



Law celebrates 25th with a name change

Law building is renamed to honour contributions of former law dean and wife

by Patty Pitts

There were no objections among the many members of the legal community who joined students, faculty, alumni and friends of UVic's law faculty on October 20th at a ceremony to rename the Begbie Building to the Murray and Anne Fraser Building.

It was the first time in UVic's history that a building had been renamed, and law professor Hamar Foster said, "I can't think of a better way to celebrate UVic law's 25th anniversary."

Fraser, UVic's founding law dean, died in 1997. His widow, Anne Fraser, attended the ceremony with her three sons, Hugh, Andrew and Scott. "Murray wouldn't have believed half of this," she said, referring to all the tributes and praise heaped on the couple, "but he would have enjoyed it."

Speaker after speaker referred to the Frasers as a "team" with the ability to leave positive, lasting impressions on everyone they met. Murray Fraser was lauded as a "giant in legal education" who went to extraordinary measures to support his students — including, on one occasion, changing class schedules to accommodate a student undergoing cancer treatment.

Current law dean Jamie Cassels described Anne Fraser as "Murray's full partner ... who participated in the law school's intellectual and social life and

remains one of our best ambassadors." When first approached for permission to use her and Murray's name for the building one of her first questions was "What about Matthew?" recalled Cassels.

"She was referring to Matthew Begbie. I explained to her that we were not denying the significance of Begbie's place in history, but claiming our own. The decision to use the Fraser name for the building was unanimous among students and faculty. We consulted widely with our alumni, the rest of the university community, the bench and bar and also received their profound support."

Anne Fraser recalled the challenge of convincing faculty members to relocate from throughout Canada to UVic and "a new law school that did things differently." Her husband's decision to increase diversity among students by having 25 per cent of them come from out of province was considered revolutionary, as were his ideas for the design of the faculty's new building.

Victoria architect David Hambleton (who was in the audience) spent a week with the law faculty and students to better understand the school's day-to-day operation. Fraser wanted a students'



The Fraser family at the Building Dedication: Hugh, Anne, Andrew and Scott.

lounge with access to the outdoors and he wanted seating in the lecture theatre that would later bear his name to seat law students in comfort.

"Terry Wuester sat down with all his law books to demonstrate how much space the average student would need," said Anne, recalling the late, much beloved and rotund law professor. The result was tables and chairs in the lecture hall instead of the usual single unit seating.

Murray and Anne Fraser both grew up in Halifax. He graduated from Dalhousie's law school and earned an LL.M. at the University of London; she earned a B.Sc. from Acadia University. He taught at Queen's and Dalhousie before coming to UVic where he spent five years as dean before becoming the university's vice-president academic until 1988, the same

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University of Victoria Faculty of Law Law News

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Dean's Message



I am writing this message to you just a few weeks after our hugely successful 25th Anniversary Celebration. Over 300 alumni and friends joined us for the building dedication and a weekend of activities including class dinners, the first annual "Catch the Dean" run and a wonderful gala dinner. Everyone reported that they had a splendid time; and on behalf of faculty I want to tell you how rewarding it was to experience the tremendous goodwill towards the law school from those who attended. Your support is crucial to our continued success, and it is also gratifying to know that we have been able to build and maintain a reputation that allows our graduates continuing pride in their law school.

The law school has entered its 26th year with enthusiasm and a renewed desire to further build on our strengths and carry on the tradition of innovation. You are aware from previous newsletters of our new Akitsiraq Law School Program in Nunavut, and our International Intellectual Property Institute (with Oxford and Illinois). Other new initiatives under active consideration include the development of a graduate program in law which would respond to an increased demand from students, and would also help to enhance the faculty's already substantial reputation for legal research and scholarship. We are seeking new resources for these and other initiatives. The faculty is working to create a chair in Aboriginal Justice Issues, and also to continue to build our resources for student financial support. In addition, we will be recruiting at least one new faculty member this year. Our priority is to increase the teaching resources in first year.

Also under consideration is a move to a more student-friendly "credit system" which would permit greater flexibility for students to tailor their progress through the program to their individual circumstances. We are also discussing a modest enrolment increase in our undergraduate program. With heightened demand for our program, and excellent opportunities for our graduates, such an increase is timely, and would provide some additional resources to enable the faculty to maintain our rich program despite the substantial budget cuts of the last decade. We would appreciate hearing from you if you have advice for us about these plans, or other initiatives we should be considering. ◀

("Law celebrates..." continued from page 1)

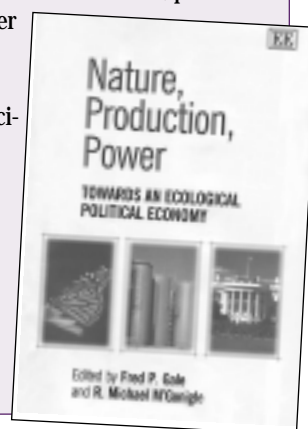
year he was named president and vice-chancellor of the University of Calgary.

She was a nationally syndicated CBC radio commentator and helped spearhead an effort to preserve Halifax's historic waterfront buildings. At UVic, she developed innovative continuing studies courses that she still leads. She was national chair of Elderhostel Canada, a member of the board of trustees at Lester B. Pearson College and twice elected to the Greater Victoria School Board. In Calgary, she served on a number of corporate and non-profit boards.

Prior to unveiling the building's new plaque, Fraser said that being law dean of UVic was her husband's "favourite job, and he would have been delighted to see my name here too." ◀

FACULTY AND STAFF BRIEFS

Professor **Michael M'Gonigle**, along with Fred Gale, had a book come out in the fall entitled **Nature, Production, Power**. This book introduces readers to the discipline of ecological political economy, an approach that aims at a theoretical synthesis of nature, production and power relations. At its heart is a critical appreciation of the social institutions and organizations that can provide the basis for strong sustainability.

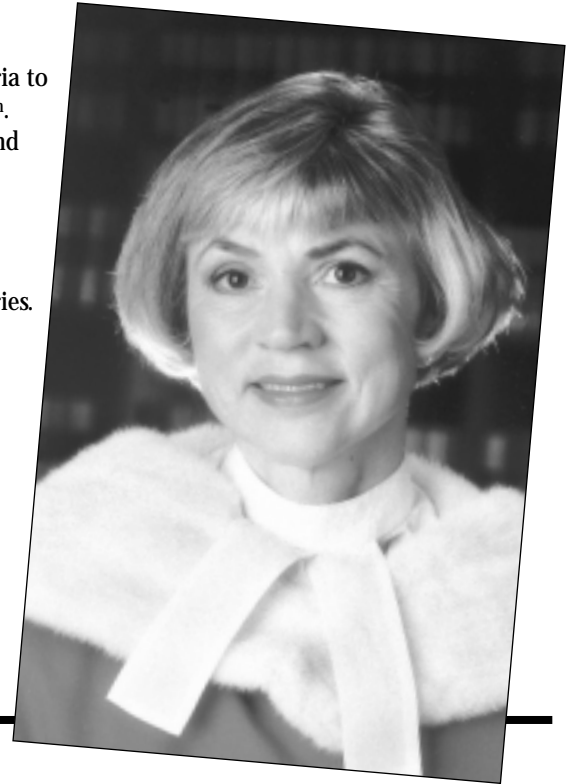


Canada's Supreme Court Chief Justice and a well-known B.C. community leader receive honorary degrees

Chief Justice Beverley McLachlin and Ron Lou-Poy were at the University of Victoria to receive an honorary degree at the fall 2000 convocation ceremony on November 25th. Despite her busy schedule, Chief Justice McLachlin made time to visit the Murray and Anne Fraser Building (formerly Begbie Building) where she met with students and faculty for an informal question and answer period.

Chief Justice McLachlin is at the peak of a long career as one of Canada's leading jurists and legal scholars and her Supreme Court judgements have had a significant impact in the areas of equality rights, evidence, trusts and damages for personal injuries. She is co-author of the biannually updated book, **British Columbia Practice**, and continues to contribute to legal education through lectures and published articles. She was appointed Canada's first female Chief Justice in January.

A distinguished member of the B.C. legal profession and a graduate of Victoria College, Lou-Poy has dedicated his free time to community service, especially in the areas of arts, culture and education. His involvements have included the McPherson Foundation, the Victoria Kiwanis Club, the Chinese Consolidated Benevolent Association, and UVic, where he served on the board of governors and was instrumental in the creation of two law student scholarships. ◀



Macleane Lecture

The Maclean Lecturer for 2000/01 was Dr. Chris Tomlins. Dr. Tomlins is Senior Research Fellow with the American Bar Foundation and a prize winning historian of American labour relations and law. In recent years the focus of his research has turned to the implication of law in the colonization of North America by the British, especially in the 17th century. It was this area of research that Dr. Tomlins explored in his lecture under the title: "How Law Colonized North America in the 17th Century."

In this learned and detailed presentation Dr. Tomlins demonstrated how English notions of law were imprinted on the North American landscape by the use of company, proprietorial and Royal Charters and the legal instruments of measurement, concepts and assumptions that they contained. This was often done

before the actual land mass and landscape to which they were to be applied had been explored. The purposes of this process of colonization included missionary work among the Aboriginal population, as well as material exploitation through the establishment of plantations and the dividing up of the land for "productive use". The record suggests that it was the commodification of land for commercial and trading purposes that was in fact the dominant impulse in English colonization.

Alongside this examination of legal instruments which had a number of common features, Dr. Tomlins was quick to point out that the way in which law actually developed in particular plantations and colonies reflected local settler cultures which were themselves influenced by the localized English cultures from which the settlers had come. Accordingly,

he suggested, to appreciate fully the patterns of colonization at ground level one has to understand the presence of a degree of pluralism in the use of legal ideas and instruments by settler colonists and their governors.

Dr. Tomlins also elaborated on the ideas contained in his paper in a session of Professor McLaren's course in Colonial Legal History, a session in which a number of students had useful suggestions on matters for further reflection by our quest.

The annual Maclean Lecture has enabled the law school to invite a developing list of leading legal historians to Victoria and is made possible through the Honourable H.A. Maclean Memorial Fund. We would like to thank and recognize the generous support of Hugh and Pat Maclean who, as always, were present at the lecture. ◀

Professor Robinson retires

After 25 years at the Faculty of Law and the University of Victoria, Professor Lyman Robinson retired in December. Second year law student, Leanne Mascolo, caught up with Professor Robinson to ask him a few questions about his time at UVic.

Leanne: *You've been with the University of Victoria for 25 years, I'm sure you have many memories. Can you please share with me one or two of your most memorable moments that you can recall over the last 25 years?*

Lyman: My most valued memory is receiving the Master Teacher Award in 1986 or 1987, I am unsure about the date. It's significant to me because I view it as a mark of appreciation of what one does as a faculty member. It represents mutual admiration and respect, and a good working relationship with students.

Another memorable moment was the opening of the Murray and Anne Fraser Building (formerly Begbie Building) in 1980. It was the culmination of four years of many hours of work. To see it completed was a sense of relief and of accomplishment. It is highly attractive and is designed to accommodate expansion, most notably in the library, but hopefully the student body will not grow significantly, as there is a value in having a student body of approximately 300 students.

Leanne: *You mentioned that the opening of the Murray and Anne Fraser Building was a memorable moment for you. What was the most challenging hurdle you faced during the four years it was being planned and built?*

Lyman: The biggest challenge was maintaining control over the design, quality and construction of the building. There were many battles with the administration. Some of the more successful ones were over the size of the student lounge, which I suspect is the largest in Canada on a per student basis.

Other prerequisites I had was that every classroom would have windows and that library carrels were available for each law student. If it was up to the administration at the time of construction, there would likely be fewer carrels and they would not have been custom designed.

Leanne: *During your appointment as Dean of Law from 1980 until 1985, what was your most rewarding experience?*

Lyman: During the early 1980s it was a difficult time of budget cuts due to provincial cuts to the University while faculty salaries at other Canadian universities was increasing.

There was a need for me to preserve faculty during talks about cutting programs throughout the University. I also needed to maintain and improve salaries of young faculty and appoint new faculty.

I attracted new faculty through extensive recruiting throughout graduate schools in Canada and the United States. It was a challenge to inform candidates about a 5-year old law school that was unknown to many. It was a large job to educate candidates about the differences and benefits of the University of Victoria Law School but this exercise led to a number of new appointments to the faculty.

Leanne: *For the last four years you've been the University's Associate Vice-President, Legal Affairs, a position that was new to the University of Victoria when you were appointed. Can you describe some of the most pressing issues you've faced during this time and what you consider your most significant accomplishment?*

Lyman: In any practise of law all clients feel that their issue is the most pressing issue and the one to which you should be devoting the majority of your time. At the University, I have in the order of 100 clients and therefore I do not want to pick one issue, as they are all important.

There are some significant accomplishments of this position. One of my responsibilities is the relationship with the faculty association. This involved negotiating two, three-year salary agreements with faculty. This was an accomplishment because before my appointment, the previous two rounds of negotiations were unable to reach agreement and had to go to arbitration. When arbitration is used there are almost inevitably some hard feelings on both sides.

Also in June 2000, a new salary policy was adopted which will likely govern faculty salaries for the next ten years. Also through this process, salary negotiation procedures were revised. These are important issues to faculty, which contributes to a consistent university community.



Leanne: *What opportunities and challenges do you see facing the future of legal education?*

Lyman: Development of education, generally in the future, will likely involve interactive education over the Internet. This will likely lead to the development of new teaching technologies and increased competition for students among law schools. I believe law schools that are able to develop these new technologies and offer online programming will be the most successful over the next decade or so. This will generate a much more competitive environment and demand a great deal of creativity from faculty.

The advantages to technology is that rather than have students take notes in class, there will be an opportunity for interactive learning using computer programs offering more challenges to students. Faculty will respond by making exercises available on line, which will better prepare students for conducting research and providing legal services in the private or public sector.

There will be more demand for specialization among lawyers. I have retained counsel in my work, which have included a number of UVic grads. The relationship has evolved from student-teacher to counsel-client. The people I retain have highly specialized knowledge and narrow practices. There is a demand from clients for lawyers with a high degree of specialization which, I think, will need to be reflected in legal education in the future.

Law schools will have to be in position to offer courses with the opportunity for greater specialization. For example at UVic, Professor Robert Howell has developed a fairly sophisticated Intellectual Property program. UVic has also done this in other areas including Environmental Law and Dispute Resolution but I think we will have to do more of that in the future.

(Continued on page 5...)

("Professor Robinson..." continued from page 4)

Leanne: Thank you Professor Robinson for your contribution to the Faculty of Law and the University of Victoria. Congratulations on your well-deserved retirement.

My fondest memory was watching Lyman, working with his kindred spirit, Terry Wuester, besting the UVic number crunchers, to get us a fine, tailored Law Building – it took 3 years of unrelenting work which started with Murray Fraser but ended up with Lyman and Terry. Nobody ever topped Lyman's pure doggedness when he sunk his teeth into a challenge.

Professor Bill Neilson

Lyman's unwavering commitment to making UVic Law the best it can be has been a marvel and an inspiration to all faculty, staff and students who have been touched by him.

The "Lyman way" – calm, respectful, collegial, incredibly competent and industrious, and completely selfless – has clearly been the right way for UVic Law. Lyman's spot on the all-time "Top Ten Reasons Why UVic Is A Great Law School" List will forever be secure. And for that, we are all the richer. We owe him an incredible debt of thanks.

It has been a true pleasure working with Lyman for the past 25 years. I will surely miss him as a colleague, a mentor and a friend.

Professor Gerry Ferguson ◀

FACULTY AND STAFF BRIEFS

Alternative Dispute Resolution, by Professor **Andrew Pirie**, made its debut this fall. The book covers the range of mediation practices, negotiation theories and skills, the expanding uses of arbitration, dispute systems design, on-line ADR, the origins of interest-based bargaining, understanding conflict behaviour, various critiques, ADR case law, and more.

According to Christopher Moore, a highly respected mediator in the United States and the world, **Alternative Dispute Resolution** is extremely comprehensive and is by far the best work written to date. The book will be of interest to law faculty and students, practicing lawyers, judges, ADR practitioners, and the lay public as one of the most accessible texts in the field.

Law Librarian goes east

Associate Professor and Head Law Librarian, Professor John Davis, ended a 12-year tenure with UVic in September and has joined the law faculty and become the head librarian at Osgoode Hall Law School in Toronto.

Professor Davis was primarily responsible for the "computerization" of the law library and for leading the law library into the age of information technology. He also developed and delivered (together with April Katz) the Advanced Legal Research and Writing course for upper year law students.

Professor Davis' time at the Law School corresponded with significant cuts in the library budget and rocketing costs of legal materials which led to painful decisions regarding acquisitions and inventiveness respecting staff replacement. The budget cuts did lead to an often-heard Davisism: "I have no problem that more money could not solve."

Despite the Faculty's reliance on Professor Davis to solve computer difficulties, he was a lover of books. His Victoria residence was without a computer but over burdened with books new and old to such an extent that his primary concern for a new residence in Toronto was the strength of the floors, walls and foundation. Professor Davis' special interest in legal history and the great law books has led to a semi-permanent mourning on the part of the Law Faculty's remaining legal historian inmates Professor's John McLaren and Hamar Foster.

The possessor of a little black book, colleagues dreaded those moments when Professor Davis would produce the book and then expound, at some length, on the repartee he had gleaned from the reruns



▶ Professor Ted McDorman presenting a farewell gift to Professor John Davis.

of Rocky and Bullwinkle, the precise words of the theme song to the Animaniacs, the latest demagoguery regarding Tellatubbies, or, indeed, which American states had statutes saluting Muhammed Ali. The discussion that would ensue inevitably lead to blasts of laughter from all, followed by disapproving looks from the non-law denizens of the Faculty Club. No question or trivial aspect of 1960s sitcoms or "popular" culture of the 1990s escaped the little black book.

Respected for his professionalism and appreciated for his sense of fun, it is the considered opinion of the UVic faculty and staff that Osgoode Hall Law School has no inkling of whom it is they have hired and that this will only become clear when the little black book emerges. ◀

"Property Rights in the Colonial Imagination and Experience"

A Colloquium in Comparative Colonial Legal History

February 22–24, 2001

Murray and Anne Fraser Building
Faculty of Law, University of Victoria

This Colloquium is jointly sponsored by the Faculty of Law, University of Victoria and the Centre for the Interdisciplinary study of Property Rights, University of Newcastle, New South Wales.

The Colloquium Theme

"There is nothing which so generally strikes the imagination and engages the affections of mankind as the right of property, and yet there are very few who give themselves the trouble to consider the origin and foundation of that right." The English jurist and legal theorist, William Blackstone, spoke those words in 1765, and yet the point they express is still surprisingly true.

The debate generated by legal decisions such as *Delgamuukw* in Canada and *Mabo* in Australia have demonstrated clearly the importance of property rights in former colonial settler territories. The interest generated by these decisions has begun to raise awareness of the need for comparative studies of property rights on the one hand and of the relative lack of accessible work on the other hand. The latter point is especially true of writing on settler mentalities regarding property and property rights in these "new" lands, and the reflection of settler attitudes and desires in the evolution of colonial law and administration governing both land and chattels. With notable exceptions such as the introduction of the Torrens system of registration of title to land, the traditional assumption, inspired largely by lawyers, judges and legal academics is that English property law was introduced almost automatically and without reflection into these territories. Little attention has been paid to how landscape and topography, climate, geology, economics and trade affected conceptions of property in the colonies. Settler reaction to the presence of Aboriginal people with their own well-developed conceptions of governance, law and land use has received more attention, but still requires elaboration.

The Colloquium described here proposes to fill these gaps by encouraging scholarship in the field, promoting discussion by scholars and graduate students interested in it, and providing the material for a major book of essays on the subject. To our knowledge this is the first occasion on which such a project has been attempted in Canada.

The Colloquium is being organized by Professor John McLaren. For further information and details on the topics to be covered please visit the Colloquium website at: <http://colonialpropcolloq.law.uvic.ca/> or at the UVic Law website at: <http://www.law.uvic.ca/> under **What's New**. ◀

Children's Rights

Sarah McCoubrey and Greg Sitch are second year students with backgrounds in the field of education. Their 391 Research Project, under the supervision of Professor Kim Hart Wensley, examines the current judicial, legislative and policy approaches to the legal rights of children in schools.

This research is important because Canada has an obligation under the *UN Convention on the Rights of the Child* to respect the rights of children. Unfortunately, we are not living up to that commitment. Sarah's examination of students' freedom of expression in some schools, and Greg's review of search and seizure in the school context, reveal that when children's rights are violated, courts tend to defer to the discretion of school administrators rather than giving students' rights the same legal recognition granted to adults. When our courts fail to insist that school administrators respect the rights of students, they send a clear message that children don't have rights – or that their rights aren't important.

But those rights are important. As children learn about their rights (and learn that they are persons worthy of rights), they become more willing to recognize and endorse the rights of others, and to embrace the related values of responsibility, tolerance and multiculturalism. To effectively teach children about rights, we must be prepared to model those rights in our schools.

In addition to their major research paper, Sarah and Greg plan to produce a short paper to educate educators about the inadequacy of the current approach to children's rights. Through this vehicle they hope to educate teachers and administrators about an alternative rights analysis; one that effectively models democracy, dignity and equality and empowers students. ◀

Career Development Office update

With the excitement of the Murray and Anne Fraser Building Dedication and the law school's 25th Anniversary Celebration, the fall was particularly lively. The annual flurry of summer recruitment activity settled down as students began to focus on their December exams.

In July, a very enlightening workshop was conducted by Randi Bean, the Director of Toronto's Life After Law (www.lifeafterlaw.com), Canada's only recruitment and placement firm dedicated to placing highly skilled legal professionals in careers outside the traditional practice of law. Randi shared useful strategies for students seeking alternatives to traditional practice and offered some concrete advice to the numerous students that attended the session.

In September, thanks to the generosity of law firms from Victoria and Vancouver, a highly successful and intensive Resume Workshop was held for the second year in a row. The Workshop involved small groups of law students enjoying the recruitment expertise of the participating lawyers. All four Workshop leaders provided personalized, useful, relevant and frequently entertaining advice to the law students on resumes, cover letters and dealing with law firms. Sincere thanks to the Workshop leaders, Russ Brown of Victoria's Carfra & Lawton, Andrew Nathanson of Fasken Martineau DuMoulin, Thom Lutes of Fraser Milner Casgrain and John Christian of Lawson Lundell Lawson & McIntosh, all four were terrific!

Among other career preparation sessions held in September, the Canadian Bar Association (CBA) facilitated an Interview Panel and offered helpful mock interviews with four local lawyers. Bill Basran of the Department of Justice Canada joined the dynamic tag team of Victoria's Mayland McKimm of Mayland McKimm & Associates and John Waddell of Waddell Raponi on the panel. Kyle Friesen of RCMP Legal Services was on hand to help out with the interviews. Thanks to these four lawyers for providing interesting and amusing information. Thanks as well to Brent Jay of Toronto's Fasken Martineau DuMoulin who conducted an excellent



Second year law students Victoria Pham, James Chen, and Articling Committee Chair Peter Blokmanis at the Wine and Cheese reception.



Fulton & Company representatives Dennis Hori (left) and Denise McCabe with Walter Babicz from Wilson, King & Company.

session on Toronto recruitment.

The halls of the Fraser Building were awash with sharp dressed students and lawyers as 16 Toronto and Calgary law firms conducted summer recruitment pre-interviews throughout the day of October 4th. The day was capped with the annual Wine & Cheese held at the University of Victoria Faculty Club. A record number of legal employers attended the event with a remarkable total of 60 firms from Vancouver, Calgary, Toronto, Victoria and the mainland. The Wine & Cheese was held this year due to the hard work of the enthusiastic Articling Committee Chair Peter Blokmanis and his Committee. Thank you as well to the law

firms that expressed interest in our students by participating in the Wine & Cheese.

Spring plans for the Career Development Office include law firm visits and an expanded look at alternative legal careers through a set of workshops called Legal Career Exploration.

For more information about the Career Development Office, or if you are seeking a research, summer or articling student, please contact me, Yvonne Lawson at (250) 472-4719 or ylawson@uvic.ca. Also if you have chosen an unusual career path and are interested in participating in this year's sessions, I'd very much like to hear from you. ◀



Celebratin October

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Complete with class reunions, fun activities and a gala evening, the 25th Anniversary for the Faculty of Law at the University of Victoria was a weekend of seeing old friends and making new ones. During the weekend, graduates and friends from across Canada and the United States returned to celebrate and reflect on the last 25 years of UVic Law.

Over 200 people attended the Building Dedication where the University of Victoria recognized the enormous contributions made by founding dean Murray Fraser and his wife Anne. From the moment the bagpipes began to signify the beginning of the ceremony until the final comments were made by Vice Chair of the Board of Governors, Brian Lamb, the audience was overcome with emotion as speakers paid tribute to the late dean and his widow.

Following the formal Building Dedication ceremony, guests strolled through the corridors of the newly named Murray and Anne Fraser Building to the main foyer for a reception. Along the way, they were greeted with class composites, and an array of photos capturing the many memories that have been created at the law school over the years.

In the student lounge alumni gathered to take in a timely UVic Law tradition – Happy Hour. While rumour has it the event was somewhat tamer than the Happy Hours of the past, graduates, students, staff and faculty had a great time reminiscing about old times.



g 25 Years

20th & 21st



To end the day Friday, alumni headed off to their class reunions that were organized by their class representatives and held at various locations around Victoria.

For those early morning risers, they had the option to attend the Dean's Fun Run, come out to Cordova Bay Golf Course to take in a round of 18 holes, or tour around Victoria. The weather was fabulous and everyone enjoyed the opportunity to spend the day in the sun.

The 25th Anniversary Gala evening was held at the beautiful Pacific Fleet Club located along the water overlooking the Olympic Mountains. The evening was sold out with 300 people who came dressed in their formal wear and ready to dance the night away to the great tunes of the Swingin' Bachelors! Throughout the evening Sandra Harper (LL.B. '82) and Kevin Gillett (LL.B. '78) shared stories about their memories of Uvic Law, and faculty members and alumni provided entertainment in the form of skits which of course is a long standing Uvic Law tradition.

Greg Rideout (LL.B. '78) spoke of his appreciation towards Murray Fraser for the assistance he provided while Greg was making his way through law school. Greg went on to challenge his fellow alumni and friends of the law school to match or exceed his donation to the Murray and Anne Fraser Endowment. Throughout the evening various people made pledges and over \$3500 was raised towards the Endowment.

While the 25th Anniversary Celebration is over, the memories live on. Here's to another spectacular 25 years! ◀



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25th Anniversary

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...Celebrating 25 Years



LSS update

The beginning of the year has once again been a very busy time for the Law Students Society (LSS). The year officially started in the summer with the traditional welcome barbecues hosted across Canada in Toronto, Calgary, Vancouver and Victoria. These barbecues were held in August and were well attended by new and upper year students. The LSS would like to thank the Dean for, once again, sponsoring these events. The barbecues provide first year students, from outside Victoria, an opportunity to get to know a few familiar faces and to ask upper year students any burning questions about law school (which upper years are more than thrilled to answer!).

As well, incoming students were introduced to their upper year buddy over the summer via e-mail. This introduction was continued at the annual Dean's Barbecue, held during the first week of classes. Despite the unusual weather (it rained for the first time in years), the event was a great success, and it appeared that this year's contingent of buddies enthusiastically carried out the tradition of purchasing their new buddy a beverage.

Throughout September and into October, the Orientation Committee gave the first year students an excellent introduction to UVic, the city and fellow classmates. Events included the traditional Mount Finlayson Hike, a trip to Salt Spring Island, Bowling Night, Beach Day, the Buddy Potluck and Slide Show, and, of course, the annual "historic tour" of downtown Victoria. The LSS would like to thank Miller Thompson, McMillan Binch and Borden Ladner Gervais for their support of Orientation events.

Thanks to the generous support of the Canadian Bar Association, the 3rd Annual Mentor's Victoria Reception took place in November. Over 50 students signed up for the program and had the opportunity to meet members of the legal community. Thanks very much to the lawyers who participated this year. Without your support, this program would not be possible.

The LSS also supports a variety of clubs at the law school, which have already been very busy this year. In addition to keeping up with their schoolwork



Law students participating in the CIBC Run for the Cure.

and their other responsibilities, club members place an extraordinary amount of work into organizing services, events, and conferences for the benefit of not only law students but the community at large.

New clubs formed at UVic this year include the Canadian Association of Students for Political Reform (CASPR), the Human Rights Club, as well as the Law Games Enthusiast's Club. The Law Games Club was formed to help organize UVic's participation in Law Games for a third straight year. After being held in Ontario for the past two years, this year's event is being held in Calgary from January 3rd – 7th. This has resulted in UVic being able to send its largest team ever, over 30 participants. Law Games involves law students from across the country competing in various athletic and social events. As well, this year for the first time, a competitive moot will be held at Law Games and will be judged by Mr. Justice Major of the Supreme Court of Canada.

Some other club highlights of the term so far include the very successful candy-gram sales by Publicly Active Law Students (P.A.L.S. – or the club formerly known as S.L.I.C. for Prince fans), and a Halloween dance hosted by Appeal. As well, P.A.L.S. has also helped facilitate involvement in Habitat for Humanity by interested students.

Next term will also be a busy one for clubs again. Once again, P.A.L.S. will be holding the annual formal in January. The Dean's Women's Advisory Committee is planning the "Women in Law Conference"

which was a great success last year. The Business Law Club is putting on its 5th annual Business Law Conference. A number of other clubs including the International Law Club and the Dean's Advisory Committee on Ethnicity and Culture (DACEC) are planning Speaker's Series for the spring term. In addition, DACEC will be hosting the very popular Cultural Extravaganza.

Law students were very active in intramural sports this term, participating in basketball, volleyball, soccer, ice hockey, inline hockey and ultimate. Hopefully, some of our teams will manage to come home with the t-shirt this term. As well as intramural sports, UVic students were once again enthusiastic participants in the CIBC Run for the Cure and a few students also completed the Victoria Marathon. Congratulations to Janna Cumming and Jess Hadley for that amazing feat!

It has been a great term so far at UVic Law. Thanks to everyone for your participation and support and good luck on exams! ◀

FACULTY AND STAFF BRIEFS

The Faculty's Development & External Relations Officer, **Mel Lynch**, has taken the year off to have a baby. Mel has been with the Faculty for almost two years and is looking forward to her new arrival! She will be replaced temporarily by **Wanda Power**.

Professor **John McLaren** spent three months as Research Fellow in the Humanities Research Centre (HRC), Australian National University in Canberra last summer. The theme of the HRC in 2000 was "Law and the Humanities". Professor McLaren was working on a project on "Contested Interpretations of the Rule of Law in Colonial Settler Societies" focusing in particular on New South Wales (NSW) and Upper Canada. This work provided the topic for seminars at the University of Sydney and the University of Newcastle, NSW. He gave a paper on the short-lived career of the maverick Irish judge, Robert Thorpe, who tried to blend judging and leading the political opposition in Upper Canada, at the Australian New Zealand Legal History Conference in July. In September, he presented lectures on the teaching of comparative colonial legal history on the web at "The Lessons of History Conference" at Wilfred Laurier University, Brantford Campus, and at the Instructional Development Centre, Queen's University. Professor McLaren has also been writing on the history of writing and scholarship in legal history with a colleague in Wales, is co-editing a book on the treatment of property rights in the lands of the British diaspora and organizing an international colloquium on "Property Rights in the Colonial Imagination and Experience" to be held at UVic, February 22-24, 2001.

A new approach to community-based natural resource management

Around the world, governments are moving towards providing communities with more control over the management of local natural resources, such as forests and fisheries. This trend is driven by a recognition that conventional forms of management, with control centralized in a government bureaucracy or corporate head office, have not been successful at meeting the needs of local communities or sustaining local ecosystems. Community-based natural resource management is increasingly recognized as a key part of a strategy of meeting local needs and protecting the full diversity of social and ecological values present in the natural landscape.

Experience from a number of countries indicates that when local people are invested with the responsibility of managing local ecosystems, and are guaranteed a fair share of the benefits that come from them, they tend to manage them in a sustainable manner. Community-based forest management in Nepal, for example, has resulted in reforestation of hillsides denuded by commercial logging. Interest in community-based resource management is growing rapidly in British Columbia as well, perhaps best exemplified by the Province's recent announcement of three

new community forestry pilot projects, with another 18 expected soon.

Thanks to a grant from the Ministry of Community Development, Cooperatives and Volunteers, the Eco-Research Chair in Environmental Law and Policy is researching new approaches to community-based natural resource management in British Columbia. A key part of this research project will be to look at successful models of community-based natural resource management in other jurisdictions, and identify the lessons that these hold for British Columbia. What can we learn from Nepal's highly successful approach to community-based forestry? Are there examples of community-based fisheries management from other provinces or countries that hold promise for British Columbia?

At the end of the project, the Eco-Research Chair will propose a legislative approach and framework to support the devolution of management responsibility over renewable natural resources to community-based authorities in British Columbia. This will help the Province develop a comprehensive approach to community-based natural resource management in British Columbia. ◀

FACULTY AND STAFF BRIEFS



When you come into the main office of the Murray and Anne Fraser Building, you will be greeted by our newly appointed receptionist **Alissa Horii**. Alissa's enthusiasm and smile has been a welcome addition to the Faculty.

After six years, the Faculty of Law said good-bye to accounting clerk **Shelley Kostiuk**. Shelley has moved on to a new and exciting opportunity at Royal Roads University. Shelley was responsible for the Faculty's accounting, and provided administrative support for the Business Law Clinic and the Environmental Law Centre. We wish her all the best in her new endeavours!

◀ *Main office staff: (Back Row) Joanne Partridge, Jamie Cassels, Cheryl Crane, Deborah Needley, Hamar Foster (Front Row) Alissa Horii, Shelley Kostiuk, Patricia Maedel.*

Awards Night & Chancellor's Reception

Over 80 donors, friends, students and faculty attended the Faculty of Law's annual Awards Night & Chancellor's Reception on October 3rd. The evening allows the Faculty to recognize the achievements of our students and to thank our many donors and friends who help support our students and various faculty initiatives. Dr. Norma Mickelson, Chancellor of the University of Victoria, hosted the evening while Dr. David Turpin, the University's President, was on hand to present awards to the **President's Scholarship** recipients.

There were numerous new awards presented this year including three entrance scholarships. The **Murray & Anne Fraser Scholarship** was awarded for the first time to Scott Howell-Fellows. This scholarship is awarded every four years to an incoming law student who, in addition to high academic standing, demonstrates leadership ability. The **Canadian Bar Association (CBA) Student Award** was presented by the CBA - BC branch president, Margaret Ostrowski, to first year student Jason Forbes. This award is for a student who has shown support for the profession, promotes justice and law reform, and has demonstrated exemplary public or community service. The **Swinton & Company Entrance Scholarship** was awarded to incoming student Mary Grindley who exhibited high qualities of community service and leadership.

In addition to the newly created entrance scholarships, we also awarded three other new awards for first and upper year achievements. Part of a national scholarship program established by Blake, Cassels, and Graydon LLP, the **Blakes Scholars Scholarship Award** was presented to Julie Ong for her achievements in the first year of the LL.B. program. The **Law Foundation/David Strong Leadership in Legal Studies Award** was presented to Benjamin Berger and Ena Ackerman. This award is a joint initiative with the Law Foundation of British Columbia and the University of Victoria. The



Jason Forbes receiving the Canadian Bar Association Student Award from Margaret Ostrowski.

Carfra & Lawton Scholarship, given to students who completed work in Insurance Law or Civil Procedure, was awarded to Matt Link and Karyn Arter.

Bursaries help to ensure that qualified students are not denied access to a legal education based on financial need. The **Forrest L. Shaw Bursary** is awarded to law students with a hearing impairment and was presented for the first time this year.

On behalf of our students, the faculty and staff, and the university community, we thank you all for your generosity and commitment. Your efforts really do make a difference. ◀



Recipients of the Carfra & Lawton Scholarship: Matt Link, Jim Carfra (Carfra & Lawton) and Karyn Arter.

ATTENTION ALUMNI

At the end of November, UVic students began calling law alumni wanting to talk to them about UVic and their experiences here. From now until April, the students will continue calling over 1000 law alumni to tell them about various Faculty initiatives. Their goal is to generate interest in the Faculty and raise money for various funds including the Innovation Fund, the Murray & Anne Fraser Endowment, the newly created Aboriginal Justice Program, and various scholarships & bursaries.

Last year the annual law alumni giving program generated over \$30,000 and nearly doubled alumni participation with 175 alumni donating to the area or fund of their choice, up from 90 the previous year. The alumni giving program provides alumni with an opportunity to reflect on their time spent at UVic Law and to make a difference to the future of their law school.

Alumni updates

1981

Katherine Hough

Katherine left her parish and law practise in the Kootenays and is pursuing doctoral studies at the Graduate Theological Union – U. of California, Berkeley. Her work is interdisciplinary, focusing on law and theology so she will be working with faculty at both the GTU and Boalt Hall School of Law.

1983

Bill Jack

Bill was appointed as B.C. Provincial Court Judge, effective November 6, replacing Judge R.R. Low in Smithers.

1985

Patricia E. Hawkins

Patricia writes: "For the past three years I have been an attorney with Headquarters, United States Army Pacific located at Fort Shafter, Hawaii. Fort Shafter is located a few miles from downtown Honolulu.

"Mainly I practice federal contract, personnel and administrative law. I enjoy what I do and generally have reasonable 8 to 9 hour work days. My husband, three dogs and I enjoy sailing and the beach."

1988

Stella Frame

Stella and John Haley are pleased to announce the birth of their daughter, Madeleine Irene Frame Haley, born September 29. Stella is a partner at Boughton Peterson Yang Anderson in Vancouver.

Mark Gillard

Mark began a new assignment in the Legal Affairs Bureau of the Department of Foreign Affairs and International Trade in Ottawa on August 1. Working in the Oceans, Economic and Environmental Law Division, he is specifically assigned to the Oceans and Law of the Sea section.

In May, Mark graduated from Royal Military College of Canada with a Master's of Arts in War Studies, concentrating on international peace and security issues. Email: mark.gaillard@dfait-maeci.gc.ca

1993

Jeff Larkins

Jeff joined the partnership of Getz Prince Wells, a Vancouver law firm restricted to the practice of business law, on January 1. He practices principally in the fields of corporate and securities with an emphasis on biotechnology, internet commerce, entertainment and telecommunication companies and private venture capital financing.

He and his wife Lisa are the proud parents of two boys, Conor and Liam.

Terra Mareck

Terra left ICG Propane in October and started with SNC Lavalin, an engineering and construction firm. The group and its companies have offices across Canada and in 30 other countries, and have about 7000 employees world-wide. Terra will be taking on the newly created role of legal Counsel to the expanding business unit in Calgary.

1994

Joanna Harrington

Joanna wrote: "After spending five years in the UK – studying, working and traveling – I have finally returned to Canada. Friends and classmates can now find me at the University of Western Ontario where I am an Assistant Professor in the Faculty of Law."

Work Telephone: (519) 661-2111 ext. 88444

Caroline North

Email: caroline@northgrowth.com

1995

Ted Chan

Ted wrote: "I am contributing to the 'brain-drain' by moving down to Silicon Valley, California to join an Intellectual Property firm called Fish & Neave. My practice will focus on patent litigation."

Email: tedachan@yahoo.com

Work Telephone: (650) 617-4000

Bruce Hallsor

Bruce was the Alliance Candidate for Victoria in the federal election (running against Liberal incumbent, David Anderson).

Melanie Johnson

The biggest change for Melanie this year was becoming part of a family of four with the birth of her son, Donovan, in March. He joins her three year old daughter, Samantha, in bringing joy, chaos, and laughter into their home.

Additionally, besides part time work as a counselor, she has started being paid for writing articles on family life and travel which is something she very much enjoys!

She also enjoys time sent with some other class of '95 alumni moms in Victoria – Yasmeen Abbas, Janet Racz, Melanie Murray, and Tracy Brailsford (married to Grant Brailsford from their class). Email: johnsonsavage@hotmail.com

1996

Eric Douglas

Email: eric.douglas@justice.gc.ca

Work Telephone: (604) 666-6696

1997

Patrick Ewing

Patrick was named Victoria Lieutenant-Governor for the Capital Regional Kiwanis Association. In addition to his law degree, Patrick also holds a BSc. in health information.

1998

Bradley William Bryan

Bradley is the recipient of the 2000 Law Society Scholarship of \$20,000 for graduate legal studies.

Bradley will embark on post-graduate studies at the Boalt Hall Law School at the University of California, Berkeley in the field of jurisprudence and social policy, leading to the degree of Ph.D.

1999

Maureen Andersen

Maureen wrote: "I am currently articulated with Carfra & Lawton in Victoria, and am being kept on as an associate after my call in November. The firm's practice is limited to litigation and related counsel work, almost exclusively in the area of insurance defence." Email: mpandersen@carlaw.bc.ca ◀

Keeping In Touch with Our Alumni

Please advise us of any address changes so we can continue to send you the *Law News*, and keep you informed about the Faculty of Law, its alumni, friends and supporters.

☐ I consent to the Faculty of Law publishing my contact information on the Faculty of Law website and in *Law News*.

Name: _____ Graduating Year: _____

Home Address: _____

Home Phone: () _____ Fax: () _____ E-mail: _____

Business Address (or attach business card): _____

Business Phone: () _____ Fax: () _____ E-mail: _____

News or Comments (career, personal, marriages, births, etc.): _____

Would you be willing to discuss your current (and past) positions with law students? ☐ Yes ☐ No

We encourage you to include a photo of either yourself or family to be included in the alumni update section of the next Faculty publication.

Return to: **UVic Faculty of Law, PO Box 2400 STN CSC
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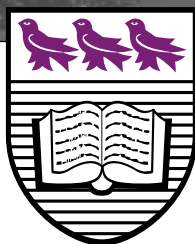
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