

## 17th Annual Charter Conference

*Constitutional, Civil Liberties Human Rights Law*



In-Person



Webcast

**Date:** Tuesday, October 2, 2018 | 9:00 am to 2:00 p.m.

**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto

**Co-Chairs:** **Ewa Krajewska**, Borden Ladner Gervais LLP  
**Nicola E. Simmons**, Keel Cottrelle LLP



This program is eligible for up to 5 Substantive Hours

Leading constitutional scholars and practitioners will join esteemed members of the Bench to bring you up to date on essential developments in *Canadian Charter of Rights and Freedoms* (“*Charter*”) jurisprudence and practice. Learn about recent Supreme Court of Canada (SCC) decisions, upcoming cases and developing trends in *Charter* law. Do not miss our luncheon plenary to gather invaluable insights from the Bench on how to maximize the effectiveness of your *Charter* advocacy.

This is an essential conference for all practitioners who deal 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**  
**Ewa A. Krajewska**, Partner, Borden Ladner Gervais LLP  
Get your need-to-know overview of key constitutional cases.

9:25am **Making Sense of the Latest Developments in Freedom of Religion**  
**Josh Hunter**, Ministry of Attorney General-Legal Services-Constitutional Law Branch  
**Nadia Effendi**, Partner, Borden Ladner Gervais LLP  
**Joanna Radbord**, Partner, Martha McCarthy & Company LLP  
**Derek Ross**, Executive Director, Christian Legal Fellowship  
**Moderator: Nicola E. Simmons**, Keel Cottrelle LLP

- What are the new definitions and limits to freedom of religion outlined by the SCC in *Trinity Western* and *Ktunaxa*?
- When are religious issues justiciable?
- Balancing competing rights with freedom of religion: Making sense of *Baars* and *Trinity Western*
- Exploring effective referrals for treatment as a reasonable limit on doctors’ freedom of conscience
- Does freedom of religion extend to allow a parent to protect children from “false teachings”?

10:35am **Navigating Privacy Rights in Unreasonable Search and Seizure**  
**Jennifer Conroy**, Senior Counsel & Appeals Team Leader, Public Prosecution Service of Canada  
**Angela Chaisson**, Angela Chaisson Law  
**Fredrick Schumann**, Stockwoods LLP  
**Moderator: Megan Savard**, Addario Law Group LLP

- When are digital communications/text messages private?
- When can I complain about an illegal third-party search?
- Is territorial privacy a thing of the past?
- Can one co-owner consent to state seizure of a device?

- Do the police need a wiretap order to seize or participate in a text conversation?
- Protecting privacy at the border – is it possible and how can we do it?
- What privacy issues arise when the state wants to access foreign-stored data?

11:45am **How Does Pay Equity Interact with Equality Rights?**

**Fay Faraday**, Faraday Law

**Shaun O’Brien**, Legal Director, Women’s Legal Education & Action Fund

**Zachary Green**, Ministry of Attorney General-Legal Services-Constitutional Branch

**Moderator: Morgana Kellythorne**, College of Physicians & Surgeons of Ontario

- Exploring the relationship between pay equity and equality rights under the *Charter*
- What is the scope of protection afforded to targeted ameliorative programs under section 15(2)? Recent pronouncements from the SCC

12:40pm Lunch

1:00pm **Essential Advice from the Bench on Charter Advocacy**  
**The Honourable Jill M. Copeland**, Superior Court of Justice  
**The Honourable Ed M. Morgan**, Superior Court of Justice  
**Moderator: Yashoda Ranganathan**, Ministry of Attorney General-Legal Services-Constitutional Branch

- How are *Charter* cases litigated differently?
- Critical insights on effective *Charter* advocacy

1:50 pm Questions and Concluding Remarks

2:00 pm Program Concludes

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

Questions? [pd@oba.org](mailto:pd@oba.org)