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Publications

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Registrations must be prepaid. Registrations will be accepted by FAX at (416) 642-0424 and at the Ontario Bar Association address shown on the Registration Form. A credit card number must accompany all faxed registrations. Walk-in registrations will be accommodated only if accompanied by credit card or cheque. Seating and meal preference, if applicable, will be given to prepaid registrants.

**REFUNDS AND CANCELLATIONS**

Course fee is refundable (less \$50.00 plus \$2.50 GST) if notice is received in writing five business days before the course. We reserve the right to cancel or reschedule courses, refuse admission, or change speakers, location or content at any time. No refunds will be made if notification is received after September 11, 2009. Please note that a CBA member in the same category may attend in your place. If the delegate is not a CBA member s/he will be required to pay the difference in fee. The OBA GST registration number is R100760495.

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09CCL0918C

**8th Annual Charter Conference**

Friday, September 18, 2009 | 9:00 am to 5:00 pm

Name: \_\_\_\_\_

CBA #: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

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**REGISTRATION** *Please circle fee category.*

Live Program*	CBA Member	CBA Student Member	Non-Member
<input type="checkbox"/> In person	\$355	\$210	\$455

\*Fee includes course materials and lunch

I am unable to attend the program. Please send me:

**EDUCATIONAL MATERIALS ONLY** *(Available 3-4 weeks post-program)*

Publication	CBA Member	Non-Member
<input type="checkbox"/> Publication (binder)	\$90	\$135
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<b>New Sub-Total</b> _____	<b>Total</b> _____	

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Cheque (payable to Ontario Bar Association), or please charge my

Visa  Mastercard

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Signature \_\_\_\_\_



Chair:  
**Debra M. McAllister,**  
Barrister & Solicitor

Friday, September 18, 2009  
9:00 am to 5:00 pm

OBA Conference Centre  
200 - 20 Toronto St.,  
Toronto

**8th Annual Charter Conference**

**Focus:** Key developments in substantive and practice issues under the *Canadian Charter of Rights and Freedoms*, for everyone who does any work on *Charter* issues

**Highlights will include:**

- Update of recent *Charter* decisions, upcoming cases and developing trends
- Criminal law developments in disclosure obligations and searches
- The latest in civil and criminal remedies, as well as practice issues
- Substantive developments in fundamental freedoms
- Section 7 and section 15 as alternative routes for advancing social justice
- Revisiting the *Oakes* test – is it time for a change?
- The *Khadr* case - the intersection of *Charter* and international rights



Labour Law - 3 Hours  
Civil Litigation - 5 Hours  
Criminal Law - 4 Hours

Ontario Bar Association, 300 - 20 Toronto St, Toronto, ON M5C 2B8  
Fax: 416.642.0424 Phone: 416.869.1047 Toll Free: 1.800.668.8900

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## 8th Annual **Charter Conference**

Friday, September 18, 2009 | 9:00 am to 5:00 pm

OBA Conference Centre | 200 - 20 Toronto St., Toronto

**9:00 am** INTRODUCTORY REMARKS

**9:10 am** KEYNOTE SPEAKER

**The Honourable Mr. Justice Marshall E. Rothstein**,  
Supreme Court of Canada - Ottawa

**10:00 am** MORNING PLENARY  
**2008-2009 Constitutional Overview**

Moderator: **Cheryl L. Milne**, Executive Director,  
David Asper Centre for Constitutional Rights

- Supreme Court of Canada Constitutional Update  
**Debra M. McAllister**, Barrister & Solicitor
- Upcoming Supreme Court of Canada Constitutional Cases  
**Barbara E. Kincaid**, General Counsel, Law Branch,  
Supreme Court of Canada - Ottawa
- Constitutional Developments in Ontario  
**Robert E. Charney**, General Counsel, Constitutional Law Branch,  
Ministry of the Attorney General for Ontario
- Constitutional Developments in the Federal Courts  
**The Honourable James W. O'Reilly**,  
Federal Court of Canada - Ottawa
- Developments in Aboriginal Constitutional Law  
**Lori R. Sterling**, Deputy Minister, Ministry of Aboriginal Affairs

**11:15 am** BREAK

**11:30 am** MORNING BREAK OUT SESSIONS  
[Choose one]

### (1) Revisiting the Section 1 Oakes Test: Time for a Change?

Moderator: **Mahmud Jamal**, Osler, Hoskin & Harcourt LLP

- Rethinking Section 1  
**Christopher D. Bredt**, Borden Ladner Gervais LLP
- Where Did (Section) 1 Come From? The Historical Lineage of  
the Charter's Limitations Clause  
**Professor Adam M. Dodek**, University of Ottawa Faculty of Law -  
Ottawa
- The Crown's Perspective on the Oakes Test  
**Janet E. Minor**, General Counsel, Constitutional Law Branch,  
Ministry of the Attorney General
- View From the Bench  
**The Honourable Mr. Justice David L. Corbett**,  
Superior Court of Justice, Central West Region - Brampton

### (2) Alternatives for Advancing Social Justice

Moderator: **Debra M. McAllister**, Barrister & Solicitor

- Section 15: The Kapp Test and Social Justice  
**Fiona A. Sampson**, Director of Human Rights,  
Canadian Lawyers Abroad - Chelsea
- Section 7 and Social Justice  
**James R. Hendry**, General Counsel, Department of Justice,  
Human Rights Law Section - Ottawa
- Human Rights: An Alternative to section 15  
**Antonella Ceddia**, Litigation Solicitor, City of Toronto, Legal Services
- International Law at the United Nations  
**Stewart Istvanffy**, Avocat - Montreal
- Legislative Drafting  
**M. David Lepofsky**, Chair,  
Accessibility for Ontarians with Disabilities Act Alliance

### (3) Civil and Criminal Constitutional Remedies

Moderator: **Robert E. Charney**, General Counsel,  
Constitutional Law Branch, Ministry of the Attorney General for Ontario

- Damages for Unconstitutional Actions  
**Raj K. Anand**, WeirFoulds LLP;  
Chair, Ontario Human Rights Legal Support Centre
- Section 24(1): Cost Remedies  
**Professor Marilyn L. Pilkington**, Osgoode Hall Law School,  
York University
- Constitutional Exemptions and Sentence Reductions  
**Andrew K. Lokan**, Paliare Roland Rosenberg Rothstein LLP
- Section 24(2): The Harrison & Grant Cases  
**Jonathan A. Dawe**, Sack, Goldblatt, Mitchell LLP

**12:45 pm** LUNCH (provided)

**1:15 pm** LUNCHEON PLENARY  
**The 2008 Constitutional Crisis**

Moderator: **Debra M. McAllister**, Barrister & Solicitor

**Professor Emeritus Peter W. Hogg, QC**, Osgoode Hall Law School;  
Scholar in Residence: Blake, Cassels & Graydon LLP  
**Professor Emeritus Peter H. Russell**, Department of Political Science,  
University of Toronto  
**Warren J. Newman**, Senior General Counsel, Department of Justice  
Canada, Constitutional & Administrative Law Section - Ottawa  
**Professor Lorraine E. Weinrib**, Faculty of Law, University of Toronto

**2:15 pm** BREAK

**2:30 pm** AFTERNOON BREAK OUT SESSIONS  
[Choose one]

### (4) Section 7 Disclosure and Section 8 Searches

Moderator: **Professor Adam Dodek**, University of Ottawa Faculty of Law

- Disclosure of Police Misconduct Records under McNeil  
**Marie Henein**, Henein & Associates
- Practical Implications of McNeil  
**Kalli Y. Chapman**, Barrister & Solicitor, Acting Director - Legal Services,  
Toronto Police Service

- Searches under the Patrick Decision  
**Philip Downes**, Barrister
- Privacy Implications of the McNeil and Patrick Decisions  
**Louisa Garib**, Counsel, Legal Services,  
Policy and Parliamentary Affairs Branch,  
Office of the Privacy Commissioner of Canada - Ottawa

### (5) Compiling & Presenting the Evidence in Charter Cases

Moderator: **Christopher D. Bredt**, Borden Ladner Gervais LLP

- Compiling the Evidentiary Record in Charter Cases  
**Christopher M. Dassios**, General Counsel - Power Workers' Union
- Preparing the Evidence in Charter Cases - A Crown  
Perspective  
**Sarah T. Kraicer**, Counsel, Constitutional Law Branch,  
Ministry of the Attorney General for Ontario
- Presenting the Case: Written Argument  
**Eugene Meehan, QC**, Chair, Supreme Court Practice Group;  
Lang Michener LLP - Ottawa
- Presenting the Case: Oral Argument  
**The Honourable Mr. Justice Gary T. Trotter**, Superior Court of Justice

### (6) Developments in Fundamental Freedoms

Moderator: **Debra M. McAllister**, Barrister & Solicitor

- Freedom of Religion Developments  
**Mahmud Jamal**, Osler, Hoskin & Harcourt LLP
- Developments in Freedom of Expression  
**Paul B. Schabas**, Blake, Cassels & Graydon LLP
- Freedom of Association: Agricultural Workers Perspective  
**Paul J. Cavalluzzo**, Cavalluzzo Hayes Shilton McIntyre & Cornish LLP
- Freedom of Association: Crown Perspective  
**Robin K. Basu**, Counsel - Constitutional Law Branch,  
Ministry of the Attorney General

**3:45 pm** BREAK

**4:00 pm** CLOSING PLENARY  
**The Khadr Case: the Charter and the  
International Arena**

Moderator: **Debra M. McAllister**, Barrister & Solicitor

- The Khadr Case  
**Nathan J. Whitting**, Parlee McLaws LLP - Edmonton  
**Dennis Edney**, Dennis Edney Professional Corporation;  
Counsel to Omar Khadr - Edmonton
- Some Issues That Remain Unresolved Following Khadr  
**Ari Slatkoff**, Counsel,  
Justice Canada - Human Rights Law Section - Ottawa
- Implications for Other Canadians Outside of Canada  
**Paul Champ**, Raven Cameron Ballantyne & Yazbeck LLP/s.r.l. - Ottawa
- International Law Implications: The Duty to Protect  
**Jennifer A. Orange**, Torys LLP

**5:00 pm** PROGRAM CONCLUDES