

15th Annual Charter Conference

Date: Thursday, October 6, 2016 | 9:00 am - 2:00 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Ranjan Agarwal**, Bennett Jones LLP
Ewa Krajewska, Borden Ladner Gervais LLP



Live



Webcast

This program is eligible for up to 4.5 Substantive Hours.
The program contains 0 Professionalism Hours.

Leading constitutional scholars and practitioners will bring you up-to-date on essential developments in *Canadian Charter of Rights and Freedoms* (“*Charter*”) jurisprudence. Learn about recent Supreme Court of Canada decisions, upcoming cases and developing trends in *Charter* law. Do not miss our keynote fireside chat on dissent at the Supreme Court of Canada and what it means for the future of Canadian jurisprudence.

This is an essential conference for all practitioners who deals with *Charter* issues in their practice. We look forward to seeing you there!

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **The Year in Review: Critical Updates on Significant Charter Litigation**
Ranjan Agarwal, Bennett Jones LLP
Get your need-to-know overview of key constitutional cases from 2015-2016 year.

9:25 am **Striking the Balance between Competing Rights**
Nadia Effendi, Borden Ladner Gervais LLP
Matthew Horner, Ministry of the Attorney General
Jodi Martin, Partner, Paliare Roland LLP
Ewa Krajewska, Borden Ladner Gervais LLP (moderator)
In an increasingly complex rights-based society, courts must often act as umpires between two or more very compelling rights-claimants, rather than decide whether the government has infringed individual rights. Explore this tension and how it changes the playing field with a focus on recent cases, including *Trinity Western University*, *Nadeau-Dubois* and *Taylor-Baptiste*.

10:25 am Networking Break

10:40 am **Sexual Assault and the Charter**
Nader Hasan, Stockwoods LLP
Gillian Hnatiw, Lerner LLP
Jill Witkin, Chair of the Sexual Violence Advisory Group, Crown Law Office Criminal
David Butt, Barrister (moderator)
The treatment of sexual assault cases in the criminal justice system is under a microscope, thanks to widespread news coverage of recent high profile events, and heightened public attention. Delve into:

- What recent events and the reaction to them have revealed about the *Charter* rights of both the accused and the complainants in these difficult cases
- What, if any, impact the heated public debate around this issue will have
- How we can support complainants’ equality rights while continuing to respect the rights of the accused

11:40 am **Critical Developments in First Nations Issues**
Karen Drake, Assistant Professor at Lakehead University and Chair of the Thunder Bay Métis Council
Katherine Hensel, Hensel Barristers
Roger Townshend, Olthuis, Kleer, Townshend LLP
Rory Gillis, Doctor of Juridical Science Candidate at University of Toronto Faculty of Law (moderator)
In *Daniels v. Canada*, the Supreme Court of Canada held for the first time that Metis and non-status Indians fall under federal jurisdiction. Join our expert panel to make sense of the wide-ranging *Charter* implications of this decision, including:

- How does *Daniels* impact indigenous rights under section 35?
- In light of *Daniels*, do federal distinctions between status and non-status Indians breach section 15 equality rights?
- What future litigation is likely to follow?

12:40 pm Lunch (Provided)

1:00 pm **Exploring Dissent at the Supreme Court of Canada**
Professor Benjamin Perrin, Peter A. Allard School of Law, University of British Columbia
Professor Sonia Lawrence, Osgoode Hall Law School, York University (interviewer)
Are we seeing an increase in strong dissenting voices at the Supreme Court? What are the implications of this apparent divided Court? Join Professor Benjamin Perrin, author of *Dissent from Within at the Supreme Court of Canada: 2015 Year in Review*, as he unravels this purported trend and why it matters.

1:50 pm Questions and Closing Remarks

2:00 pm Program Concludes

[PROGRAM REGISTRATION IS ONLINE](http://www.oba.org/pd) www.oba.org/pd

Questions? pd@oba.org