work alongside Aboriginal and other leaders who are excited to be working with these young people. I have an amazing job.

Q: What collaboration are you seeing between environmental and Indigenous law?

Environmental law engages pretty much everything: contract law, administrative law, property law, tort law. A broad array of issues comes into play. In-

igenous law, however, does occupy a fairly unique and prominent place in the field of environmental law. About 30% of our clients are First Nations who commonly deal with both environmental and Indigenous law.

Among the valuable services the ELC provides is dedicated, knowledgeable researchers who canvass the laws and regulations in place around the world to deal with issues similar to those faced by BC's Indigenous peoples. From there, the ELC can distill that knowledge into best practices and policies that can then be taken by Indigenous groups, adapted to Canadian circumstances and put into practice.

The ELC also benefits from work with international scholars like Fulbright Canada Fellowship recipient Grace Nosek (Harvard Law School *cum laude*) who is working on "An Examination of Public Participation in Government Review of Energy Pipeline Proposals."

The ability to work collaboratively with other disciplines is also one of our strengths. For example, we hope to work with Val Napoleon (LLB '01, PhD '09), Law Foundation Professor in Aboriginal Justice and Governance, and her students at the Indigenous Law Research Unit — as well as with others — on how to implement First Nations legal principles in the environmental stewardship context.

We do a lot of work with the Coastal First Nations as well as First Nations in the northeast and the central interior of the province. Basically, we are open to helping any First Nations group that can use our services.

Q: What are some recent projects where the ELC has collaborated with Indigenous communities?

One that immediately comes to mind is our work on *The Environmental Law Field Guide* produced in collaboration with the Coastal Guardian Watchmen Network. That project came about after the Coastal First Nations had established the Great Bear Rainforest Conservancy, putting into place the toughest forestry rules in British Columbia. If you look into it, you'll notice there are special rules for the North Coast and Haida Gwaii. To enforce these and other environmental and cultural laws, the Coastal First Na-

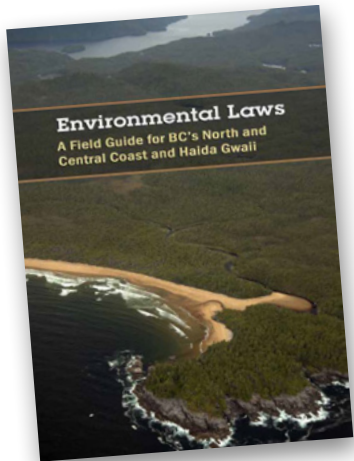


tions Great Bear Initiative set up the Coastal Guardian Watchmen Network (CGWN). The CGWN is made up of small, dedicated groups of First Nations “Watchmen” who monitor activity up and down the coast, seeking to prevent breaches of conservancy rules and reporting any breaches of law to enforcement authorities. The CGWN is an alliance of First Nations on BC’s North and Central Coast and Haida Gwaii that includes the Wuikinuxv Nation, Heiltsuk Nation, Kitasoo/Xai’xais First Nation, Gitga’at First Nation, Metlakatla First Nation, Nuxalk Nation, Old Massett Village Council, Skidegate Band Council and Council of the Haida Nation.

Environmental laws and their application in the Great Bear Rainforest can be very complex. Recognizing they needed practical tools to sort out how best to monitor and report illegal activity in their traditional territories, the CGWN asked us if we would help. The result was the field guide. We tried to reduce many of the complex legal rules to one-liners and provide practical steps for Watchmen to follow in assessing, documenting and reporting illegal activity. Part of our

work has also included ongoing training sessions with the Watchmen.

This work has been tremendously rewarding for students and for me personally. Recently, I was asked by the organizers of Stanford University’s Bright Award to provide the names of five people who I would nominate as having made a significant contribution to environmental conservation and global sustainability. One of those people was Art Sterritt, Executive Director of the Coastal First Nations Great Bear Initiative.



I was delighted that Art received the 2014 award for his work in establishing the Great Bear Rainforest, the formation of the Coastal First Nations, and the negotiation of numerous agreements between coastal Indigenous peoples and both levels of government. I was honored to attend the award ceremony to congratulate Art and to be reunited with an incredible group of coastal First Nations leaders (also in attendance) who have been working for years to ensure the protection and ongoing survival of their traditional territories. [Watch the Bright Award video.](#)



Fish Disease Reporting

We’ve also been working with the Wuikinuxv Coastal First Nations regarding the Federal Government’s failure to report where fish diseases are occurring on fish farms. Sam Harrison (’15 expected), one of our students, is a former commercial fisherman and

commercial fishing guide. He wrote a report for the Wuikinuxv about the lack of timelines and geographic detail in government reporting of these fish diseases. Sam’s report has garnered a lot of publicity. This type of work is consistent with the underlying theme of our work at the ELC, which is to encourage open and transparent government and freedom of information.

Clean Drinking Water

ELC students have also been instrumental in gathering and consolidating all of the data that was available regarding problems First Nations in Canada were experiencing with their drinking water. The ELC then had a law student work, in collaboration with the BC First Nation who first raised the issue with us, to develop an argument that the Government of Canada had a legal obligation to address the problems with water supplied to First Nations. The students also created a generic legal memo for use by other First Nations and worked in collaboration with UVic engineering students to come up with possibilities to address some of the existing problems. This kind of interdisciplinary cross-pollination and community collaboration is a methodology that produces significant results and the ELC is keen to continue working this way.

Enbridge, Mount Polley, and More

We’ve also done tons of other projects for First Nations, including assisting Nations (and BC Nature) with the Enbridge Pipeline hearings, developing model rules for both mining and shellfish aquaculture, researching the regulation of cruise ship effluents affecting Coastal First Nations, and researching effective ways to keep track of recreational fishing catches. See the list on the next page for a sampling of ELC projects during 2014. [N](#)

HOW ALUMNI CAN GET INVOLVED

If you are a BC lawyer who has a case with an environmental law component you are welcome to submit your case to the ELC for assistance from our students and staff. Our students often come from relevant backgrounds like geological and environmental engineering and we offer help with legal research and developing cases.

Alumni can also apply to be part of the ELC Associates Program; which seeks to connect lawyers province-wide through CPD activities and bi-monthly teleconferences. The idea is to share knowledge and collaborate on key

environmental and resource development issues throughout the province.

If you are interested in submitting a case for assistance please get in touch with **Calvin Sandborn** at csandbor@uvic.ca for more information.

To find out more about the ELC Associates Program, interested alumni can contact **Holly Pattison, Paralegal Administrator**, at elc@uvic.ca.

JUST A FEW OF THE NOTABLE ELC PROJECTS IN 2014:

Mount Polley Disaster / Mining Fair Practices Code

- Part of the ELC work on the Mount Polley mine disaster has to do with work that was started several years ago on investigating and researching mining rules from around the world that acknowledge Indigenous interests in relation to mining exploration, operations including the adequacy of inspections, closure procedures, reclamation and, compensation rules such as adequate bonding and environmental insurance.
- Relevant to the Mount Polley Mine situation, the ELC initiated the development of the *Fair Mining Practices Code*; which is a culmination of work by former ELC students Maya Stano ('10-'11, Exchange Student) and Emma Lehrer ('09). Maya, a former geological engineer in the mining industry, transferred to UVic in her second year because of her interest in the ELC. The project included collaboration with students at Harvard Law School and resulted in the production of a 425 page research document. The Code is a blueprint for comprehensive reform of BC mining laws and was adopted by the Soda Creek First

Nation just shortly before the Mount Polley mine disaster occurred within their territory.

LNG Projects

- The ELC has done a number of projects for First Nations concerned about natural gas and LNG developments. For example, at the request of the Fort Nelson First Nation, ELC student Savannah Carr-Wilson ('15 expected) produced a study on best practice standards on disposal wells for fracking waste water. This paper laid out specific law reform proposals to govern such disposal wells, and garnered front page newspaper coverage. A related study done by ELC student Gabrielle Clark ('15 expected) called for a strategic environmental assessment of LNG, garnering support from First Nations and others. The project was well received at the UBCM 2014 Convention this past September where members passed a resolution calling for the Province of BC and First Nations to convene and co-chair a strategic economic and environmental impact assessment of LNG development in BC and to invite the federal government to participate in the process (Resolution 8107: UBCM 2014

Convention). The province's Select Standing Committee on Finance also supported the ELC strategic assessment recommendation.

Sour Gas Wells

- ELC Student Jacqui McMorran ('15 expected) received widespread media attention after writing a report for the ELC that concluded that existing gas wells were located too close to schools. The primary concern was with sour gas: a gas used as a lethal military weapon in World War I. The existing regulations only required a 100 m safety buffer zone between gas wells and schools. Fortunately, the ELC report led government to change the law and increase the safety buffer to 1000 metres. Not a bad accomplishment for a second year law student. ■

Alumni Vistas: News and Updates

The 1970s



Tino Di Bella ('79), was awarded the President's Medal by the BC Branch of the Canadian Bar Association (CBABC) in June 2014. The medal was presented by fellow UVic Law alumnus and CBABC President, **Dean Crawford ('94)**, in recognition of the many volunteer hours Tino has dedicated to law reform. The President's Medal is an annual award that honours an outstanding lawyer who has been recognized for one or more of the following: legal academic proficiency, works of legal scholarship, significant contributions to the profession, or noteworthy contributions to Canadian public life. Tino practices at Jawl & Bundon in Victoria and is the current chair of the British Columbia Law Institute. Congratulations, Tino!

The 1990s



Barry Penner, QC ('92), worked in Myanmar (formerly Burma) from June to November 2014 with Myanmar Legal Services as Senior Counsel.

The 1990s

This firm is affiliated with Chandler & Thong-ek Law Offices in Thailand, where Barry and other UVic Law students completed Law Co-op work terms. Barry was previously Senior Counsel with Davis LLP in Vancouver and was the Chilliwack-Hope MLA for over 15 years. During his time as an elected representative, Barry was BC's Minister of Environment, Minister of Aboriginal Relations & Reconciliation and the Attorney General.

Barbara Flewelling ('94), was appointed a judge of the Provincial Court of British Columbia effective October 31, 2014. She was sworn in December 5, 2014 and has been assigned to the Vancouver Island Region with resident Chambers in Campbell River.



Jason Kitts ('97), returned to London to accept a role as the Associate General Counsel Oil & Gas for Chicago Bridge & Iron (CBI) working with fellow UVic Law Alumnus, Shane Willoughby ('99). CBI is one of the world's largest contractors and his work is primarily focused on developing pace-setting LNG and offshore projects. Fuelling his passion to negotiate, Jason recently completed the Harvard Project on Negotiation Master Class. He lives with his family outside of London.

The 2000s



Elyssa Lockhart ('00), joined McQuarrie Hunter LLP in May 2014 as Associate Counsel. Her practice focuses on corporate and commercial law, wills, trusts and estates. Elyssa has recently been appointed to the Board of Governors of the University of the Fraser Valley. She also sits on the Board of Directors of the Mission Regional Chamber of Commerce, the District of Mission's Economic Development Committee and she was Director of Protocol for the 2014 BC Winter Games. Elyssa's three daughters also keep her very busy outside the office.



Kinwa Bluesky ('04, JD) ('06, LLM), is currently a UBC Law PhD candidate and was awarded the 2014 Law Society of BC Aboriginal Scholarship. She is writing her thesis under the supervision of Gordon Christie, Steve Wexler and UVic Law professor John Borrows on how Indigenous law is expressed through the creation of art in Gitksan, Coast Salish and Anishinaabe communities.



James-Scott Lee ('05), joined McCarthy Tétrault's Calgary office as a Partner in June 2014. He is a member of the firm's Financial Services group and his practice focuses on

The 2000s

corporate and project financing, with a particular concentration on the oil and gas, energy services, real estate, equipment finance and renewable energy industries.



Prasanna Ranganathan ('05), is now a contributing blogger/writer for The Huffington Post. [View his profile and entries.](#)

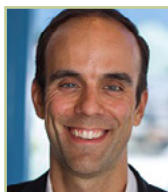


Julie Lassonde ('06), LLM, has been appointed an Osgoode Artist in Residence for 2014/15. Read her bio [here](#).



Michelle Casavant ('08), became an Executive Member of the Canadian Bar Association BC Branch's Aboriginal Lawyers' Forum in August 2014. Michelle is counsel for the Department of Justice Canada and has a litigation practice in the areas of Aboriginal, tax and public safety law. She is also a volunteer lawyer with the Access Pro Bono Society of BC.

The 2000s



Andrew Crabtree ('08), is a litigator with a broad and diverse practice focussing on complex, commercial litigation. He has extensive experience dealing with complicated business disputes, including shareholder claims, oppression and dissent proceedings, contractual disputes, securities litigation and enforcement proceedings, real estate issues and other corporate matters. Before joining Cooper Litigation, Andrew worked in the Vancouver office of Blake, Cassels & Graydon LLP for five years. He can be reached at acrabtree@cooperlitigation.ca or 778-383-3377



George Gray ('08), joined the International Committee of the Red Cross (ICRC) as a Detention Delegate in May 2014. George is currently posted in Mali, where he is working on behalf of those detained in relation to the conflict to ensure their legal rights are respected. George can be reached at ggray@icrc.org



Raphael Tachie ('09), recently joined Manulife Financial as the Assistant Vice President, Tax, Retirement and Estate Planning where he works with insurance advisors and other partners to support their high-

The 2000s

net worth clients and deliver integrated insurance and tax planning solutions. Raphael is also the current President of the Canadian Association of Black Lawyers, British Columbia Chapter.

The 2010s



David Namkung ('10), has joined the partnership at The Counsel Network. David specializes in private practice and in-house lawyer recruitment for the Vancouver market. He can be reached at 604.634.1708 or dnamkung@thecounselnetwork.com



Adam Campbell ('11), finished third in the 100-mile Hardrock 100, an ultramarathon in Colorado's San Juan Mountain range, after being knocked over by lightning at mile 56. Adam has been a professional runner for over 12 years and is the Canadian record holder for 50-miles on trails (5:44) and a Canadian duathlon champion. He is a Legal and Regulatory Specialist for Arc'teryx Equipment in Vancouver and is a co-owner of the 5 Peaks Trail Running Series.

The 2010s



Matthew Nefstead ('13), joined Devlin Gailus Westaway (formerly Devlin Gailus) in May 2014 after successfully completing his articles with the firm. His preferred areas of practice are Aboriginal Law, environmental law, and legislative and policy development. While attending law school, Matthew participated in the Environmental Law Clinic. Matthew can be reached at matthew@dgwlaw.ca



Fareeha Qaiser ('13), joined Carfra Lawton LLP in May 2014 after successfully completing her articles with the firm. She practices in the areas of insurance defence litigation, personal injury defence and occupier's liability. Fareeha is currently a Board member with the UVic Alumni Association. While attending law school, she was a member of the LSS and Pro Bono Students Canada.



Chad Day ('14), was elected president of the Tahltan Central Council in July 2014. He will work alongside vice-president Heather Hawkins and returning secretary-treasurer Adrian Carlick. Tahltan Nation is located in northwestern British Columbia, with many of its people residing in three main communities: Telegraph Creek, Dease Lake and Iskut.

The 2010s



Matthew Joseph ('14), LL.M., completed his LL.M. in September 2014. His thesis is titled *Weather Disasters and the Law: Examining the Need for Change in Canada*. Matthew worked with Profs. Michael M'Gonigle and Elizabeth Adjin-Tettey. His thesis uncovers the fragmented nature of Canada's institutional responses (the common law, market insurance and government compensation) to extreme weather. After many years in school, he is looking forward to beginning his professional career as a lawyer.



Robert Clifford ('14), LL.M., completed his LL.M. in September 2014. His thesis is titled *WSÁNEĆ Law and the Fuel Spill at Goldstream*. Robert worked with Prof. John Borrows and Department of Political Science Professor Heidi Stark. He is currently pursuing his Doctoral degree at Osgoode. Robert can be reached at rob_cliff@hotmail.com

The 2010s



Supriya Routh ('13), PhD, recently had his book, *Enhancing Capabilities through Labour Law — Informal Workers in India*, published by Routledge. The book is derived from his PhD thesis. He is presently a Researcher at the Interuniversity Research Centre on Globalization and Work (CRIMT) — Université Laval, Quebec. He was formerly an Assistant Professor at the West Bengal National University of Juridical Sciences, India, and ILO Chair at the Nantes Institute for Advanced Study, France. Supriya can be reached at routh.supriya.1@ulaval.ca

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

**Contact Erin Hallett,
Alumni Relations Officer:
lawalum@uvic.ca**



LLM and PhD in Law and Society — Recipients of Law Foundation Graduate Scholarships for 2013-14

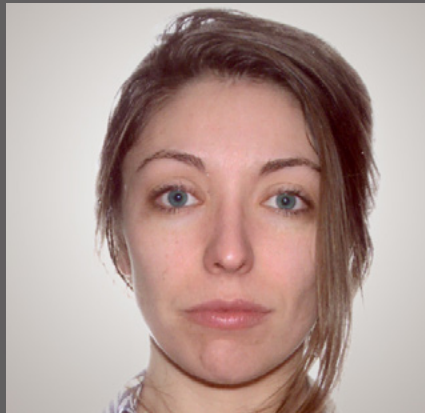


MARGARET SUDERMAN
Communications and Financial Aid

We are pleased to say that, in 2013-14, a total of ten Uvic Law students received Law Foundation of British Columbia Graduate Scholarships. The students have benefited greatly from this funding. We are very grateful to the Law Foundation for its support. The 2013-14 recipients were: Sarah Colgrove, Meaghan Daniel, Ronnie Edward, Benjamin Jones, Matthew Joseph, Seunghwan Kim, Kerry Sloan, Daleen Thomas, Jonathan Weiss, and Mark Zion. ☐

THE  LAW
FOUNDATION
OF BRITISH COLUMBIA

Not pictured: Ronnie Edward, Kerry Sloan,
Daleen Thomas and Mark Zion.



Sarah Colgrove



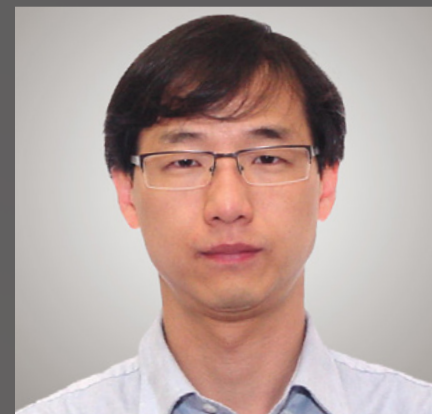
Meaghan Daniel



Benjamin Jones



Matthew Joseph



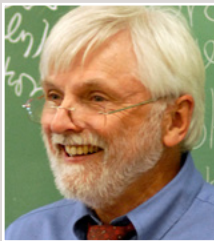
Seunghwan Kim



Jonathan Weiss

Faculty News

Visiting Professor and Lam Chair in Law and Public Policy, Jerry McHale, QC, was recently awarded the Susanna Jani Award for Excellence in Mediation by Mediate BC. The award honours an individual who has made significant contributions to the field of mediation in British Columbia, is ethically and socially responsible, devoted to the public interest and mediation and represents the mission and values of Mediate BC. Read more [here](#).



Prof. Hamar Foster, QC, was invited to give the Robert A. Harvie Social Justice Lecture at St. Martin's University in Washington State on September 26, 2014. His presentation, *One Hundred Years of Advocating for Justice: Litigating the Calder Case*,

outlined and discussed the legal and historical context of *Calder v. The Attorney General of British Columbia*. ([link](#))

Publications



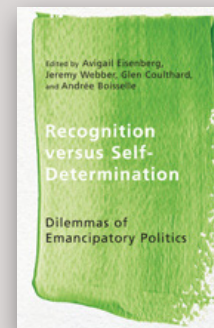
Adjunct Professor Hank Intven has recently published *Canadian Telecommunications Regulatory Handbook* (2nd Edition, 2014).



Michael Litchfield (LLM '15), LLM, has submitted the Five Year Report on the REAL BC program. Read it [here](#).



Professor Emeritus John McLaren co-edited a further volume of *Legal Histories of the British Empire: Laws, Engagements and Legacies*, published by Routledge. John is also co-author of the introduction and sole author of a chapter in the volume. You can buy the book [here](#).



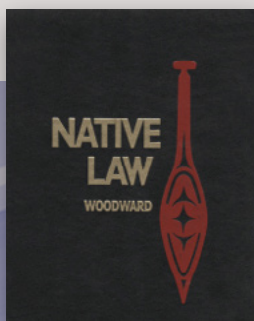
Jeremy Webber and Andr  e Boisselle (PhD candidate), co-edited *Recognition versus Self-Determination: Dilemmas of Emancipatory Politics* (UBC Press, 2014), alongside UVic Political Science professor Avigail Eisenberg and UVic Political Science PhD Glen Coulthard, the fourth edited volume to be published by UVic's Consortium on Democratic Constitutionalism (Demcom). See [here](#).



25 years ago this month, November 1989, the faculty celebrated the publication of **Jack Woodward's** book *Native Law*. At the time it was the first comprehensive review of the law of Aboriginal peoples in Canada. It has since become a Canadian

legal bestseller. It is now in a two-volume loose-leaf format. Release #6 this year, just printed, has a completely rewritten chapter on Aboriginal land law, incorporating the Supreme Court of Canada's decision in *Tsilhqot'in Nation* (2014 SCC 44). Coincidentally, it was also 25 years ago, in Fall 1989, that Jack issued the original Writ of Summons in the *Tsilhqot'in* case.

Jack is now semi-retired from his firm of Woodward & Company LLP, which is still very active in the field — and, we note, with a substantial complement of UVic Law alumni! Jack himself is a member of that impressive first class to graduate from UVic Law, in 1978.



Awards



John Borrows was awarded an Honorary Doctorate from Dalhousie University on May 23, 2014.

Law Librarian and Instructor Legal Research and Writing, **Kim Nayer**, was honoured in May with an award for (Canadian) Law Librarian of the Year. The award is sponsored by Justis Publishing and recognizes “librarians demonstrating a progressive and informed approach to the changing world of legal information”. Among several things, Kim’s nomination cited her imaginative responses to resource constraints, her engagement with social media and her work as Copyright Committee co-chair for the Canadian Association of Law Libraries.



Visiting scholars

Visiting Scholar **Dr. Machteld Vonk** was with the faculty until November 2014. She is an Assistant Professor of Child and Family Law at the Child Law Department of Leiden University Law School, Netherlands. Dr. Vonk was working on a research report on the parentage and parental responsibility sections in the BC *Family Law Act* at the request of the recently established Dutch State Committee on parenthood.

Visiting Scholar **Mr. Kim Jinhyuk** is with the faculty until August 2015. He works as a public prosecutor in foreign criminal affairs in Korea. Mr. Jinhyuk has a strong interest in tax evasion and wants to research the Canadian legal system to study how Canadian laws regulate offshore tax evasion. [N](#)

Keeping it Real: REAL BC 5 Years on and Counting



MICHAEL LITCHFIELD (LLM '15)

Project Director, REAL, 2009-2014

Director, UVic Business Law Clinic, 2010-present


The Rural Education and Access to Lawyers Initiative (REAL) has just wrapped up its sixth successful summer student program since its inception in 2009.

The Initiative was the first of its kind in Canada and was created by the Canadian Bar Association BC Branch (CBABC), with a three year funding commitment from the Law Foundation of BC. The Initiative has continued past its original three year term through funding partnerships with the Law Society of BC, the Law Foundation of BC and the CBABC. The purpose of the Initiative is to address the current and projected shortage of lawyers practicing in small communities and rural areas of the province. REAL works to achieve this goal through a variety of programs including engagement, education and the innovative summer student program. The summer student program provides funding to law firms in small communities and rural areas of British Columbia to hire a summer student to work in their offices. Since its founding, the REAL Initiative has placed 90 students in all regions of the province. This year, the Initiative placed students in Ucluelet, Port Hardy, Powell River, Lumby, Revelstoke, Prince Rupert, Williams Lake, Terrace and Hazelton.

The Initiative recently celebrated two important milestones with the release of its five year report and confirmation of funding for a seventh year of the project from the Law Foundation of BC, Law Society of BC and CBABC.

Read the Report [here](#).

The REAL Initiative has deep connections to UVic Law. These connections include strong support for the Initiative throughout its existence from the Dean's office and the Careers Office as well as multiple UVic Law grads taking part in the Initiative as mentor lawyers and, of course, summer student participants.

To learn more about how you can get involved in the REAL Initiative please visit www.realbc.org 



2014 REAL Initiative Law Firm Participants

FIRM	WEBSITE	COMMUNITY
Deuling & Company	http://www.deulinglaw.com/	Lumby
Fleming & Associates	http://fleminglaw.ca/	Powell River
W. Paul Grier	No website	Port Hardy
John D. Russell Law Corporation	http://jdrlaw.ca/	Williams Lake
Christopher H. Johnston & Associates	http://www.revelstokelawyer.com/	Revelstoke
Messner Kenney LLP	http://www.messnerkenney.com/	100 Mile House
Myron Plett Law Corporation	http://macisaacgroup.com/office/ucluelet/	Ucluelet
Silversides, Merrick & McLean	No website	Prince Rupert
Talstra Law Corporation	http://www.talstralaw.ca/	Terrace
Upper Skeena Counseling and Legal Assistance Society	http://www.usclas.com/	Hazelton

Tsilhqot'in Nation v. BC — CPD Seminar

—BY MARGARET SUDERMAN, COMMUNICATIONS AND FINANCIAL AID

This past September, UVic Law hosted its first Continuing Professional Development (CPD) seminar entitled, “Aboriginal Title and Provincial Regulation: The Impact of *Tsilhqot'in Nation v BC*,” in partnership with the Centre for Global Studies and the POLIS Project on Ecological Governance.

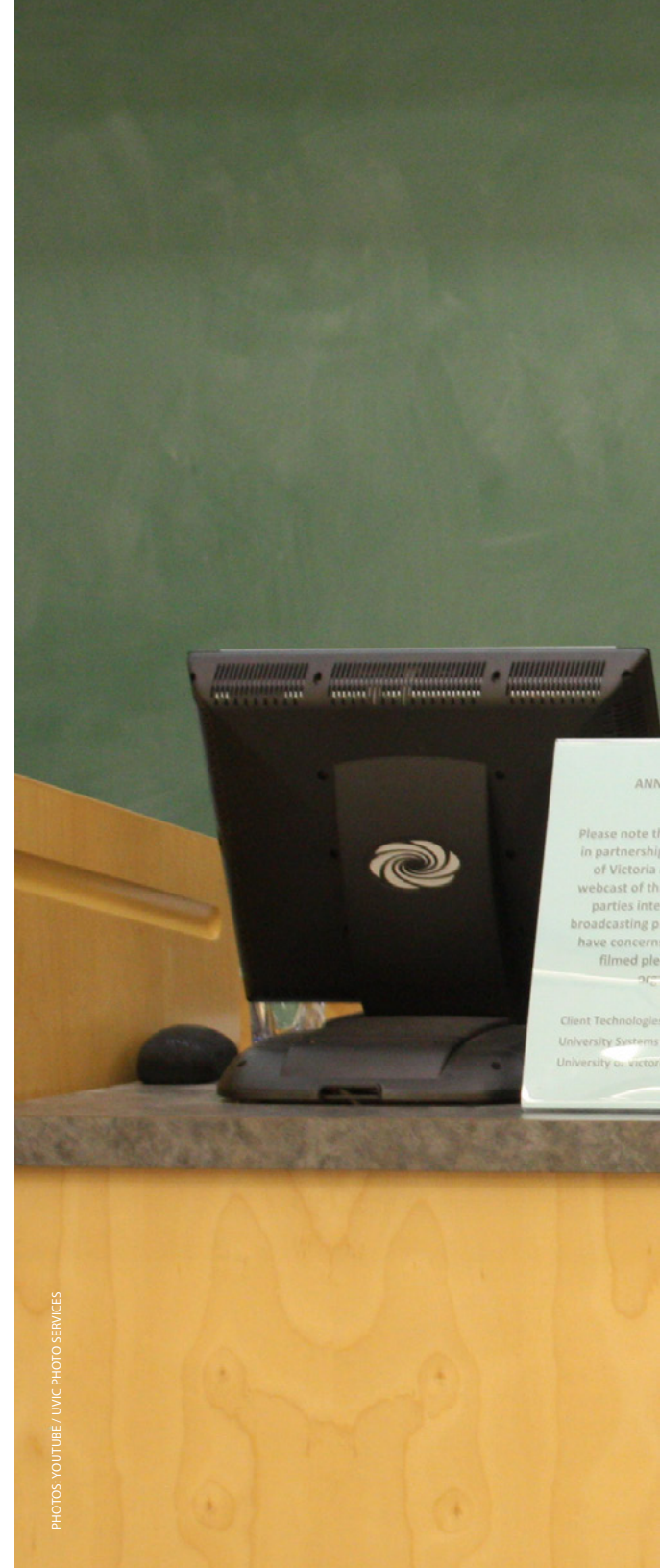
Roughly 300 people attended either in person or tuned in via webcast to the panel discussion, which focused on the Supreme Court of Canada’s recent decision in *Tsilhqot'in Nation v BC*. The ruling, which granted the Tsilhqot'in First Nation of British Columbia Aboriginal title to a 1,700 square-kilometre area of its traditional territory, marked the first award of Aboriginal title in our country’s history. The seminar touched on the far-reaching implications of the ruling for First Nations communities, federal and provincial governments, business and resource development projects.

Jay Nelson ('00), Associate Counsel at Woodward & Company LLP, discussed the intricacies of the court case and shared knowledge gleaned from his time spent serving as General Counsel to the Tsilhqot'in Nation and co-counsel for the Xeni Gwet'in and Tsilhqot'in Nation in the appeals argued before the BC Court of Appeal and the Supreme Court of Canada. Krista Robertson ('04), a lawyer at JFK Law Corporation with expertise in Aboriginal rights and law, explained the implications for provincial regulation of Aboriginal title and claimed lands. Dr. John Borrows, Canada Research Chair in Indigenous Law at the University of Victoria, closed out the panel presentations with an overarching analysis of what the ruling means to Indigenous communities. The seminar then concluded with a 30-minute question and answer session

with a highly engaged audience. Webcast viewers were also incorporated into the discussion, as they could submit their questions over email or via Twitter.

A video recording of the *Tsilhqot'in Nation v BC* seminar can be viewed [here](#).

UVic Law’s next CPD seminar, “Professional Responsibility in Dispute Resolution: Challenging Legal Ethics Issues in Mediation and Negotiation,” took place on December 4, 2014 and explored critical and complex ethical and professional conduct dilemmas relating to the field of Dispute Resolution. Speakers were Mary Mouat ('87), QC, Eugene Raponi ('81), QC and Prof. Andrew Pirie. For more information about UVic Law’s CPD seminars, contact Margaret Suderman, Communications and Financial Aid Officer, lawcomm@uvic.ca



PHOTOS: YOUTUBE / UVIC PHOTO SERVICES



ANNOUNCEMENT

that the Faculty of Law
to with the University
is producing a live
is special event. The
and to use this for
purposes. Should you
or wish not to be
please advise the

Jay Nelson ('00), Woodward & Company LLP



L-R: Dr. John Borrows, Krista Robertson ('04), JFK Law Corporation,
Jay Nelson ('00), Woodward & Company LLP,
and moderator Prof. Deborah Curran

AbCamp: Transforming Perspectives



ERIN HALLETT

Alumni Relations and Annual Giving Officer

On September 25th, 50 first-year UVic Law students boarded a bus and headed off to Aboriginal Awareness Camp, or AbCamp, for the weekend.

AbCamp is a student-run initiative that began in 1996. It provides students with the opportunity to explore Aboriginal perspectives on law, values, cul-

tural beliefs and traditional practices. AbCamp also gives students the chance to interact with an Indigenous community and spend quality time outside of the classroom with peers, faculty, and community members.

This year students spent the weekend at the WSÁNEĆ School Board Cultural Centre on the Tsartlip First Nation. The weekend was packed with traditional activities, including sweat lodges, canoeing, a pit cook, salmon smoking, as well as games and crafts. AbCamp was also honoured to have UVic Law alumna Berry Hykin ('05) of Woodward & Company LLP attend to speak on the recent *Tsilhqot'in* decision and the significance of this case for future Aboriginal title claims.

Berry recently spoke with Erin Hallett, Alumni Relations and Annual Giving Officer, about her AbCamp experience as a student.

"I attended AbCamp my first year at UVic Law in 2002. We had just finished Legal Process and everyone was freaking out about not being able to take two days away from classes. Maybe this says something about me as a student, but I thought it was ridiculous to worry about that so early in the term, so I went and it was awesome. AbCamp was life-changing for me. It changed the entire course of my career and my studies.

My initial focus coming into law school was constitutional law because of my interest in the underlying structures and systems that shape our society. Then

I went to AbCamp and that shifted for me. My experience that weekend felt like coming home. Being in that community, spending time with the Elders, and getting my first connection with a spirituality that resonated with me really made an impression. Later, I would come to understand that the practice of Aboriginal law, at least in respect of rights and title, is a kind of constitutional law practice anyway.

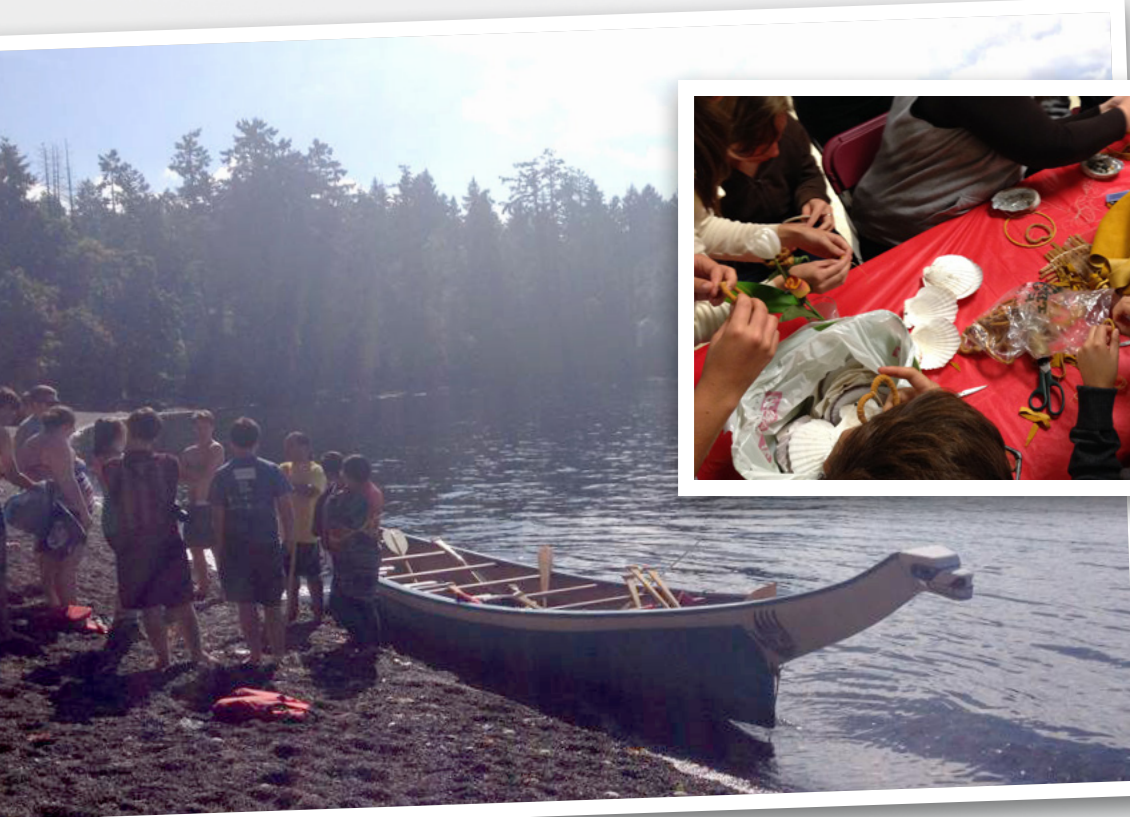
I made friends at AbCamp who are still my friends today. Those friendships included not just other law students and legal professionals, but members and neighbours of the Tsartlip community whom I would not otherwise have met. AbCamp is also where I first really connected with a friend who ended up becoming my husband.

It was a good experience at a pretty intimidating time. When you start law school you are coming in with a lot of preconceptions about what law school is going to be like and who you are going to be as a lawyer. If you give yourself over to the AbCamp experience and participate wholeheartedly, AbCamp pretty much strips all of that away. Going on early-morning dips in the ocean, engaging in talking circles and experiencing a sweat lodge are things that give you a rare opportunity to be really intimate with yourself. And I think that is important when you are starting out on a new career or new endeavour, because it makes you more honest with yourself throughout the rest of the process.

AbCamp teaches the students a little bit about what it is to be Aboriginal in Canada and what the First



Berry Hykin ('05), Woodward & Company LLP




Nations experience can feel like. I think a lot of non-First Nations people absorb the stereotypes that are pervasive in our culture about First Nations people. For example, they drive through reserves and see a certain picture and don't look past it. It's easy to do that because our culture doesn't challenge us to observe the world in all its dimensions. But when you go to AbCamp you meet real people. You spend time with them, you go into their homes, you hear their stories and I think it can't help but change your perspective.

For me, it was a hugely transformative experience. But there were also students who thought it was a waste of time and didn't have the same experience. Any experience is going to be what you make of it. I think law school can be very theoretical and academic. AbCamp gives you a rare opportunity at the beginning of your legal education to have a hands-on experience and obtain a different perspective on law and its practical aspect. It challenges you to see how the law actually affects

people in real and profound ways. You carry that perspective with you all the way through law school so it can inform how you approach your studies and how you eventually approach your practice. The impact of First Nations, historically and currently, on our society is so profound. Yet, as a culture, we tend to internalize that impact without acknowledging it or looking at it critically. In that way, I think a lot of people don't even see it. Especially for people going into the legal profession, I think it's extremely important that this vital part of our community is made tangible through the participatory experience available through something like AbCamp."

Each year the AbCamp Planning Committee relies on generous support from the Law Foundation of British Columbia, law firms and UVic Law alumni. This year's camp was made possible through a Law Foundation grant and donations from Devlin Gailus Westaway Law Corporation, Woodward & Company LLP, Rana Law, JFK Law Corporation, Mandell Pinder LLP, and the University of Victoria Alumni Association. The AbCamp Planning Committee is extremely grateful for the support it receives from the legal community, law alumni and friends.

AbCamp will celebrate its 20th Anniversary in 2015! If you would like more information or would like to get involved with AbCamp 2015, please contact Erin Hallett, Alumni Relations and Annual Giving Officer, by e-mail (lawalum@uvic.ca) or by phone (250.853.3518). 



Why I Give: The Crabtree Family Scholarship

—MARNI MACLEOD ('93)

Thomas J. Crabtree ('83),
Chief Judge of the Provincial Court of British Columbia

Thomas J. Crabtree ('83) is both a legal innovator and a believer in the value of lifelong learning. He is also engaging and incredibly generous with his time, facts I discovered when I had the opportunity to speak with him recently about his time at UVic Law, his work on the Court, including his involvement in furthering Indigenous justice initiatives, and the recently created entrance scholarship that bears his family name.

Tom's family immigrated to Canada from England and settled in Chilliwack when he was age three. After achieving a BA at UBC, Tom started his journey at UVic in the School of Public Administration. During his second year he lived with his sister Jean Fadai ('82) who had just entered first year law. He also happened to have a rather fortuitous conversation with then, Dean of Law Murray Fraser. The result was an application to law school and the rest is history.

After building a varied practice with an emphasis on criminal and civil litigation in Chilliwack, Tom was appointed to the Provincial Court in 1999 and assigned to Chilliwack in 2000. During his time on the Court he has traveled widely hearing cases in many of the 87 court locations throughout the province, including the interior and the north. On April 8, 2010, he was appointed Chief Judge of the Provincial Court of British Columbia.

Chief Judge Crabtree is also the recipient of the 2012 UVic Distinguished Alumni Award along with fellow alumna The Honourable Marion Buller Bennett ('87).

The Crabtree family name is a familiar one at UVic Law. His sister Jean Fadai ('82), son Andrew Crabtree ('08), a commercial litigator, Andrew's spouse Leah Plumridge ('09), a tax lawyer, and his daughter Katelyn Crabtree ('13), a personal injury and insurance defence counsel are all UVic Law graduates.

Q: What was your experience at UVic?

I have a great affinity with UVic. I actually started out in the School of Public Administration, which I

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really enjoyed and which included courses taught by Prof. Rankin and Prof. Borowicz from the law school. I was in my second year of the program and living with my sister Jean, who was in first year law so I got the



Andrew Crabtree ('08)
Cooper Litigation

“My family has a long tradition in the law, dating back generations. The law is a noble profession, and my parents always made sure I understood its importance and the impact it has on our daily lives, especially for those who are members of a minority group. I was fortunate to have been part of many dinner conversations and spirited debates regarding important legal issues, particularly those affecting Aboriginal peoples. My parents also made sure that we understood the importance of diversity in the profession and the benefits that accrue to the law and our communities where the profession is representative of society.

I understand the privilege of being born into a family with deep roots in the legal profession, and one that values education and community participation. As a result, I am pleased that my family is able to make this small contribution to helping Indigenous students participate in the legal profession that may not otherwise have the resources to attend on their own. As law is built upon centuries of small changes, it is my hope that this scholarship will assist in increasing the representation of a group that has historically not had an equal voice in this profession.”

— Andrew Crabtree

benefit of her experience and insights about the program. I also had the opportunity to meet and talk with then Dean of Law Murray Fraser. I remember being intrigued by the UVic Law philosophy which seemed different than the traditional approach emphasized by other Canadian law schools at the time. I was particularly impressed by the incorporation of a skills-based approach to legal education. All of this contributed to my interest in attending UVic law school.

I didn't do a full skills-based term but I did take a couple of the courses and really enjoyed the skills-based process. I do remember the introductory Legal Process program organized in first year at the beginning of each term. This was a great help in putting our legal studies in context, as was the program where we spent a day or two with a practicing lawyer to see what it was all about. Identifying useful skills, looking at the law as a profession, and giving us time to meet new people took the angst out of embarking on a new way of learning. I think this was preferable to diving straight in to reading cases.

I also remember having a terrific group of teachers who were clearly committed to strengthening the process of legal education as well as providing a solid foundation in the law. The course I took with Prof. Keith Jobson on Interviewing and Negotiation (an upper-level course) reinforced the importance of focusing beyond black letter law and emphasized the need to develop the ability to deal with people engaged in the legal process in order to help them resolve their legal issues. Prof. Jobson brought in people from the Drama Dept. and we were given various simulations based on real issues that people face in the court system. As a result, we began to better appreciate the human dynamic that underpins the law. In fact, it is the association with colleagues, lawyers and people dealing with the justice system and helping them to address their concerns through the practice of law that I have come to really enjoy during my career in the law.

Q: What was the impetus for establishing The Crabtree Family Entrance Scholarship?

The fund is the result of a fundamental belief that we always need to give back to our communities. The fund is called the Crabtree Family Entrance Scholarship in acknowledgement of the values that were instilled in us by my parents. My mother was a high school teacher and my father contributed by serving on the local school board for a number of years and helped to establish the University College of the Fraser Valley, now a University. They both believed in the power of education over time to make positive changes in peoples' lives. The idea was to set up a structure to allow everyone in the family — many have UVic Law connections — to contribute to making opportunities available to possible students who may not have the financial means to attend university.

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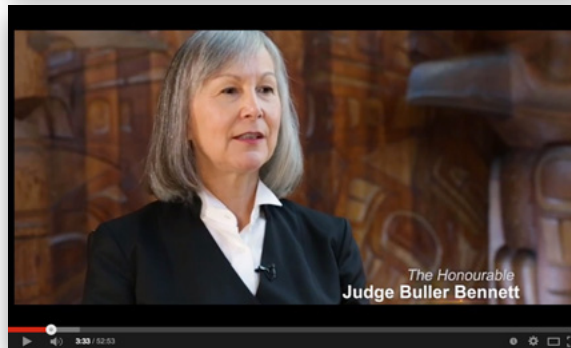
Growing up in Chilliwack, I made many connections with the Stó:lō First Nation and my wife Brenda and our children share Nlaka'pamux Nation Indigenous heritage. Because of our personal connections, we are well aware of the issues that impact Indigenous people in a very real way. We have seen the problems faced by Indigenous peoples first hand but we have also been very fortunate to share in some wonderful experiences particularly through friendships that I developed growing up in the community and through the practice of law in the Fraser Valley.

As a result of each of these factors, I wanted to help in some small way to provide educational access to Indigenous people. I also think it is equally important for us to provide mentorship to scholarship recipients both through strengthening our relationship with UVic Law and by allowing for the development of connections and friendships with recipients. For example, I received a wonderful letter from this year's scholarship recipient and I look forward to meeting with him the next time I am in Victoria.

Q: You have been a strong supporter of developing justice initiatives to meet the needs of Indigenous communities. One example is your support for the First Nations Court in Duncan. Can you talk about the rationale for the court?

The First Nations Court in Duncan is actually the latest in a series of sentencing courts that are based on restorative justice principles. The Duncan initiative is modeled on a similar court that has been operating in New Westminster since November 2006. The New Westminster First Nations court was established under the leadership of my predecessor, the late Hugh Stansfield, and its presiding judge, UVic Law Alumna, the Honourable Judge Marion Buller ('87), who also happens to be the first woman First Nations judge appointed in BC. Similar sentencing courts were opened in North Vancouver in early 2012 and Kamloops (the Cknuwentn First Nations Court) in March 2013.

A key feature of First Nations courts is that they are very much grassroots solutions developed at the local level with support from judges who have been



[Click to learn about First Nation Court.](#)

sitting in these communities. For example, in Duncan, the late Judge Josiah Wood was instrumental in working with the local First Nations community to get the court up and running. Because these courts are community-based, they are well suited to tackle the issues that are of particular importance to that specific

community and they can draw on local resources that are already in place. My role, as Chief Judge, is to continue to support these community-based initiatives by providing the necessary administrative structure to run them.

The impetus for these sentencing courts can be traced back to the Supreme Court of Canada decision in *R. v. Gladue*, which raised concerns about the overrepresentation of First Nations people in custody. In *Gladue*, the court talked about doing things a different way and articulated different factors and considerations that should be taken into account during the sentencing process for Aboriginal people. The "Gladue principles" form part of the basis for how First Nations courts are intended to operate.

The Duncan court was officially opened on October 11, 2013 and sits once a month. It's a sentencing court open to people who self-identify as having First Nation ancestry and who plead guilty or express a willingness to accept responsibility for their actions. That person can then ask for the Crown's agreement that a First Nations court sentences them.

Q: What makes First Nations courts unique?

The court is community-based and takes a page from traditional Native healing circles by focusing on a holistic and restorative approach to sentencing which attempts to focus on underlying causes of an offender's behaviour. The physical set up of the court also follows the structure of healing circles and brings the decision makers, offender, victims and support systems together on the same level to recognize the vested interest of all the participants in the offender's rehabilitation and to promote the sharing of information.

The goal is to engage offenders in their own rehabilitation and to reduce recidivism by helping the offender restore their place within his or her community. To achieve this, the court encourages the participation of aboriginal advocates (including Elders), justice workers, aboriginal community workers and the legal community (defence lawyers and representatives of the

Crown) as well as people affected by the offender's behaviour.

A number of those appearing in court are second-generation Residential School survivors. As such,



Katelyn Crabtree ('13)
Stevens Virgin

“As my brother has already touched on, our family's history in the law is extensive and so is the tradition of being an active and contributing member of society. My family and my community contribute to my knowledge and understanding of the impact which the legal profession has on all members of our society. I am fortunate to have these teachings and be a member of the legal profession and I hope to contribute in that regard. As the most recent graduate, in my family, from the University of Victoria Law School, I am very happy to see my family's small contribution to assisting Indigenous students enter the legal profession. I believe it is very important that Indigenous students are supported, through resources and mentorship, to become members of the legal profession, as there is a need to have Indigenous people represent their voice in this profession. I look forward to meeting more Indigenous law students from the University of Victoria for years to come, and excited for them to become members of the legal profession.”

— Katelyn Crabtree

they may well find themselves disconnected from their communities, culture and traditions. To address this disconnect, the court provides for the participation of Elders who are also specially trained in court procedures. The Elders play a crucial supportive and educative role. They help offenders connect with who they are through providing context, knowledge, information and experiences that serve to teach the offender how to make amends with himself or herself and to the person that they have harmed. Often Elders know the offender's family history and are able to bring home to offenders how their actions impact the community and their families.

First Nations courts are a blend of restorative justice methodology and traditional court sentencing procedure. A Provincial Court Judge issues the final sentencing order but the process allows participants to provide the Judge with input used to inform and assist the Judge in formulating an appropriate sentence. The result is often (not always) the imposition of a probation order or a conditional sentence coupled with an agreement by the offender to work on resolving those issues that brought the offender into contact with the judicial system. The court order is sometimes referred to as a Healing Plan, which is technically a form of probation or conditional sentence order.

These plans consider the mental, physical, spiritual and emotional health of the offender as well as incorporating the *Gladue* principles including systemic issues and personal circumstances that contributed to the offending behaviour. The goal is, in part, to address the underlying causes of the offending behaviour and to engage community resources to assist the offender in restoring his or her well-being and place in the community. While there are differences in the process at some locations it is intended to enlist the support of those involved in the proceedings including: the offender, defence counsel or Legal Services duty counsel, elders, social workers, court workers, probation officers, family members and, where appropriate, victims. Once that input has been gathered, including the identification of concrete steps the of-

fender can take to make amends for the harm caused, the offender is sentenced and the result incorporated into a Healing Plan. One of the things that make the court unique is that these wider community resources are more commonly available in the Courtroom during the FNC process. This means the Judge has more resources upon which to draw to tailor a solution that meets the needs of all the participants.

A further key feature of these courts is a built-in mechanism to keep the offender engaged. This approach includes having the offender return to Court at regular intervals to allow for ongoing evaluation of the appropriateness of the sentence. The goal is meaningful rehabilitation and reconnection of the offender with his or her community. Sometimes this means adjusting the offender's sentence.

Another thing that has been happening involves the provincial circuit courts. In BC a small number of judges are assigned to circuit courts. This involves travel to various locations throughout the province three or four times a year. Circuit courts are located in a number of locations including Bella Bella, Bella Coola and Kwadachen and Tse Key Dene. In these locations court is held in community settings like halls where there is increased participation by the community. Some of these locations have significant First Nations population so you will see Elders and First Nations community representatives as participants in the process. What's happening is an evolution of how the court provides services that address the practical needs of the people living in these areas, both offenders and those who have been aggrieved. I think this is a positive development.

Q: Are there other innovations you have been working on during your tenure as Chief Judge?

As a Chief Judge, my primary role is to oversee the assignment and scheduling of judges. There are approximately 105 full time and 39 senior judges on the Court situated in over 40 courthouses across BC. The Provincial Court sits in 87 locations when you include both staffed and unstaffed or circuit locations. Last year the court received approximately 138,000 new

cases. There is a fair degree of effort to assign the work of the court or cases to the judges of the court. To enhance our administrative capability we have undertaken several initiatives. In this regard, the court has been working on the reorganization of the administrative structure and the development of a new scheduling system. The goal is to provide a more effective way to assign judges and cases.

A second area of innovation has grown out the effectiveness of problem-solving courts like the Downtown Community Court (DCC) established by former Chief Judge Hugh Stansfield with the support of then Attorney General Wally Oppal. Other innovative courts include the Drug Treatment Court which started in 2001 and the Victoria Integrated Court (VIC) that launched in 2010. The VIC is again an example of a court developed as the direct result of a community-led initiative. In this case, VIC arose from Victoria's Street Crime Working Group and the Mayor's Taskforce on Homelessness. The court sits one day a week in Victoria and embraces the integration of existing community health, social and justice services as a means to address the needs of chronic offenders. By improving access to services aimed at alleviating the underlying issues that bring these people into contact with the justice system in the first place, the VIC can hold offenders accountable while providing them with the support they need to avoid future interaction with the courts.

You can find out more about the VIC in their latest [annual report](#).

Another initiative is the domestic violence courts which are underway in Nanaimo and Duncan. The Domestic Violence Court is a blend of expedited case management and treatment or problem-solving. The goal is to bring these cases to resolution within a reasonable period of time. The problem-solving component aims to offer an alternative to a punitive approach for offenders willing to accept responsibility for their actions and seek treatment with the ultimate goal being the safety of both victims and the public. Partners in the project include specially trained and dedicated

Crown counsel, RCMP, probation officers, community-based victim services, a Native court worker, and a child protection social worker.

You can find out more about our problem solving courts on the [BC Provincial Court website](#).


Q: You are heading into year five of your tenure as Chief Judge. How do you feel about your position?

It's been a unique opportunity to serve and contribute to the legal community and the community at large in the current role. Sitting in this chair, I feel most privileged to be continuing the work of so many hard working and innovative judges before me and to work with so many dedicated and committed colleagues who strive to ensure the justice system is timely, fair and respectful for all who come before it.

What I'm doing on the court is also very much in keeping with my long-standing involvement with judicial education. In fact, this has been a passion of mine and I feel very fortunate to have been able to participate at the local and national level through my place (as Chief Judge) on the Board of Governors for the National Judicial Institute.

Currently, BC judges are allocated 10 days each year for ongoing professional development. Half that time is set aside for two Court conferences where I have the opportunity to support a very active education committee that has excelled in organizing timely, relevant education programs for the Judges of our Court. The balance of the time (5 days) is made available to each Judge to pursue education opportunities through various education institutions and organizations to focus on specific interests and educational needs. My current role allows me to contribute to our own court conferences as well as national and international education conferences including through the National Judicial Institute and the International Organization for Training the Judiciary. Truly one of the ongoing benefits of being a judge is the opportunity to continue to learn and to share ideas with judicial colleagues

I find it very encouraging that the impetus for the innovation we've seen to date comes from the com-

munity with support from others. Community-based initiatives with a provincial perspective are powerful agents of change. They serve to focus our efforts on resolving the underlying issues which contribute in a large way to assist people coming into contact with the justice system. 

The Crabtree Family Entrance Scholarship is a fund established to assist a student entering the UVic Law JD program who has demonstrated academic excellence with preference given to Canadian Indigenous students. The 2014 recipient of the CFES is Deryk Kuny ('17 expected)

FRIDAY, MARCH 6 — SUNDAY, MARCH 8, 2015

UVIC LAW CELEBRATES 40 YEARS OF REMARKABLE HISTORY, ACADEMIC EXCELLENCE AND SOCIETAL CONTRIBUTIONS

**Professor Jeremy Webber,
Dean, Faculty of Law**

**Invites you to attend a weekend-long celebration
to mark UVic Law's 40th Anniversary**

Faculty of Law

Friday, March 6, 2015:

OPEN HOUSE

4:00 pm — 7:00 pm
Dean's Welcome Remarks at 5:30 pm
Appetizers & Cash Bar

Revisit the law school and enjoy entertainment in the company of your fellow alumni, colleagues, friends, current and past Professors. View some of the law school's archives and tour the Diana M. Priestly Law Library.

Saturday, March 7, 2015:

ANNIVERSARY PANEL LECTURE

2:00 pm — 4:00 pm
Inn at Laurel Point, 680 Montreal Street

Attend an afternoon of UVic Law reminiscences as some of the school's most cherished individuals share key moments in UVic Law's history.

Tickets \$10, including GST

Saturday, March 7, 2015:

FOUNDERS' DINNER

6:00 pm Cocktails, 7:00 pm Dinner
Inn at Laurel Point, 680 Montreal Street

Tickets \$125, including GST

Please click [here](#) to register for any or all events

Space is limited so book early to avoid disappointment!
Special room rates are available at the Inn at Laurel Point.

Call 1 (800) 663-7667 or e-mail reservations@laurelpoint.com
Quote "40th Anniversary of UVic Faculty of Law" to obtain the special rate.

For more information, kindly contact Erin Hallett, Alumni Relations and Annual Giving Officer,
by e-mail (lawalum@uvic.ca) or by telephone (250) 853-3518.

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.

Errors? Omissions?

If you spot something incorrect in Vistas please accept our apologies. If you send the corrected information to lawalum@uvic.ca we will happily publish the correction in the next issue of Vistas due out in Spring 2015.



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