



UVic Law's New Dean

With a new son named Jasper, a new book called *The Law of Damages*, and an award recognizing him as one of the country's most outstanding legal academics, some might expect Jamie Cassels to rest upon his laurels, but those people do not know Professor Cassels. As UVic's new Dean of Law he has plenty of energy to spare and is determined to make a difference.

"Agreeing to serve as dean was not a simple decision. I considered my family, my scholarship, and my ability to do the job. But I've been at UVic Law since 1981 and I feel ready to make a different type of contribution. My colleagues and students at UVic have given me a great deal over my career and I am happy for the chance to give something back."

Having spent so many years at UVic is a definite asset for Professor Cassels.

"I know the faculty, the university and the community very well and I've watched many of my former students strive and achieve in the legal community. It's given me a deep personal investment in legal education and some insight into the role the law school should fill," said Cassels.

During the search for a new dean, Professor Cassels emphasized his commitment to the values that, in his view, make UVic such a good law school. In a presentation to faculty and students he summarized those values in the following words:

"A student-centred philosophy, a sense of civic commitment on the part of faculty and students to a shared enterprise, a learning community characterized by diversity and mutual respect, and a focus on the way law actually operates in society organized around a commitment to social and legal justice."

Professor Cassels' colleagues and students have expressed strong support. The search committee's recommendation was unanimous, as was the Faculty's ratification vote on the appointment.

Professor Cassels officially takes office July 1, 1999. His first order of business will be to review and continue the various initiatives begun by departing dean David Cohen. He has already become active in UVic Law's public relations work, with visits to Toronto, Montreal and Vancouver. He has met with law firms that support UVic and its students, hosted an alumni reception and talked with incoming students. He has also touched base with the Victoria Bar Association, the Law Society, and the Canadian Bar Association throughout their spring and summer meetings.

Cassels takes up the deanship at a time of considerable activity within the law school. "There are also lots of exciting curricular issues in the immediate future," says Cassels. "We're planning a terrific Environmental Law summer term in 2000, and are looking at an international collaboration in Intellectual Property."

On the fundraising side Cassels recognizes the challenges posed by diminishing public funding and increased competition. "Of particular importance," he says, "are bursary funds in order to keep legal education accessible to a diverse body of students."

Also high on his list of priorities is the development of a program that builds on UVic's strength in aboriginal law. "I would like to see us able to make at least one appointment in order to move ahead with programs in aboriginal justice and aboriginal economic development. These



will be incredibly important areas of law within B.C. over the next several decades."

He is open to new avenues of growth, and believes in the importance of building upon UVic's existing strengths and responding to the rapid pace of social and technological change.

Jamie Cassels obtained his B.A. from Carleton (1976), LL.B. from Western (1980) and LL.M. from Columbia University (1981). He was called to the bar of British Columbia in 1990.

Former students of Professor Cassels remember him for his inclusive teaching style and his broad legal knowledge. "I had Cassels for first-year contracts. His strength was that he made you feel like you were an equal. He was never condescending and it felt like your success was important to him," said Michael Butterfield (Class of 2000). ◀

▶ See Professor Cassels biography on page 17

NEWSLETTER PATRONS

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PUBLISHED BY:

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DESIGN AND PRODUCTION:

Indigo Sky Graphic Design



Dean's Message



I am honoured and excited to have been chosen by my colleagues to undertake the role of dean. In later newsletters I'll keep you up to date on plans and developments at UVic Law. However, in this first column I could do nothing more important than say thank you to my predecessor, David Cohen.

Everywhere I go, people remind me that I have large shoes to fill. And well worn ones at that. David Cohen's energy and enthusiasm sometimes left us breathless. Those of us who worked closely with him during his five years of leadership at the University of Victoria were struck by his enthusiasm for the school and its students, his enormous energy in promoting its best interests, and his dedication to its values.

From the moment he arrived at UVic he sought to understand and embrace its mission and ethic. He grasped what it was about UVic that makes it a different place to learn and teach law, and he sought to build on its strengths. He greatly admired Murray and Anne Fraser, and in his own way he has exemplified the spirit of public service and humane professionalism for which they stood.

David led the Faculty of Law through the five most financially difficult years we have ever faced, dealing with damaging budget cuts in each of those years and yet leaving us stronger than when he arrived. He led, not by exercising power from on high (as though that were possible for a dean!), but by helping to unleash the energies and talents of faculty and students in directions that excited them.

He did this by supporting their efforts and by encouraging them to do their best. In this way he strengthened every aspect of our curriculum from environmental law to business law, from intellectual property to dispute resolution, while rarely taking any credit for himself.

David was tireless in promoting the best interests of UVic students. He threw himself behind their endeavors in mootings, conferences, clubs, the journal *Appeal* and other activities. His efforts to secure funding for programming and for student financial assistance were prodigious and highly successful.

At some cost to himself and his family, David was frequently on the road in Toronto, Ottawa, Calgary and Vancouver, opening up opportunities for UVic students there, explaining why UVic was different from other law schools and developing goodwill and support for the school.

The last time I worked with David was one week before he was scheduled to end his term as dean. We were in Toronto, and in the course of three days met with some 25 law firms. This was obviously David's second or third visit in as many years, since he was warmly recognized by those with whom we met.

He spoke with sincerity and enthusiasm about the school and especially about the students. He continued to develop and advocate plans that would come to fruition long after his departure and for which he would not get any credit. He did all this with a light in his eye that revealed not only that it was the mission that mattered, but that he genuinely enjoyed the work.

And it has been an enormous amount of work. In addition to all the regular things that deans do, David has sought out new challenges and has more than met those thrust upon him. There have also been occasions when, reluctant to ask an overburdened faculty to take on new tasks, he has quietly done the work himself. As a result, his office has been one in which the midnight oil often burned.

Someone once said that teaching is a job in which one seldom hears the applause. So is being a dean. David Cohen's contribution to the Faculty of Law here at UVic will be a lasting one, and this is our opportunity to say thank you for a job well done and to wish him well in his new position as dean of law at Pace (in New York, for those who are visiting). We shall miss having him as a colleague. But we trust that anyone who travels as much as David does will manage to visit us often. ◀

Career Development Update

In April, the Law Students' Society held their second referendum in two years on the status of the Career Development Office. The students voted overwhelmingly in favour of the Career Development Officer becoming a full-time position.

Pending Board of Governors approval, this change will be made possible with an increase to Law Students' Society fees. Yvonne Lawson, who has been the half-time Career Development Officer for the past year, will remain in the position when it becomes full-time in late summer or early fall.

It has been a very busy spring in the Career Development Office. Activities have included information sessions, the ongoing projects of maintaining and improving the web site and databases, liaising with the legal community, counseling students on resumes, cover letters and careers, and posting jobs on the on-line job posting system.

A successful Victoria Articing Wine & Cheese event was held in February. To complement this event, a booklet was compiled by the Career Development Officer and the Chair of the Articing Committee, Stacey McCausland. The booklet included resumes of all the students interested in articing in Victoria

firms. It was given to firms at the event and was also later distributed to firm mailboxes at the Victoria Court House.

Other sessions held in the spring included a panel discussion co-sponsored by the School's Business Law Club, which featured Tory Tory Deslauriers & Binnington and Davies Ward Beck discussing recruitment and articling in Toronto. Also, in order to help prepare students for the articling recruitment process, a student panel on articling across Canada was held as well as sessions aimed at co-op students and first-year students.

Yvonne did some traveling this spring, including very productive and informative trips to Vancouver, Toronto and Calgary to visit law firms. Thanks go to the many helpful and friendly articling committee chairs she met, who made these trips so useful and enjoyable.

Plans for the next few months include preparing for the first-ever UVic Law Articing Handbook, and making significant improvements to the web site located at acpo.law.uvic.ca. The upcoming annual Wine & Cheese event, to which firms across Canada are invited, will be held on September 29, 1999 at the Royal British Columbia Museum.



For more information about the Career Development Office, or if you are seeking an articling student, please contact Yvonne Lawson at (250) 472-4719 or ylawson@uvic.ca. ◀

CRIMINAL LAW TERM OFFERED IN SPRING SEMESTER

Fourteen second and third year law students were delighted that the Faculty was able to offer the Criminal Law Term this past spring. The Criminal Law Term was last offered in the spring of 1995.

Students enrolled in the Criminal Law Term took a full semester of criminal law subjects, including Criminal Procedure and Criminal Law II. The course, which was organized and directed by Professor Gerry Ferguson, covered issues in policing, the Young Offenders Act, trial practice and advocacy, appeals and appellate advocacy, sentencing and current law reform and criminal justice policy issues.

Students participated in police ride-alongs, mock bail and mock sentencing submissions in front of Provincial Court judges, and trial placements with criminal defence lawyers. In total, more than 50 members of the bench and bar participated in the various activities of the Criminal Law Term. Special thanks are due to Robert Mulligan of the Crown Counsel's Office for his weekly seminars on Select Issues in Criminal Law and to Glenn Gallins of The Law Centre for his extensive instruction on Trial Practice and Advocacy.

Students reported that the Criminal Law Term was one of the highlights of their law school experience. ◀

NOTICE

Annual General Meeting

The Friends of UVic Law

will hold their
Annual General Meeting
Wednesday, September 15, 1999
4:30 p.m.

Room 142
Faculty of Law
Begbie Building
University of Victoria
Coffee will be served

E-Commerce in the 21st Century

On March 4th, 1999, the University of Victoria, Faculty of Law, Business Law Club hosted its third annual **Business Law Conference** at the Victoria Conference Center. The theme of this year's conference was electronic commerce and the law.

The conference attracted over 120 delegates from business, government, law, and academia. Many delegates came from across Canada and the United States. The conference was made possible by special funding from *Davies Ward & Beck*; *Tory Tory DesLauriers & Binnington*; and *Clark Wilson*, as well as many other benefactors.

"E-Commerce is a rapidly developing area of the law and this conference was very timely", said Randy Smith LLB (UVic 93), of *Shaw Saunders*, Barristers and Solicitors.

"I found the information useful ... [Although] I've not had many clients approach me on these issues, it's only a matter of time. It was valuable to start thinking about these issues ahead of time; especially tax and sale of goods issues", said Smith.

The opening speaker of the day, Dr. Rebecca Grant, UVic Faculty of Business, gave a succinct analysis of electronic commerce entitled E-Commerce: Status and Impact on Business. This was followed by the first workshop which consisted of sessions on The Lawyer's role in E-Commerce with Dean David Cohen, *UVic Faculty of Law* and Jim Matkin, *B.C. Law Society*; Financial Services and E-Commerce with Larry Doerken, *Hong Kong Bank of Canada*; and Preparing for E-Commerce 1 with Dr. Andrew Csinger, *GT Group Telecom* and Sean O'Mahony, *Bitmovers Communications Inc.*

"I was very impressed by the speakers. The information was well organized and I had a good opportunity to network" said Robin Ashmore, an E-Commerce consultant for *Thrifty Foods*.

"The keynote address was very interesting. It was legally based but relevant to those in the industry. [Overall] the conference was very valuable and informative", continued Ashmore

The second session of workshops

featured Contracting in E-Commerce with Duncan Card, *Davies Ward & Beck*, Jay Durrield, *Tory Tory DesLauriers & Binnington*, and Mark Yang, *Clark Wilson*; Taxation Issues in E-Commerce with Bill Macaulay, *KPMG, Vancouver* and Derrold Norgaard, *KPMG, Victoria*; Preparing for E-Commerce 2 with Simon Anderson, *MCSI Consulting* and Vida Morkunas, *Emerge Online Inc.* The afternoon was concluded by a case study and panel discussion hosted by Dr. Pam Salaway, *Spatial Solutions Inc.*

The keynote address, Privacy and E-Commerce; A focus on Bill C-54, by David Flarerty, *Information and Privacy Commissioner Province of British Columbia*, preceded dinner. During dessert, Duncan Card, *Davies Ward & Beck*, was the final speaker of the evening discussing E-Commerce: Legal and Commercial Issues.

"The information and privacy commissioner was excellent" said Alana Zambilowicz, article student, *Gordon & Vellella*. "I will never give my name to Safeway again". ◀

THE LAW STUDENTS' SOCIETY UPDATE

UVic Law students work hard, but there is more to law school than just study. For many students it is a time to meet people and build life-long friendships that will enhance their professional development. Law school is also a time to relax. The Law Students' Society (LSS) plays a major role in each student's social and professional development.

To start 1999 properly, the LSS held its annual January "Welcome Back Party" bringing together both returning and co-op students. It was a chance for people to make new friends and catch up with old ones.

This year's annual curling bonspiel was the most successful ever with 10 teams vying for the coveted trophy. Although Rahim's Dream Team members were surprised to find themselves in the final (none of them had curled before!), Cam Chiasson's defending championship team (with Rick Williams, Jon Sarin and Karen Gorby) showed them how it's really done!

A main goal of the LSS is to develop strong ties with the wider community. To this end, the Mentor Program held its first reception in Vancouver. We are hoping this new program will continue to thrive. An important part of developing the program's profile within the community is showing off our wonderful school to potential students. Throughout the year the vice-presidents have been busy giving tours of the school, and they've helped many people decide that UVic Law School is the best choice!

Keeping morale up is also really important throughout the spring semester. Things like the annual charity Formal and the theatrical production of Tom Jones, in association with the local bar, provided much needed diversions for many.

March kept the VP-Internal hopping with the annual LSS elections! After a very well-organized and well-run week (THANK YOU JANA MCLEAN), the new executive was announced.

In its finest tradition, Skit Night brought out many students and professors. While the Appeal law review did an inspired Charter Interpretative Dance, the crowd pleasing favourite was Johnathon Reitsma's and Stephen Lloyd's slide show of Stephen's journey through law school! Maureen Andersen, Seeley Munro and Dan Puchniak were sworn in as the official Begbie Hall Monitors.

Many will know that David Cohen finished his position as Dean in May. In order to mark his leaving and to recognize his many contributions to both the LSS and the Law School, the LSS presented him with an aboriginal carving. We hope he is as successful in New York as he was here.

As usual, final exams pretty much took over until April 29. In order to say good-bye and good luck, the LSS held an end-of-the-year bash at Liquid, a downtown night club. More than 200 people were there to celebrate the end of another terrific year! ◀

Five Years of Appeal

This year, *Appeal: Review of Current Law and Law Reform* celebrates its fifth anniversary. Founded in 1994, *Appeal* has become a national forum in which Canada's best student authors contribute to the legal community's knowledge of current legal issues. With both an academic and social analysis of jurisprudence, *Appeal* strives to remain on the cusp of legal thought.

The journal has grown considerably since it was first published in 1995. *Appeal* attracts submissions from the top law students across the country. The most recent volume, the fifth, examines topics ranging from developments in the use of DNA evidence to new trends in equality jurisprudence, from the rights of children to Islamic law and international rights.

Appeal strives for diversity, taking issues outside the normal scope of a law journal and applying them to the greater community. "The journal's goal is to be accessible to as broad an audience as possible and to relate the law to other academic disciplines without being esoteric," said Jeremy Lovell, 1999/2000 co-ordinating editor.

Law societies, law firms, libraries, faculties, professors, students, and practitioners throughout Canada subscribe to *Appeal*. Most recently, *Appeal* was added to both the QUICKLAW and Lexis/Nexus data bases. The success of the journal is due to the dedication and innovation of the many students from the Faculty of Law who have infused it with their vision and talents. *Appeal* has also benefited greatly from the enthusiastic support of Dean David Cohen and Professors Michael M'Gonigle and Stephen Owen.

Appeal is made possible by the support of many of Canada's leading law firms. The latest issue of the journal received extraordinary support from Cassels Brock & Blackwell of Toronto and Lawson Lundell of Vancouver.

This year, for the first time, *Appeal* has been distributed to all students in the Faculty, and a copy has also been placed in each incoming student's orientation package. This project is thanks, in large part, to a contribution made to the journal by the

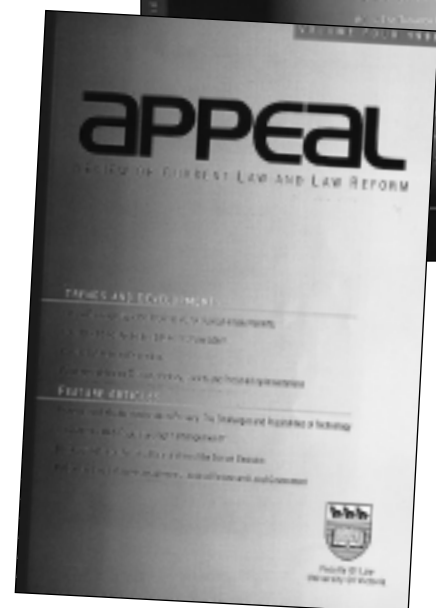
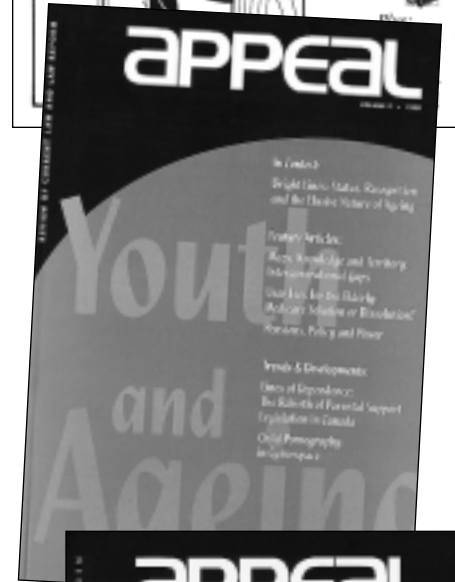
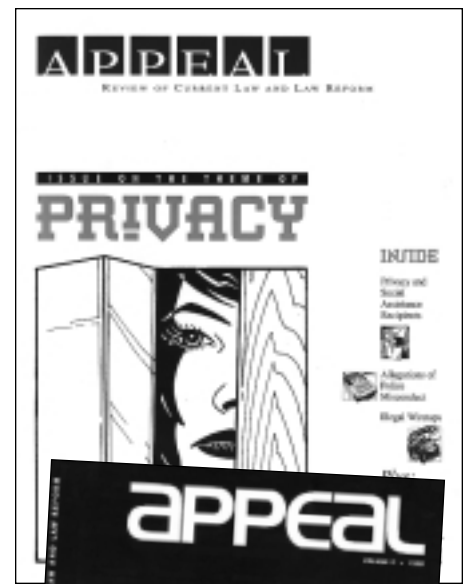
Law Foundation of British Columbia.

Every year, *Appeal* awards a paper prize for best article. This year's \$500 award, sponsored by Cassels Brock & Blackwell, went to Marie-Adrienne Irvine for her article, *A New Trend in Equality Jurisprudence?*

As a self-supporting publication, *Appeal* is financed by patrons, advertisers, and subscribers. "The beneficiaries of this generosity are not only the authors and the Faculty, but most of all, the student editors who are given a chance to develop skills and to access knowledge they might not otherwise be able to," said Lovell.

Each year ten students make up the editorial board. Each editor is responsible for a particular part of the production process, while the board as a whole makes the difficult editorial decisions that determine the content of *Appeal*. The editorial board is further supported by over 100 volunteer student reviewers who provide valuable input and comments on each article that is submitted for publication. The finished product is therefore made possible by the efforts of its student scholars, editors, and reviewers, and by the financial and moral support of its patrons and advertisers.

Check out the *Appeal* web site at appeal.law.uvic.ca. ◀



UVic Law Centre

Former **Law Centre** students may recall orientation “boot camp,” the fear and thrill of their first appearance in court, and the camaraderie that developed among students during the term. Indeed, friendships forged at the Law Centre have in many cases lasted for decades. If you’re a former Law Centre student in the mood for a little nostalgia, you might want to take a “virtual tour” of the Law Centre Clinical Program by visiting the Law Centre web site at

<http://law.centre.uvic.ca>.

While at the web site you might notice a page “under construction.” This page will contain comments about the Law Centre program by former Law Centre students. We would be delighted to receive your comments for posting on the web site. Please e-mail them to Prof. Glenn Gallins at lawcentre@tnet.net.

The Clinical Program continues to operate three terms per year, enrolling

up to 14 students per term. The term begins with a four-week orientation

conducted at the Law School. After orientation, students work at the Law Centre office in downtown Victoria. Here they manage a caseload of about 55 files each.

Nearly 50 per cent of those files relate to criminal matters, while twenty per cent relate to divorce and variation of support. Of the remaining files, a significant portion deal with administrative tribunal work, including CPP Disability Benefits and BC Benefits.

Student work at the Law Centre has been expedited by a hypertext index developed by Prof. Gallins. This index allows students to have rapid access to



precedents, memoranda, research papers and legal information pamphlets and brochures published by numerous private and public agencies. It has been made available to the Legal Services Society for distribution to its Branch Offices and Community Law Offices.

In June the Clinical Program benefited from the installation of new computers and an upgraded network. But new computers are just the beginning: the Law Centre could be moving to a new location in the near future, leaving the space above A&B Sound that has been its home for the past 17 years. ◀

Institute for Dispute Resolution

1999 has developed into an exciting, busy and varied time for the **Institute for Dispute Resolution** (IDR) community. We have been joined by Professor David Turner (Social Work) as graduate advisor and Brishkai Lund (Division of Continuing Studies) as program director. Former academic director and executive director Catherine Morris, who left IDR to return to her private consulting practice in November 1998, continues to provide invaluable advice, drawing on her experience as an important player in the development of IDR since 1992.

The master’s program in public policy dispute resolution (MADR) has entered its second year with seven new students who joined us in May. We are presenting six courses in 1999, open to our MADR students as well as to senior-level law students and graduate students from all faculties.

IDR director Stephen Owen and Dr. Gordon Smith are joined by visiting faculty Gordon Sloan, Michelle LeBaron, Richard Price, Gary Youngman and Cecil Branson, Q.C., in presenting these courses.

The development of the master’s program continues with the generous support of the David and Dorothy Lam Endowment Fund, the federal Department of Canadian Heritage, the Vancouver Foundation, the Law Foundation of BC, and the Ministry of the Attorney General of BC.

IDR and the Division of Continuing Studies are presenting three professional development clinics during the summer and fall: Dispute Resolution in a University Setting; Negotiating Aboriginal Title, Rights, and Treaties; and Administrative Tribunals and Governance.

IDR associate Alex Grzybowski and Stephen Owen are participating in a project in Thailand in July to help develop a Southeast Asian Conflict Resolution Centre. They will also be involved in the design of a multi-party watershed planning process for São Paulo, Brazil in August. In addition, we are just completing a six-month project for the Commission on Environmental Cooperation (NAFTA environmental commission), designing and

facilitating the fact-finding process on a complaint against the federal Department of Fisheries and Oceans and BC Hydro.

Stephen Owen and IDR are also currently involved in leading negotiations between the Crown Counsel Association and the provincial government over terms and conditions of employment, and between Newfoundland and Nova Scotia regarding the delimitation of the offshore boundary between the provinces.

IDR international interns Cam Carruthers and Kelly Low have completed a report on the first phase of their research into IDR and partner dispute resolution programming in Cambodia and Thailand. They will be returning to Southeast Asia this summer to complete their work, which is sponsored by the Canadian International Development Agency (CIDA) and the Department of Foreign Affairs and International Trade (DFAIT). ◀



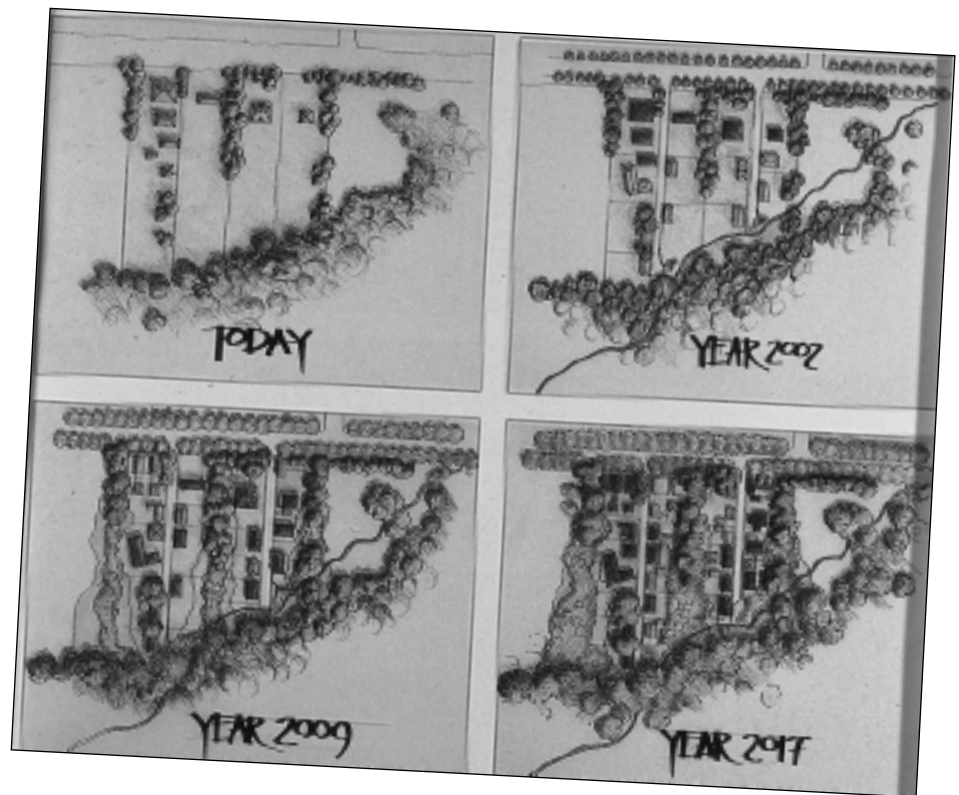
Eco-Research

The **Eco-Research Chair of Environmental Law and Policy** has recently released two popular reports that deal with fisheries management and urban development.

In March, the Chair released a report that should contribute significantly to the current debate over the future of British Columbia's troubled fishing industry. As we enter another season of severe conservation restrictions, *Fishing Around The Law* takes a look at the root elements of salmon management in British Columbia, and compares current management with the Crown's constitutional obligations to aboriginal peoples. Its conclusion? The management system for Pacific salmon must be fundamentally revised, both to achieve conservation objectives and to avoid infringing the constitutional fishing rights of First Nations.

First Nations traditionally fished salmon on a scale comparable to the commercial harvests of today. Large catches and healthy stocks were maintained through traditional management systems involving a combination of technological and social controls. These management activities have carried on, evolving into modern forms, and fall within the scope of constitutionally-protected fishing rights.

This means that federal fisheries management must be subjected to the scrutiny of aboriginal rights analysis. The issue is not simply whether First Nations' food supply needs have been met by the allocations allowed for a given year. Rather, the management system as a whole should be revised if it infringes



First Nations' rights to manage as well as harvest salmon.

In BC, dissatisfaction with Department of Fisheries and Oceans' (DFO) management of the salmon fishery has been expressed from a variety of quarters, and has included numerous calls for fundamental changes in the management system and a move toward community-based management.

Drawing on detailed analysis of the nature of aboriginal rights and the nature of the current fisheries crisis, *Fishing Around The Law* argues that the honour of the Crown can only be upheld where government moves towards a fishery that utilizes both community-based management and conservation-based production.

The second report, *Environmental Stewardship and Complete Communities, 1999*, is the result of interviews with the staff of more than fifteen local governments from around the province. Written by Deborah Curran, research manager for the Eco-Research Chair, the purpose of the report is to describe a selection of the wide-ranging urban sustainability initiatives being undertaken by local governments across the province.

Increasingly, local government is placing value on the unquantified amenities and services provided by the natural environment. At the same time, the Municipal Act enables local governments to adopt and implement environmental policies, programs and regulations to protect ecological systems and foster compact and efficient forms of settlement. The report brings together, for the first time, details about how different local governments are protecting their environments and enhancing the quality of life in their communities.

The report will be distributed by the Ministry of Municipal Affairs to all local governments in British Columbia.

For a copy of these reports, and information on our other publications, please call (250) 721-6388, or e-mail: ecochair@uvic.ca. ◀



Faculty Profiles Its Asia-Pacific Expertise

Faculty members are seen celebrating the publication of their book on *Asia-Pacific Legal Development* (UBC Press). The book is a co-operative, comparative law research project focussing on competing trends of divergence and convergence in various aspects of Canadian and Asia-Pacific legal developments. The book is edited by Professor Gerry Ferguson and Professor Douglas Johnston, the former Chair in Asia-Pacific Legal Relations at UVic. In total, ten faculty members have contributed chapters to the book, which covers a broad range of both public and private law subjects. ◀



From left to right, Professors Foster, Crane, Neilson, Howell, McDorman, Pirie, Gillen; seated, co-editors, Professors Ferguson and Johnston.

Centre for Asia-Pacific Initiatives

Law professor Bill Neilson, director of the interdisciplinary **Centre for Asia-Pacific Initiatives** (CAPI), happily reports the Senate's renewal of CAPI's "approved centre" status for 1999 – 2004.

Three very different conferences were hosted by CAPI in recent months, beginning with the mid-March workshop entitled *Directions for Post-Soeharto's Indonesia*. It was organized by visiting professor Dr. Tim Lindsey (Melbourne) and featured speakers from Indonesia, the US and Canada.

Then followed the Third-Annual Asia Pop Culture Conference, which focused on South Asia pop culture. Held April 22 – 24, the conference was put together by Japan chair Dr. Tim Craig

Over 60 speakers and participants came from all over the world to take part in a one-of-a-kind multi-media venture. The first pop culture papers, based on Japan pop culture, will be published later this year by M.E. Sharpe in the US.

In late May, CAPI/Law visiting professor Shelley Wright (Sydney), with the assistance of CAPI assistant director Helen Lansdowne, and in cooperation with the South Pacific People's Foundation (Victoria), organized *Women's Lives, Women's Work: Culture and Development in the Pacific*. The conference attracted speakers from Australia, New Zealand, Fiji and Canada.

CAPI and the Law School will host two prominent Asia-Pacific law scholars in

the coming year: Dr. Stanley Yeo, Southern Cross University (Australia), a leading comparative criminal law scholar, and Dr. Fernand de Varennes, Murdoch University (Perth), director of the Asia-Pacific Centre for Human Rights and the Prevention of Ethnic Conflict.

Dr. Yeo will teach a senior seminar on comparative Asia-Pacific and Canadian criminal law in the fall term, while in the spring Dr. de Varennes will teach a course on Asia-Pacific human rights law.

Another piece of good news is that Professor Emeritus Dr. Douglas Johnston will take up his research residence at the Law School in September, having completed a successful three-year visitorship at the National University of Singapore. ◀

Professor Mary Anne Waldron continued from page 14

Last fall, Professor Waldron presented a paper on the leaky-condo problem at the Commercial and Consumer Law Workshop at the University of Toronto. The paper grew out of her work as Chair of the BC Law Institute Committee on New Home Warranties, as well as that body's representations to the government concerning the Homeowner Protection Act. The subject matter reflects Professor Waldron's interest in legal issues surrounding real estate transactions. Her paper will appear shortly

in the *Canadian Business Law Journal* under the title *How T-Rex Ate Vancouver: the Leaky Condo Problem*.

The second edition of the *Land Title Practice Manual* was published this spring. Professor Waldron has been a member of this publication's editorial board since its first edition. She also sits on the editorial boards of both the *Real Estate Practice Manual* and the *Mortgages Practice Manual*. When she can spare time from her duties as acting dean, Professor Waldron is busy working on the second edition of her book, *The Law of Interest*

in Canada, which she hopes will be completed in the next year.

This past academic year, Professor Waldron taught Legal Process, Contracts, Secured Transactions and Real Property Transactions. She will continue with the same teaching assignment for the 1999/2000 academic year. This spring, the graduating class of 1999 presented her with the Terry Wuester Master Teacher award. No doubt this proves that Secured Transactions really is fun, as Professor Wuester frequently asserted during his many years teaching the subject. ◀

UVic Law's Expanding Exchange Program

UVic Law's exchange program began ten years ago when then Dean Bill Neilson negotiated an agreement with Chulalongkorn (Chula) University in Bangkok, Thailand. Since then, the program has expanded to thirteen separate exchanges with universities as near as UBC and as far away as Chula, Adelaide (South Australia) and Utrecht in the Netherlands.

Real expansion coincided with the tenure of Dean David Cohen (1994 - 99). During his term as dean he and Prof. Neilson negotiated exchange agreements with law schools at universities in Hong Kong, Singapore, Kyushu (Japan), Adelaide, Laval and Amsterdam and Utrecht (both in the Netherlands). Most recently we have added Limerick in Ireland, Victoria University of Wellington in New Zealand and the University of Natal in Pietermaritzburg, South Africa.

The standard agreement states that

each school will accept a certain number of the other school's students each year, provided the students selected by the sponsoring school meet the academic requirements of the host school.

To go on an exchange, UVic students must have a GPA of at least 4.5 and be selected by an Exchange Committee composed of students and faculty. This committee looks primarily at the relationship between the exchange and the applicant's proposed course of study, and at the applicant's potential as an 'ambassador' for UVic.

Once selected, each student must put together a complement of courses acceptable to the associate dean and make his or her own travel and accommodation arrangements (although some host schools assist with the latter). Exchange students pay fees to their own law school, not to the host school, and their grades neither

count towards their LL.B. GPA nor appear on their UVic transcript. Instead, the transcript reads "COM" (complete) in Law 352 (Exchange Term). Of course, exchange students can and do provide graduate schools and prospective employers with their exchange transcript as well as their UVic one.

It has been a pleasure hosting international students at UVic, and the increasing popularity of our exchanges testifies to the success of the program for our own students. This year, for example, we have a student at Adelaide, one each at Hong Kong, Kyushu and Singapore, one at Laval, two at Chula and a number at Limerick, Amsterdam and Utrecht. Together with Asia-Pacific co-op placements, our exchanges make it possible for an increasing number of our students to study and to become involved with legal systems and practices the world over. ◀

1999 MOOTING

This year, 14 students competed in four competitions. After many hours of preparation and despite their already rigorous school schedules, our teams continued UVic Law School's tradition of excellence.

At the trial court level, Lisa Chamzuk and Tina Marie Bradford competed at **The Western Canada Mock Trial Competition**. After months of preparation and a grueling competition, UVic won their trial, but were not selected for the national finals.

They were coached by Nils Jensen (of the *Ministry of Attorney General*) and Dan Gelb (of the *Victoria Crown Counsel Office*).

"We gained a lot of practical experience. The real value was learning the prep skills for trial more than the actual competition. Nils and Dan were invaluable", said Tina-Marie Bradford.

The **Gale Cup Moot Team** consisted of Andrea Bourke, Phil Kennedy, Brock Martland and Ellen Sealey. They faced very stiff competition at the national mooting level. Despite a number of set backs they successfully finished the event in third place.

The team was coached by Visiting Professor Wendy Burnham and Mr. Chris Jones (of *Arvay Finlay* in Victoria).

At the **Jessup Moot Competition**, the team members were Farzana Mohamed, David Robbins, Shane Smith and Marc Spector. The team was coached by Professor Ted McDorman.

In the **UBC-UVIC Moot** the team members were Justine Austin-Olsen, Rachel Curran, Rajan Dhami and Clint Lee. They worked very hard and kept up the UVic tradition. As always, UBC put up a brilliant argument and this year succeeded in defeating UVic.

The team was coached by Visiting Justice Tex Gallant and Mr. Bill Murphy-Dyson, (of *Cox, Taylor* in Victoria). ◀



▶ The Gale Cup Moot Team: Brock Martland, Phil Kennedy, Chris Jones, Andrea Bourke, and Ellen Sealey.

Faculty of Law:

The Law Society Gold Medal and Prize

A gold medal, presented by the Law Society of British Columbia, is awarded to the student obtaining the highest aggregate marks in the three years of study in the Faculty of Law. In addition, the Society will pay the student's call and admission fee.

The Gold Medal this year went to Craig Ash. He convocated in November, 1998, and is now articling at *Oyen Wiggs Green & Mutala*, Barristers & Solicitors, Patent and Trademark Agents, in Vancouver. He intends to practice in intellectual property and has accepted an associate position with *Oyen Wiggs Green & Mutala*.



Gold Medal winner Craig Ash.

On June 2, 1999, 83 law student convocated from the University of Victoria. Since the Faculty's first convocation in 1978, UVic Law School graduates have risen to the forefront in government, business, international affairs, public and private practice, and the judiciary.

This year's celebration also saw the final convocation presided over by outgoing Dean David Cohen. During his tenure at UVic, the law school matured and reached national prominence. After being consistently ranked in the top five schools in Canada by Canadian Lawyer Magazine, 1995 saw UVic ranked #1 for the first of three consecutive years. In the first annual issue of Maclean Magazine's law school rankings, in 1998, UVic ranked #2 overall.

"UVic grads join a tradition of excellence which started with the first grads and is continued by all of our alumni" said associate Dean Hamar Foster. "This plays an important role in our standing".

A major strength of UVic law school, as reflected in the surveys, is the commitment to both high academic achievement and community service. This commitment was reiterated by the guest speaker at the convocation reception, Mobina Jaffer Q.C., (Dohm, Jaffer & Cashman). Ms Jaffer spoke eloquently about the melding of legal practice and a humanitarian philosophy.

The convocation was also an opportunity to recognize excellence in the graduating class. Although many academic awards are not bestowed until the fall, two graduating students were honoured for their academic achievement and their social dedication.



Mobina Jaffer Q.C. speaking at the 1999 Convocation reception.

"On behalf of the faculty and staff, I wish you all the very best in the future. Remember that UVic will always be your law school, and you are welcome here anytime."

Jamie Cassels
Dean of Law

CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999 •

Mr. Benjamin Adams	Ms. Nadine Berge	Mr. Martin Cuthbertson	Mr. Rick Garvin	Ms. Alix Herber
Mr. Karim Adatia	Mr. Sonny Bhalla	Ms. Pam Cyr	Mr. Erik Gotfredsen	Mr. Richard Horne
Ms. Carole Aippersbach	Ms. Tina-Marie Bradford	Mr. Capi D'Angelo	Mr. Chris Graham	Mr. John Horsfield
Mr. Merle Alexander	Mr. Thomas Broeren	Mr. Mark Davis	Ms. Sara Gregory	Ms. Jackie Horton
Ms. Maureen Andersen	Ms. Lesley Caswell	Ms. Laura De Munain	Ms. Stephanie Haladner	Ms. Isha Khan
Mr. Michael Arnold	Mr. Cam Chiasson	Ms. Chang Du	Mr. Adam Halliday	Ms. Karmen Koh
Ms. Melissa Atkinson	Mr. Roger Chouinard	Mr. Derek Eng	Mr. Craig Halpin	Ms. Karen Levin
Ms. Nan Aulakh	Mr. Simon Coley	Mr. Ross Fahrni	Ms. Tara Hastings	Mr. Stephen Lloyd
Mr. Farhad Bayati	Mr. Daniel Corrin	Ms. Leigh Freeman	Mr. Jaajal Hayer	Ms. Jennifer Lochbichler

Graduation 1999

"I was absolutely thrilled by the award. My girlfriend Jen, my family, the faculty and my peers all contributed to my success and I'd like to thank them" said Ash.

The William R. McIntyre Award

This award is presented annually to a member of the graduating class who, in the opinion of the Faculty, has exhibited the highest qualities of community service, student leadership, and academic excellence over the course of the LL.B. program in the Faculty. The award recognizes the very special relationship that the Faculty of Law has enjoyed with the Honorable William R. McIntyre who retired from the Supreme Court of Canada in 1989.

The 1999 William R. McIntyre Award was given to Jason Roth. As the 98/99 Law Student's Society President, Roth displayed commitment and dedication to the students he represented and the faculty of law.

"I was really honored to receive it and hopefully it will help my hockey" said Roth.

Roth, an ardent hockey player, is off to Japan in the fall to commence a masters program. He will be articling with *Bennett Jones Verchere*, in Calgary, the following year.

The final honour of the day went to Professor Donald Casswell. He received the prestigious Graduate Class Service



LSS President Jason Roth presents Professor Donald Casswell with the Graduate Class Service Award.

Award. This award is given to the faculty or staff member who in the opinion of the graduating class has demonstrated an outstanding contribution to the extra-curricular activity of the school.

The July 1999 Graduating Class will join the ranks of over 1,700 Alumni. We wish them and all of our Alumni success and happiness. ◀



Jason Roth accepts the William R. McIntyre Award.

CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999 • CLASS OF 1999

Ms. Karin MacArthur
Ms. Tatyana Maier-Penalva
Ms. Lara Malashenko
Mr. Brock Martland
Ms. Annita McPhee
Ms. Leslie McRae
Mr. George Morgan
Mr. Andrew Morrison

Mr. David Muha
Ms. Monica Muller
Ms. Calla Nestibo
Ms. Mary O'Connor
Ms. Tara Parker
Mr. Crichton Pike
Ms. Eryn Pond
Ms. Korie Pringle
Ms. Susanne Raab

Mr. Paul Ratana
Mr. Mike Raven
Ms. Susan Reedy
Mr. Jason Roth
Ms. Sharan Sangha
Ms. Ellen Sealey
Ms. Lisa Sim
Mr. Shane Smith
Mr. Dan So

Mr. Scott Stenbeck
Ms. Kathy Stothard-Dirom
Ms. Meg Tassie
Mr. Peter Trotzki
Mr. Paul Underhill
Ms. Christina Wasyliv
Mr. Ian Webb
Ms. Sarah Whitehead

Mr. Frank Williams
Mr. Rick Williams
Mr. Shane Willoughby
Ms. Alana Zambilowicz

Awards

The Murray and Anne Fraser Endowment

Murray and Anne Fraser established this endowment in 1996 with a vision to provide ongoing support to a diversity of student, faculty and staff initiatives.

This year the focus is on staff development and the winners are Joanne Partridge and Deborah Needley, Dean and the Associate Dean's assistants.

Joanne Partridge will use her award for training at Camosun. She has enrolled in the Leader Development Certificate Program.

"I was honored to be chosen. Although, it is a shame that not everyone could have received it because we are all part of the team", said Partridge.

Deborah Needley will be using her award to attend the 26th Annual Conference for Administrative Assistance and Executive Secretaries, in Banff, in November 1999.

"I was thrilled and its always satisfying to be recognized", said Needley.

The endowment is designed to support students, faculty and staff on a rotating basis in four areas:

- 1. Murray and Anne Fraser Award for Learning Enhancement:** Offered every fourth year to an individual to support an innovative project aimed at enhancing knowledge about or the improved delivery of learning in legal education. Collaboration between disciplines and units in the development and delivery of the project is encouraged.
- 2. Murray and Anne Fraser Scholarship:** Offered every fourth year to a student entering first year in the Faculty of Law. The award will be based on academic merit and demonstrated leadership ability while in university or prior to admission to the university.
- 3. Murray and Anne Fraser Staff Development Award:** Offered every fourth year to regular, full-time non-academic staff with at least three year's continuous employment at the Faculty of Law, University of Victoria to support their professional development. The



The Murray and Anne Fraser Endowment winners Deborah Needley and Joanne Partridge.

Award may support a program, course, project, release time, conference or similar activity, which, in the opinion of the Selection Committee, will enhance the recipient's abilities and skills.

- 4. Murray and Anne Fraser Research and Scholarship Award:** Offered every four years to a member of the Faculty's academic staff with at least three years continuous employment at the Faculty of Law, to support his/her scholarly or research endeavors. The award may support development of a research/scholarly proposal, graduate student support, or travel to present a paper or similar activity.

The Faculty of Law Humanitarian Award

An award is made to a Faculty of Law student who is in their second or subsequent year of studies. The award recognizes an individual who has made an outstanding contribution of his or her time and effort in lending support and assistance to the well being of individuals within the Law School, of the Law School as a whole and/or of people within the community at large. This year's recipient is Penny Harvey.

"As an older student, I had a hard time returning to school. Working on an academic timetable, taking notes, even keeping on top of the readings required a lot of work. Penny helped me by sharing her notes, giving advice and letting me complain", said Michael Butterfield, a first year colleague.

"She has a warm caring personality and was always willing to listen. I can not think of a better recipient for this award", continued Butterfield.

Terry Wuester Master Teacher Award

This award is given each spring to the teacher who, in the opinion of the Graduating Class, This year's recipient, Professor Mary Anne Waldron, claims that "this proves that Secured Transactions really is fun, as Professor Wuester frequently asserted during his many years teaching the subject."

The 1998/99 Academic Awards will be presented at the Annual Awards Reception, September 28, 1999. Look for full coverage in the January issue of the *Law News*. ◀

Professor Robert Howell

Professor Robert Howell has been a member of the Faculty of Law since 1980. Originally from New Zealand, he gained First Class Honours in his LL.B. degree from the Victoria University of Wellington. He joined UVic following his residency as a Teaching Fellow at the University of Illinois, Urbana-Champaign. It was there he received his LL.M.

Most alumni will remember Professor Howell from their first year classes in Property or (until 1994) Torts – and recall the Rule Against Perpetuities (“lives in being”, “unborn widows”) or his more colourful examples to illustrate matters of Tort Law.

Today however, Professor Howell is, better known, nationally and internationally, for his scholarship and teaching in the high profile subject area of Intellectual Property Law and policy and related matters including digitized and other telecommunications.

The prominence of intellectual property today, and into the 21st century, is the result of many factors, including: rapid and continuing technological development; the merging of digitized management and industrial systems with digitized communications; the importance in the “Uruguay Round” of the GATT negotiations of intellectual property as a commodity of international trade and commerce and its subsequent recognition in the Agreement on Trade Related Aspects of Intellectual Property (the TRIPs Agreement) under the World Trade Organisation (WTO); the global marketplace operating on free market principles; the transition in developed countries from industrial to service and information based economies; and the prevalence of mass media consumerism.

Professor Howell’s interest in intellectual property began with his graduate dissertation on the then fledgling tort of Appropriation of Personality or “Right of Publicity” as it is described in the United States. Subsequently, he has published several articles on this topic, including the seminal Canadian piece; “The Common Law Appropriation of Personality Tort” (1986), 2 IPJ 149, and most recently “Publicity Rights in the Common Law Provinces of Canada” (1998), 18 Loyola of

Los Angeles Entertainment Law Journal, 487.

In 1985, Professor Howell developed and began teaching the Faculty’s basic IP course – Law 347, Intellectual Property – focusing primarily on copyright, trademarks and related common law areas. However, with the growth in these areas, Professor Howell has developed the further regular subjects of Law 348, Managing Intellectual Property (with Professor Bill Rapp then of the University’s Centre for Asia Pacific Initiatives (CAPI) and the Business Faculty) and Law 367 Telecommunications, Entertainment and Media (assisted by Brad Mr. Brad Danks of Vancouver). Both subjects are taught in the regular semesters by Professor Howell. Additionally, working with Michael Manson of *Smart & Biggar* the subject Law 368, Patent Law has been added and is taught by Michael Manson.

In addition, the Faculty’s Summer Semester Theme Programs, introduced to the Faculty by former Dean David Cohen, were featured in 1997 and 1999 intellectual property. Professor Howell, working with David Cohen, developed these programs which now include visiting specialist practitioners and professors from Montreal, Boston, Singapore and Sydney, Australia as well as Professor Rapp (now at Yale). The programs add to the UVic curriculum the additional Intellectual Property subjects of: International and Comparative Intellectual Property; American Intellectual Property; Cultural Intellectual Property as well as the practically focused course of Applied Intellectual Property taught by Blake Wiggs and Cathie Mutala (of *Oyen Wiggs*) and Mark Timmis (Victoria). Professor Howell created and directed both the 1997 and 1999 Summer Programs that now attract a substantial number of law students from other Canadian law schools. Professor Howell is currently working on establishing a regular Summer Program with international institutional links and participation.

Professor Howell has also significant scholarship and publications with respect to copyright law and trademarks. He has prepared papers for national and



international organisations, including the Association of Litteraire Artistique Internationale (ALAI), the Canadian Association of Law Teachers; the Canadian Comparative Law Association, and the Patent and Trade Mark Institute of Canada. In 1998 he prepared for the federal Ministries of Canadian Heritage and Industry Canada the study “Database Protection and Canadian Laws” that is published on the federal government’s “Strategis Website” as well as hard copy. The Study gives comparative treatment to the European Database Directive (effective January 1, 1998), its impact on Canada and other countries and responses that are being taken in the United States.

Professor Howell has also completed the Copyright component of the first course materials in intellectual property law to be published in Canada (available in September 1999) with Professor Linda Vincent (Manitoba) (trademarks) and Michael Manson (*Smart & Biggar*) (patents). Professor Howell is also working (with Steve McKoen, UVic 1997) on a book, “Telecommunications in Canada” to be completed this year for Irwin Law Publishers.

Professor Howell is the Co-Chair of the Intellectual Property Section of the Canadian Association of Law Teachers and in November 1997 was a Visiting Researcher at the Institute of Intellectual Property in Tokyo, Japan. His visit was the first made from a developed “common law” jurisdiction after the terms of the visitorship were amended to allow such participation. ◀

Faculty Round Up

Professor Bill Neilson

Professor Bill Neilson, director of the Interdisciplinary Centre for Asia-Pacific Initiatives, most recently chaired the inaugural APEC Workplace Practices Conference, which was hosted by CAPI at Dunsmuir Lodge, June 25 – 27, 1999.

In late April, he attended the International Bankruptcy Law Conference in Jakarta, where he spoke on *Hard Lessons for Donor Agencies Supporting Legal Reform in Post-Crisis Asia*. Previously, he was the team leader of a mid-term evaluation of the UNDP Law Reform Program in Vietnam. And in a reflection of the 'globalization of academe' (as he put it), Professor Neilson served as the External Examiner or 'Opponent' of a Swedish Ph.D. candidate on Vietnamese law at UMEA University in early May.

New research projects are being undertaken with the Asian Law Centre (University of Melbourne), UBC's Asian Research Centre and the King Prajadhipok Institute, the parliamentary research centre in Bangkok. Professor Neilson is pleased to report that Stephanie Nagel ('01) and Elyssa Lockhart ('01) completed research internships at the Institute in May before starting their Chulalongkorn summer studies.

Professor Chris Tollefson

In October, Chris was a member of a Canadian delegation to the 7th Annual LEAD (Leadership through Environment and Development) International Summit. The summit was held in China and attended by young leaders from 43 countries.

The fall also saw the publication of his new book, *The Wealth of Forests: Markets, Regulation and Sustainable Forestry*. The book was launched in Vancouver at a conference attended by close to 300 forest industry, government, First Nations and NGO delegates.

Chris has also been busy on the administrative front, juggling his duties as executive director of UVic's Environmental Law Centre and chair of the Sierra Legal Defence Fund.

In May, the Foundation for International Law Education gave Chris an achievement award in recognition of his teaching and public interest contributions.

Associate Dean Hamar Foster

Earlier this spring, Hamar Foster's contribution to the special issue of *BC Studies* on the Nisga'a Treaty appeared under the title *Honouring the Queen: A Legal and Historical Perspective on the Nisga'a Treaty*. He also contributed to the BC Treaty Commission's *Delgamuukw: A Layperson's Guide*, which was published in the commission's annual report.

Hamar's essay (written with Prof. Robert Harvie of St. Martin's College, Washington) on foreign searches and the Airbus affair is in the most recent issue of the *Manitoba Law Journal*, and a related essay on the Supreme Court of Canada's decision in the Schreiber case is slated to appear in the next issue.

A chapter called '*Indian Administration from the Royal Proclamation of 1763 to Constitutionally-Entrenched Aboriginal Rights*' was recently published in *Indigenous Peoples' Rights in Australia, Canada, and New Zealand*, edited by Paul Havemann (Oxford U.P. 1999).

Finally, Hamar authored two entries in the recently published *Volume XIV Dictionary of Canadian Biography (1998)*: one on Reserve Commissioner Gilbert Malcolm Sproat, and another (co-authored by Prof. Keith Ralston, formerly of the History Dept. at UBC) on Premier Robert Beaven.

Currently associate dean, Hamar is discovering that a law school with a summer term never really slows down.

Professor Gerry Ferguson

In addition to his chapter on recent developments in criminal law in the *1999 Annual Review of Law and Practice*, published by the BC CLE Society, Professor Ferguson has chapters in two other books which will be published this summer.

The first chapter, entitled *Criminal Liability of Corporations*, will be in a book called *Criminal Responsibility of Collective Entities* (Max-Planck Institute, 1999). The second, *From Jeremy Bentham to Anne McLellan: Lessons on Criminal Law Codification*, will be published in *Making Canadian Law Clear and Just* (Carswell, 1999).

In February, Professor Ferguson delivered a paper entitled *Corruption and Corporate Criminal Liability* at the Corruption and Bribery in Foreign Business Transactions Conference in Vancouver.

At a CBA-sponsored meeting in June of this year Professor Ferguson made a presentation on the Report on Racial Equality in the Canadian Legal Profession. Currently he is chairing a Law Society Working Group on the experiences of aboriginal law students and lawyers.

Professor Andrew Pirie

Professor Pirie is continuing his work on Alternative Dispute Resolution, a book for Irwin Law. The book will be of interest to lawyers, judges, law professors and law students, as well as those outside the legal profession who are interested in, or are working with, a wide range of disputes. Professor Pirie's book should be available in late 1999 or early 2000.

Professor Pirie has also developed and begun teaching a new course at the law school entitled *Mediation and Lawyers*. This course focuses on mediation and gives students the opportunity to gain a solid understanding of the mediation process and developments in mediation practice. In addition, students have the chance to learn and practice mediation skills. The first offering of the course in spring 1999 was well received by students and Professor Pirie will be asking the Faculty to make this course a permanent one.

In April, Professor Pirie conducted a workshop on *Alternative Dispute Resolution in Child Care* at an international conference on child care in Victoria.

Professor Pirie has also spent time in the last year with partner Debbie Harris and children Caitlin, 16, Cailey, 6, and Noah, 3.

Professor Mary Anne Waldron

Professor Waldron is spending the first part of this summer back in the dean's office, filling in for Dean Cohen who has taken a two-month leave of absence. She will be acting dean until June 30.

► *Continued on page 8*

Development News

In April 1999, the Faculty of Law welcomed Melodie (Mel) Lynch as their new development officer. As she settles into her new position, Mel brings enthusiasm, dedication and talent to her role within the Law School community. The following is her vision of the future:

My first year at the Faculty of Law promises to be a time of learning, meeting new people, establishing priorities, and building strong relationships. Having been here only a short time, I have come to realize that the Law Building is much more than just a physical structure where students and professors come together. Rather, it represents a flourishing environment where each person is important and encouraged to contribute to the community.

The Faculty of Law is...

- a team, built on a solid foundation of academic and personal excellence, comprised of students, alumni, faculty members, staff, and various members of the legal community
- a school that prides itself on an open-door policy where professors encourage students to stop by at any time
- a student body that is small enough to allow classmates the opportunity to interact on a social and intellectual basis
- "...a law school committed to equity. From admissions to administrative structures at the School, to our academic and cultural support program, the

Faculty seeks to address historical inequities in the legal system and profession." (External Review Background Report, 1996)

While continually growing over the past two decades, the Faculty has consistently been receiving top grades as one of Canada's leading legal educators. Through strong leadership and a clear vision, the Faculty has conquered key obstacles – funding cuts and a tuition freeze – all the while enhancing the quality of legal education in Canada.

To ensure the ongoing success of the Faculty in the new millennium, it is imperative that we continue to refine our vision and strengthen our relationships with faculty supporters. Greater emphasis must be placed on increasing outside awareness of the Faculty, both on and off campus, in an effort to raise our profile. This will assist us in strengthening our current relationships and establishing new ones both inside and outside the legal community.

Prior to developing new and innovative methods of attracting both current and new supporters, we need to centre our attention on establishing our direction. We will continue to focus on the following: improving our library resources, providing opportunities for staff development, furthering our aboriginal program, and enhancing our scholarship program.

Over the next few months Faculty priorities will be set and a business plan developed to help us meet those priorities.



Not only will this plan act as a blueprint reflecting the overall direction of the Law Development Office, it will also be a key component in the overall strategy of the University of Victoria's External Relations Division. This key relationship with the External Relations Office will enable the Faculty to enjoy the benefits of heightened awareness of the University as a whole.

We are entering a new era that promises to be full of excitement, opportunity and rapid change. What does that mean for the Faculty of Law? We must continue to provide innovative programs while discovering new ways of ensuring long-term sustainability.

In the meantime, I look forward to meeting each of you! ◀

MEL (MELODIE) LYNCH: Development Officer - Faculty of Law, External Relations Division

Born and raised in Winnipeg, Manitoba, I attended the University of Manitoba and graduated with a Bachelor of Recreation Studies in 1993. Upon completion of my degree, I began working with the Canadian Diabetes Association (CDA) in Winnipeg, coordinating camps for children with diabetes. A new opportunity soon arose within the CDA, and I joined their Communications Team where I was responsible for planning and managing special events and awareness activities.

In 1997, I began a year of traveling. Starting in Japan, I made my way to Perth, Australia, where I eventually joined UNICEF Australia and began managing their corporate greeting card campaign. While in Australia, I traveled through various regions and cities including the southwest, the Kimberleys, Ayers Rock, the Great Barrier Reef, Fraser Island and Sydney.

Next on the itinerary was New Zealand, where I spent a month on the North and South Islands. Here I reluctantly abseiled (rappelled) down 100 metres into a dark cave system known as the Lost World! Following 11 months of working and adventures, I decided to take 10 days off to relax on the beaches of Fiji.

Upon my return to Canada, I moved to Edmonton for a brief time where I managed the development and communications department for a youth shelter. The opportunity to work with the University of Victoria arose, allowing me to fulfill my life-long goal of living and working on the West Coast. Now I am the Development Officer for both the Faculty of Law and the External Relations Division. ◀

Speakers and Events

The speakers program is an essential part of the Faculty of Law's commitment to challenging and expanding legal understanding and encouraging community involvement. The various lectures are open to the public and legal community alike. Together they are designed to foster discourse and understanding. The spring 1999 series included the following:

Distinguished Speakers and Special Lectures

Global Aboriginal Opportunities in the New Millennium

Calvin Helin

Calvin Helin Personal Law Corporation
West Vancouver, BC

The F. Murray Fraser Lecture on Professional Responsibility

"He Ain't Heavy, He's My Brother": the Need for Mentors in the Legal Profession
Honourable Mr. Justice Jim MacPherson
Ontario Court of Justice

Maclean Lecture on Legal History

It Will Be Quite an Object Lesson: R. v. Phillips and the Ku Klux Klan in Oakville, Ontario 1930

Professor Connie Backhouse
Faculty of Law
University of Western Ontario

Students at Law in the Community (SLIC) Formal Dinner and Dance

Laurel Point Inn
Proceeds to Victoria Single Parent Resource Centre

National Association of Women and the Law (NAWL)

Women's Health and the Law Conference
Faculty of Law
University of Victoria

The Role of Academics and Legal Theory in Judicial Decision Making

Honourable Mr. Justice Michel Bastarache
Supreme Court of Canada
Ottawa, Ontario

Exclusion, Discrimination, Equality and Privatization: Law, the Canadian State and Women Public Servants, 1908 - 1998

Professor Judy Fudge
Osgoode Hall Law School

Lansdowne Lecture

Government Lawyering: Changing Professional and Public Service Ethics

Professor Wade MacLauchlan
Director, Centre for Property Studies
University of New Brunswick

National Association of Women and the Law (NAWL)

Sexual Orientation and the Law
Faculty of Law
University of Victoria

Business Law Conference Electronic Commerce

Sponsors:
Davies, Ward & Beck
Tory, Tory, DesLauriers & Binnington
Clark Wilson
Please see article on page 4

Environmental Law Centre: Media Skills Conference

Taking Care of the Future

Who Decides: Power of Attorney, Committees, and Adult Guardianship Legislation

Where Your Will is not Your Will: Limits on Testamentary Freedom

Effective Asset Transfer: What Works and What Doesn't

Session Chair:
Dean David Cohen
Faculty of Law
University of Victoria

Presenters:
Tino Di Bella, Jawl and Bundon
Mark Horne, Horne Coupar
Fiona Hunter, Anniko Hunter

Managing Partners' Speakers Program

"Show Me the Money, Gerry" - Reconciling Professionalism and Profit in the Practice of Law

Mr. Gerald Ghikas
Managing Partner
Ladner Downs
Vancouver, BC

Law 2000: Great Expectations

John W. Elwick
Managing Partner
Douglas Symes & Brissenden

The Future of Dispute Resolution and the Practice of Law

Mr. George McIntosh, Q.C.
Farris, Vaughan, Wills & Murphy
Vancouver, BC

Faculty Seminars

The Fibre and Virility of the Race: Promogeniture, Younger Sons and the Politics of Law and Society in Canada

Professor Andrew Buck
Faculty of Law
University of Newcastle, Adelaide

Race Definition Run Amuck: Slaying the Dragon of Eskimo Status in Re Eskimos, 1939

Professor Connie Backhouse
Faculty of Law
University of Western Ontario

Recovered Memories of Child Sexual Abuse

Dr. Stephen Lindsay
Department of Psychology
University of Victoria

Curricular Implications on Recognizing Government Lawyering

Professor Wade MacLauchlan
Director, Centre for Property Studies
University of New Brunswick

Cultures Are Not Relative, But Are Human Rights Universal

Professor Shelley Wright
Visiting Professor, Faculty of Law
University of Sydney

PROFESSOR JAMIE CASSELS

Professor Cassels' primary areas of expertise include the law of remedies (personal injury law, damages and the law of injunctions), contract law, legal theory and comparative law (the law of India). He is deeply committed to good teaching and has received the Law School's Master Teacher Award in 1986 and 1996. He is also the recipient of the University of Victoria Alumni Association award for Excellence in Teaching.

Professor Cassels has also published widely in his fields. He has written over 35 books, chapters and articles. Among his better-known publications are his book on the Bhopal gas disaster, called **The Uncertain Promise of Law: Lessons from Bhopal**, the national casebook **Remedies: Cases and Materials** (co-authored), and the forthcoming treatise, **The Law of Damages**.

In 1999, in recognition of his national reputation for teaching and scholarship, Professor Cassels received the Canadian Association of Law Teachers award for Academic Excellence.

In addition to his activities as a law teacher and dean, Professor Cassels is actively involved in learning and teaching in the university and the community. He has been a board member for the Learning and Teaching Centre for many years and has also guest-lectured in numerous other departments at the university, and for the wider community through the Division of Continuing Studies, the Speakers Bureau and the media.

Professor Cassels served as associate dean in the faculty of law from 1995 to 1998. In addition to his involvement with numerous faculty committees, Professor Cassels has been involved in the administrative activities of the university. He was chair of the University Equal Rights and Opportunities Committee, playing a substantial part in the development of existing university policies on harassment and discrimination. He has been a vice-president of the Faculty Association, and a founding member of UVic's Shastri Indo-Canadian Institute.

Professor Cassels is extremely active in the bar and in the wider community. He is an active member of the Law Society of British Columbia, the Canadian Bar Association, and the Canadian Association of Law Teachers, as well as other academic and professional organizations. He is a founding director and secretary of the BC Law Institute (successor organization to the Law Reform Commission), and a frequent faculty member in Continuing Legal Education programs and Judicial Education seminars.

Professor Cassels also takes part in pro bono and public interest activities. He was commission counsel for the British Columbia Inquiry into Resource Compensation. He made a substantial contribution to the Law Society's report on Gender Equality in the Legal System, and is consulted by government and private organizations on a variety of legal and policy matters. For example, he has prepared reports for governments at both the federal and provincial level on gender bias in compensation policy, pension credits for women's unpaid work, products liability and tobacco litigation.

Professor Cassels is also involved in non-legal volunteer work in the community. He has been a coordinator for the United Way and a member of a variety of charitable organizations. He is a volunteer for Big Brothers and Big Sisters of Victoria, and a director for Friends of International House. Recreational and athletic pursuits include canoe building, wilderness canoeing and kayaking. He swims, runs and bicycles and competes in triathlons, often finishing. ◀

Delgamuukw and the Judicial Theory of Aboriginal Culture

Dr. Michael Asch
Visiting Professor, Department of Anthropology
University of Victoria

Dean's Lecture Series

Sexual Orientation and the Law

Professor Donald Casswell
Faculty of Law
University of Victoria

Hate Propaganda on the Internet

Professor David Cohen
Dean, Faculty of Law
University of Victoria

Careers Program

The Professional Legal Training Course:

What to Expect

Mr. Bill Duncan
Continuing Legal Education Society of BC
Vancouver, BC

Careers with the Federal Department of Justice

Ms. Barbara Burns
Regional Director Western Canada
Federal Department of Justice

Career Resources and Career Planning for Lawyers

Mr. Stephen Nash
The Counsel Network, Vancouver

Towards Reconciliation: An In-House Counsel View on Working for the Gitxsan

Ms. Christine Scotnicki
Gitxsan Hereditary Chief's Office,
Vancouver ◀

Alumni Updates

1981

Barbara Fisher

I left the B.C. Treaty Commission after serving 5 years as Commissioner, and joined *Blake Cassels & Graydon's* Vancouver office in March 1998. My practice focus is aboriginal law, administrative law, and mediation.

Robin Ford

From 1/1/99: Chief Counsel, *Insurance and Friendly Societies*, Financial Services Authority, 25 North Collonnade, Canary Wharf, London UK E14 5HS.

1982

Sandra Harper

Sandra Harper has left *McConnan Bion O'Connor and Peterson* to establish a new firm, *Harper & Company*. Sandra's preferred areas of practice are civil litigation, family law, administrative law, and mediation.

The new office is located at 901 - 747 Fort St., Victoria B.C., V8W 3E9, phone 250-381-8100.

1983

John Moonen

John has been a lobbyist and political consultant since leaving the *Ministry of Attorney General* in 1987. He is currently Director of Public Affairs and Corporate Counsel for a division of Jim Pattison Industries Ltd., and lives in West Vancouver with his wife Marie and two sons.

Mark Slay

Mark joined as Associate Counsel with *Bradbrook, Crawford & Green*, in North Vancouver, B.C.

Fran Watters

Fran changed jobs this year. I left my position as a partner with *Alexander Holborn Beaudin & Lang* (practicing labour employment and human rights law) to become Associate Chair Adjudication at the *B.C. Labour Relations Board*, effective July 2.

Married A. Paul Devine in 1990.
A.Callum born 1994.

1986

Paul Ceyskens

After 8 years practice with the *Ontario Ministry of the Attorney General* in Toronto, we moved our family back to B.C. this summer, and I am now in sole practice on Saltspring Island.

Gordon Plottel

I have transferred my commercial litigation practice from *Ferguson Gifford* to *Swinton & Company* in Vancouver.

1987

Clarence Ng

Clarence is a Director in Investment Banking at *Salomon Smith Barney* in Hong Kong, but is busier as husband and father of two children - Camille and Oliver.

1989

Geoffrey S. Moyse

(UVic B.A., M.A., LL.B.)

Geoffrey is currently a solicitor with the *Legal Services Branch, Ministry of Attorney General*, concentrating on Aboriginal and Constitutional Law; Co-Counsel for the Province in the SCC for the landmark Delgamurkw decision; and one of several lawyers who advised on the Nisga'a Treaty.

Geoff and wife Donna (U.Vic B.A.) are living in Cobble Hill, B.C., with their two sons Christopher Andrew Moyse (June 27, 1992), and Tristan Edward Moyse (May 16, 1995).

1990

Valerie Anderson

After 8 1/2 years of practicing at *Watchorn & McLellan* in Surrey, B.C., I have moved to Maple Ridge to practice with *MHBK* which includes Gord Kehler (1990) as a partner and Rhonda Quinto (1990) as an associate.

Sylvana Capogreco

I am presently an Assistant Crown Attorney. I joined the Crown's office in 1993 and I continue to be challenged every day.

I married Daniel Cusimano on October 8, 1990.

On October 17, 1998, my husband and I welcomed our son, Giacomo Alexander Cusimano (Jack) into the world. Jack weighed 6 pounds, 7 ounces, and was 20 1/2 inches in length. He continues to thrive and grow and to be an inspiration to his parents every day.

1991

Karen Jamieson

Married William Pake on August 3, 1991. Joshua Jamieson Pake born November, 1998.

1993

Stephen James

Senior Vice President, Petroleum Energy Corporation (PXV.TV).

Married Sandra Price on November 18, 1996. Our first child, a baby boy Lleyton Owen James, born October 14, 1998.

Darcy Lawrence

After 3 years with the Crown, I am making the move to private practice, joining the firm of *Flemming and Sombrowski* in Sechelt. Though my focus will remain in Criminal Law, I will also be doing Family and Civil work. Prior to my jump to the 'dark side', Melanie and I will be spending a month in the wilds of Costa Rica - we hope to return.

Terra Mareck

I am leaving both the City and the city of Medicine Hat. The City Solicitor Department of the City of Medicine Hat bids me farewell on June 4 and shortly thereafter, I commence employment with ICG Propane Inc. as Legal Counsel. I will be the only in-house lawyer for this national corporation, which is headquartered out of Calgary.

I expect all my classmates in Calgary to call me up and offer to buy me lunch when I am settled.

1995

Yasmeen Grant (nee Abbas)

Yasmeen and Rex Grant recently had a baby boy, Hunter Jack Grant, born March 2, 1999, brother to Eva Louise.

Bryan R. Gray

Daughter Hannah Alexandria Hodgson Gray born April 28, 1999.

1996

Brant Kostandoff

Brant has recently opened his own mediation practice in Toronto. He can be reached by E-mail at arcmediation@ivillage.com.

Brant, Elissa How (LLB 1997) and their daughter Magdalena are looking forward to moving into their new Toronto home in the Spring of 1999.

Tak S. Lo

Tak Lo is practicing in the area of corporate-commercial, conveyancing, and immigration.

Married Esther Tong on May 9, 1998.

Eduarda Matos

I have been working as in-house counsel for the Canadian Depository for Securities Limited since being called to the B.C. Bar in May of 1998.

Andrew Newcombe

Andrew is presently in LL.M Program at the University of Toronto, studying international law.

Paul Swanson

I joined ING Canada Inc.'s Law Department, practicing a mixture of corporate/commercial, corporate finance and insurance law. I am also pursuing a LL.M at Osgoode Hall on a part-time basis.

1997

Maureen D. Affleck

Law Clerk, B.C. Supreme Court. Married Paul S. McDougall on June 21, 1997.

Jeff Bartel

I am articling at *Boyle & Company* in Penticton, B.C. and will be called to the Bar on September 2, 1999.

1998

Jeremy Fietz

Called to the California State Bar. I believe this makes me the first to become a lawyer from my graduating class.

Currently completing my LL.M in Health Law at Widener University in Delaware.

UNKNOWN DATE

Britt Oldenberg

Britt is starting a new job at Lon Hall Attorneys, in January 1999, as an associate doing television and film related entertainment law.

Britt and Patrick Thoburn welcomed son Max Thoburn on May 1, 1998. ◀



UVIC FACULTY OF LAW

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Through a collaborative project between the University of Victoria Law Students' Society and the UVic Bookstore, official University of Victoria Faculty of Law clothing and gift items are now available. A portion of the proceeds will go to the UVic LSS.

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- B. UVic Law T-Shirt (top middle) navy cotton with gold print - s-xl, **\$19.95**
- C. UVic Law T-Shirt (top right) gray Russel brand shirt with navy left chest embroidery - s-xl, **\$24.95**
- D. UVic Law Sweatshirt (bottom left) gray Russel brand shirt with navy embroidery - s-xl, **\$44.95**
- E. UVic Law T-shirt (bottom middle) white capped-sleeve shirt with navy print - m-l, **\$24.95**
- F. UVic Law Golf Shirt - black shirt with white embroidery - s-xl, **\$49.95**
- G. Baseball hat with "UVIC" on front and "LAW" on back (top centre) washed colours in gray, denim or sage **\$13.99**
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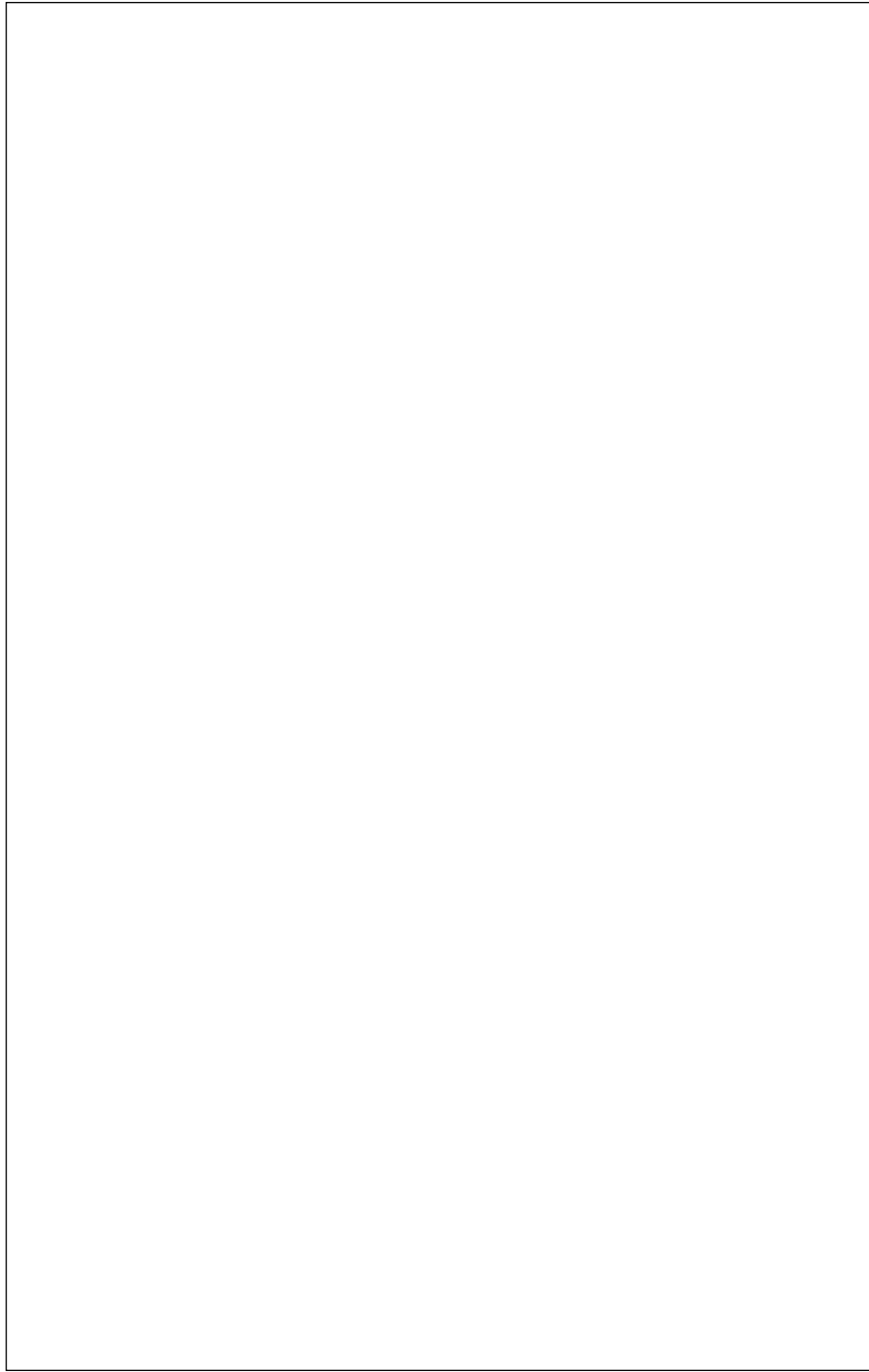
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