

PUBLICATIONS

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Books

Co-author (with Ken Cooper Stephenson), *Personal Injury Damages in Canada*, 3rd ed (Thomson Reuters, 2018)

Editor, *Canadian Encyclopedic Digest, Insurance* (General) (Carswell, 2016)

Co-author (with Jamie Cassels), *Remedies: The Law of Damages*, 3rd ed. (Toronto: Irwin Law, 2014)

Articles

"Rights and Tort Law: Respecting Children's Decisional Autonomy for Medical Interventions" (2018) 84 S.C.L.R. (2d) 161-199, reprinted in Margaret I. Hall, ed., *The Canadian Law of Obligations: Private Law for the 21st Century and Beyond* (LexisNexis, 2018), 161 – 199

"Multi-Party Disputes: Equities between Concurrent Tortfeasors" (2016) 53:4 Alberta Law Review

"Shield or Shackles: The Pitfalls of Stronger Dispute Resolution Provisions in Insurance Legislation" (2015) 93 Canadian Bar Review 721

"Protecting Survivors of Domestic Violence within the Insurance Regime: Opportunities to Seek Termination or Variation of Insurance Contracts", *Canadian Journal of Family Law* (2014) 29(1) *Cdn. Journal of Family Law*, 211-238

"Navigating the Tripartite Relationship in Liability Insurance Claims: Minimizing the Need for Insured-Appointed Independent Counsel" (2014) 43 Advocates' Q, 194-218

"Potential for Genetic Discrimination in Access to Insurance: Is there a Dark Side to Increased Availability of Genetic Information?" (2013) 50(3) Alberta Law Rev 577 – 614

"Personal Responsibility for Intentional Conduct: Protecting the Interests of Innocent Co-Insureds under Insurance Contracts" (2013) 50(3) Alberta Law Rev 615-630

"Improving the Potential of Tort Law for Redressing Historical Abuse Claims: The Need for a Contextualized Approach to the Limitation Defence" (with Freya Kodar) (2010-11) 42 Ottawa Law Rev. 95-122,
<http://ssrn.com/abstract=1932455>

"Rethinking the Materiality Requirement for Non-Disclosure and Misrepresentation in Insurance Contracts" (2010) 89 Can Bar Rev. 241-283,
http://www.cba.org/cba_barreview/Search.aspx?VolDate=07%2f01%2f2011;
<http://ssrn.com/abstract=1931147>

"Film as a Complement to the Written Text: Reflections on Using The Sterilization of Leilani Muir to Teach *Muir*

v. Alberta" (with Freya Kodar) (2011) 48:3 Alberta Law Rev. 615 – 629, <http://ssrn.com/abstract=1932449>

"Promises and Challenges of Achieving Racial Equality in Legal Education in Canada" (with Maneesha Deckha) 2010 Canadian Legal Education Annual Review, 175 -212, <http://ssrn.com/abstract=1931143>

"Using Film in the Classroom" (with Freya Kodar) (2009) 21(1) Canadian J.W. & L. 197

"The Marginalizing Effect of Deductibility of Welfare Benefits" (2009), 44 Supreme Court Law Rev. (2d) 37 – 60

"Postcard from Edge of Empire" (co-author) (2008), 17(1) Soc & Legal Stud. 5

"Accountability of Public Authorities through Contextualized Determinations of Vicarious Liability and Non-Delegable Duties" (2007), 57 UNB LJ, 46 -83, <http://ssrn.com/abstract=1932233>

"Sentencing Aboriginal Offenders: Balancing Offenders' Needs, Victims and Society's Interests and Decolonization of Aboriginal Peoples" (2007), 19.1 Can. J. Women & L, 179 – 216, <http://ssrn.com/abstract=1931107>

"Righting Past Wrongs through Contextualization: Assessing Claims of Aboriginal Survivors of Historical and Institutional Abuse" (2007), 25(1) Windsor Y.B. Access Just. 95 -134

"Protecting the Dignity and Autonomy of Women: Rethinking the Place of Constructive Consent in the tort of Sexual Battery" (2006), 39:1 U.B.C. L. Rev. 3-61, <http://ssrn.com/abstract=1932268>

"Replicating and Perpetuating Inequalities in Personal Injury Claims through Female-Specific Contingencies" (2004), 49 McGill L. J. 309-348, <http://ssrn.com/abstract=1931217>

"Measurement of Damages for Interference with Property Interests in Torts and Contracts" (2003), 26 Advocates' Q. 391

"Significance and Consequences of Parental Responsibility Legislation" (2002), 17 Supreme Court L. Rev. (2d), 221-268 (Special edition in honour of Mr. Justice Allen Linden's contribution and commitment to tort law)

"Social Host Liability: A Logical Extension of Commercial Host Liability?" (2002), 65(2) Sask. L. Rev. 515, <http://ssrn.com/abstract=1931089>

"Contemporary Approaches to Compensating Female Tort Victims for Incapacity to Work" (2000) 38(2) Alberta Law Rev, 504, <http://ssrn.com/abstract=1932231>

"Failure of State Protection Within the Context of the Convention Refugee Regime with Particular Reference to Gender-Related Persecution" (1997) 3(1) Journal of International Leg. Stud. 53

"Reconsidering the Criteria for Assessing Well-Founded Fear of Persecution in Refugee Law" (1997) 25(1) Manitoba LJ 127

"Defining a Particular Social Group Based on Gender" 6(4) REFUGE, 22 (October 1997)

Book Chapters

"Rights and Tort Law: Respecting Children's Decisional Autonomy for Medical Interventions", in Margaret Hall

ed., *The Canadian Law of Obligations: Private Law for the 21st Century and Beyond* (LexisNexis, 2018); also "Rights and Tort Law: Respecting Children's Decisional Autonomy for Medical Interventions" (2018) 84 S.C.L.R. (2d) 161-199

"Sexual Wrongdoing: Do the Remedies Reflect the Wrong", in Janice Richardson & Erika Rackley, eds, *Feminist Perspectives on Tort Law*, (Milton Park, Abingdon, Oxon; New York: Routledge, 2012)

"Discriminatory Impact of Application of *Restitutio in Integrum* in Personal Injury Claims" in Canadian Institute for the Administration of Justice, *Taking Remedies Seriously* (Justice Robert Sharpe & Kent Roach, eds.) (2010), 119-166: <http://ssrn.com/abstract=2006550>

"Picking up Where Justice Wilson Left Off: The Tort of Discrimination Revisited", part of a collection of essays in honour of the late Madam Justice Wilson, Kim Brooks ed., *Justice Bertha Wilson: One Woman's Difference* (Vancouver: UBC Press, 2009) 113-130 (refereed)

"Claims of Involuntary Parenthood: Why the Resistance?", in *Emerging Issues in Tort Law*, Jason Neyers, Erika Chamberlain & Stephen Pitel, eds. (Oxford & Portland, Oregon: Hart Publications, 2007 chapter 4 (Hart Publishing, 2007), 85 -111

"International Law, Population Pressure and the Environment: North-South Relations", in Harold Coward ed., *Population, Consumption, and the Environment: Religious and Secular Responses* (Albany: State University of New York, 1995)

Casebook

Remedies: Cases and Materials, 7th ed. (Emond Montgomery Publications, 2016) (contributor)

Case Comment

Case Comment: *Baker v. Canada (Minister of Citizenship and Immigration)* (2002) 12(2) Canadian Journal of Women and the Law, 454

Book Review

"Claire L'Heureux-Dubé: A Life, Constance Backhouse (Vancouver: UBC Press for the Osgoode Society for Canadian Legal History 2017) -- a collective review" (co-author), (2018) 56:1 Alberta Law Rev, 263

Other Publications

"Navigating the Tripartite Relationship" 32(14) The Lawyers Weekly, August 17, 2012:
<http://ssrn.com/abstract>

"Time to Write Some Rules for Genetic Risk" 32(6) The Lawyers Weekly, June 8, 2012

"Protecting the Interests of the Innocent Insured" 31(33) The Lawyers Weekly, January 13, 2012:
<http://ssrn.com/abstract=2007905>

"Reforming the Disclosure Duty in Insurance Contracts" 30(14) The Lawyers Weekly, August 20, 2010, pp. 9-10:
<http://ssrn.com/abstract=1932276>

"How Genetic Information Might Affect Access to Insurance", 29(14) Lawyers Weekly, August 21, 2009:
<http://ssrn.com/abstract=1932236>

"Gender and Race Issues in the Assessment of Civil Damages" National Judicial Institute, 2009

"Deducting Welfare Benefits may Unfairly Impact Aboriginal Claimants" The Lawyers Weekly, June 24, 2005:
<http://ssrn.com/abstract=1932278>

"Social Justice in Private Law" 3(3) Purple Prose - Scholarship Show Case, February, 2005