

# Western Law

2018 ALUMNI MAGAZINE



## ALSO IN THIS ISSUE

Ritu Bhasin on  
workplace authenticity

Chris Brett champions  
global literacy

Meditation lightens  
weight of the law

## THE FUTURE IS NOW

Alumni on frontlines of  
blockchain revolution

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Western

# Western Law Alumni Awards Reception



**Tuesday, November 20, 2018**

6:00 p.m. to 8:00 p.m.

One King West Hotel & Residence, Toronto

The Western Law Alumni Awards program recognizes alumni who have made outstanding contributions to the law school, their profession and to society.

## 2018 Award Recipients

### Ivan Rand Alumni Award

This award, named in honour of Western's founding Dean of Law, The Honourable Ivan Cleveland Rand, CC, QC, LL.D, recognizes exemplary contributions to Western Law and to the alumni community.



Recipient: **Dale R. Ponder, LLB'80.** Dale Ponder is Co-Chair of Osler, Hoskin & Harcourt LLP and the firm's immediate past National Managing Partner and Chief Executive. She's

been lauded with numerous prestigious awards during her extraordinary career. As a generous supporter of the Faculty of Law's highest priorities, and as an engaged teacher and distinguished guest speaker at the school, Dale has given generously of her time and means to mentor a new generation of lawyers.

### W. Iain Scott Business Leadership Award

This award recognizes superior achievement in business and leadership. The recipient is a role model and mentor to alumni and to the professional community.



Recipient: **Michael Copeland, LLB'93 /MBA'99.** Michael Copeland has held senior roles with the Canadian Football League since 2006, including as President

and COO until the end of 2015. He was President and CEO of the Argonauts from 2015 to 2018 and is a former member of the Leadership Team at Maple Leaf Sports & Entertainment. Michael is a recipient of the prestigious Caldwell Partners/Globe & Mail Canada's Top 40 Under 40 award. His talented leadership skills serve as a positive source of inspiration and motivation to students and alumni alike.

### Community Service Award

This award recognizes alumni who have made outstanding contributions to local, national or international communities. They have enriched the lives of others through their tireless commitment and generous gifts of time and talent.



Recipient: **Christopher Brett, BA'79, LLB'79.** Christopher Brett is senior litigation partner at Borden Ladner Gervais LLP. Chris has been a dedicated

and tireless champion for women's and children's literacy in Africa through his work with Canadian Organization for Development through Education (CODE). He has scaled Mt. Kilimanjaro four times to raise money for the organization, and since 2006, his "summit for literacy" has raised more than \$2 million. Chris has served as an elected Bencher of the Law Society of Ontario since 2008.

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**On the cover:** Chris Houser, JD'13, Amy ter Haar, LLB'04, LLM'13, Zach Justein, JD'12, Aaron Baer, JD'13 and Eric Richmond, JD'14. Photo by Frank Neufeld



Western Law would like to thank The Law Foundation of Ontario for continued financial support of many of our programs.

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### WESTERN LAW MAGAZINE

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Comments and contributions are welcomed. Please email Susanna Eayrs at seayrs@uwo.ca



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[www.westernconnect.ca/lawalumniawards](http://www.westernconnect.ca/lawalumniawards)

(PHOTO BY GEOFF ROBINS)

## A TIME OF TRANSFORMATION

As a relatively new Dean, I hesitate to introduce my message with the buzzword, "transformational," but there is no denying that this is a time of risk-taking and transformation for the legal profession, for Western Law, and for our alumni.

The alumni featured in this year's magazine demonstrate the value of taking risks, whether it's Stephen de Boer embracing the opportunities of international diplomacy, Ritu Bhasin leaving Bay Street to become an author and consultant on diversity and inclusion, or Chris Bredt taking on the personal challenge of climbing Mount Kilimanjaro to raise funds for literacy programs in Africa and the Caribbean.

In addition, our cover story features several recent graduates who have taken on blockchain technology to transform the practice of law and business. Together with Professor Jennifer Farrell's innovative research on blockchain's potential to curb tax avoidance, they are inspiring the current generation of law students to envision how technology can be harnessed to resolve emerging challenges.

This is a transformational period for Western Law, too. One of a Dean's most rewarding tasks is the appointment of new faculty, and I was thrilled to hire a number of new scholars this year. Following four recent retirements, these junior faculty ensure a strong foundation for the school's academic future.

Another priority this year was to enhance Western Law's research profile on the national and international stage. We had a banner year in terms of external grant funding: five faculty members were involved in

successful SSHRC Insight Grants, and others obtained grants from CIHR and CIGI. We also established a new Dean's Research Fellowship program, which both supports faculty and engages law students in leading edge research.

Western Law continued our long tradition of hosting distinguished speakers and conferences in 2017-18. These included Chief Justice Richard Wagner, who made one of his first public appearances here in January; Harvard Professor Oliver Hart, co-recipient of the 2016 Nobel Prize in Economics; and renowned lawyers Dean Strang and Jerry Buting from the Netflix documentary series, *Making a Murderer*. Our Public Law Research Group co-hosted a conference with Boston College Law School on *Rewriting the Canadian Constitution*, and our 9th biennial Labour Law Conference tackled the growing issue of precarious work.

One of the more understated transformations in the legal world is our greater willingness to talk about the mental health challenges facing lawyers and law students, and I am pleased Western Law is helping to lead this conversation. Professor Tom Telfer facilitated the first Mindfulness Ambassador Council program at a Canadian law school, and this past summer, we hired a dedicated Student Wellness Counsellor to provide individual counselling and develop wellness programming for the entire student body. These are important steps in promoting the mental health of future legal professionals.

Looking ahead, 2019 will mark the 50th anniversary of Community Legal Services, which has given so many of our students the opportunity to serve the public and learn practical skills. Please mark your calendars for the CLS reunion on May 10, complemented by the Association for Canadian Clinical Legal Education annual conference.

I have enjoyed meeting many of our alumni this past year, and am grateful for the myriad ways you continue to give back to Western Law. I hope to see many more of you at our events this year, including our Alumni Dennings and Homecoming celebrations. At our biennial Alumni Awards evening on November 20, we will honour Christopher Bredt, LLB'78, Michael Copeland, LLB'93, MBA'99 and Dale Ponder, LLB'80, three distinguished graduates who have led transformational careers of their own, and who continue Western Law's long tradition of leadership in the profession and in the community. **WLU**

Dean Erika Chamberlain, LLB'01

## WESTERN LAW WELCOMES NEW FACULTY

Western Law is pleased to announce the appointments of five new tenure track faculty members. Roxana Banu, Joanna Langille, Ryan Liss, Alfonso Nocilla and David Sandomierski have been appointed as Assistant Professors.

"I'm thrilled these outstanding new scholars will be joining Western Law," said Dean Erika Chamberlain. "This is an important period of faculty renewal of us, and these new appointees will have both an immediate and a long-term impact on our scholarly reputation."



**Roxana Banu** completed her doctorate in law (SJD) at the University of Toronto. She was a visiting research fellow at Fordham Law School and a visiting doctoral researcher at NYU Law School.

Her research interests are in the areas of private international law, private law theory and public international law.

In 2016, Banu, who is a member of the New York Bar, was awarded the American Society of International Law Private International Law Prize for her paper, "A Relational Feminist Approach to Conflict of Laws." Her book, *Nineteenth Century Relational Internationalist Perspectives in Private International Law*, is forthcoming in 2018 from Oxford University Press.



**Alfonso Nocilla, LL.M'10** is returning to Western Law, having previously taught Bankruptcy & Insolvency Law in the Fall Term. He was also a Visiting Professor and Catalyst Capital Fellow in Insolvency Law during the 2017 January Term, teaching comparative and international corporate insolvency. Prior to that, he practiced commercial law at Hoffer Adler LLP in Toronto.

Nocilla received his JD from Queen's University in 2010 and his LL.M from Western Law in 2011. He's currently completing his PhD at University College London in the UK.

His research, which is supported by a Doctoral Fellowship from the Social Sciences and Humanities Research Council of Canada, compares the quantitative outcomes of formal corporate insolvency processes in the UK, US and Canada.



**Joanna Langille** is completing her doctorate at the University of Toronto's Faculty of Law, where she studies as a Trudeau Scholar and a SSHRC Bombardier Scholar. She has taught at NYU Law as a Furman Fellow, and held visiting researcher positions at Yale Law School, the University of Groningen's Philosophy Department, and the University of Toronto's Munk School for Global Affairs.

Langille received her JD at NYU Law and her Master's in International Relations from Balliol College, Oxford (as a Commonwealth Scholar).

She has held positions at the World Trade Organization, the International Centre for Trade and Development, and Oxford's Global Economic Governance Programme; and clerked at the Ontario Court of Appeal. Her work has been published in the *Yale Journal of International Law* and the *NYU Law Review*.



**Ryan Liss** completed his Doctorate at Yale Law School in 2018 where he studied as a Trudeau Scholar and SSHRC Doctoral Fellow. He holds a JD and Hons. BA from the University of Toronto, and an LL.M from Yale Law School. He has held positions as an Associate in Law at Columbia Law School, and as a visiting fellow at Yale Law School, the University of Toronto, and NYU School of Law.

Liss works in public international law and criminal law, examining the ways in which human rights both construct and constrain state power. His research has appeared in the *NYU Journal of International Law & Politics*, the *Canadian Yearbook of International Law*, and the *Cornell International Law Journal*.

He served as law clerk to the Chief Justice of the Court of Appeal for Ontario, and has held positions with the International Criminal Court and the International Criminal Tribunal for Rwanda.



**David Sandomierski** received his SJD at the University of Toronto's Faculty of Law in 2017 where he was awarded the Governor General's Academic Gold Medal. His research focused on maximizing the potential of legal education to contribute to society.

He holds an MA in Political Science from the University of Toronto and Bachelors of Civil and Common Law from McGill University and served as law clerk to the Chief Justice, The Rt. Hon. Beverley McLachlin.

He has been published in the *Osgoode Hall Law Journal*, *The Alberta Law Review*, and the *Canadian Journal of Law and Society*, and is the co-editor of a forthcoming collection, *Beyond Harvard: Transplanting Legal Education*. His book manuscript, *Teaching Contracts for the Lawyer As Citizen*, is soon to be under review at a major Canadian university press.

## NOBEL LAUREATE EXPLORES THE PROPER GOALS OF THE BUSINESS CORPORATION

Professor Oliver Hart, co-recipient of the 2016 Nobel Prize in Economics, delivered the Annual Business and Law Lecture at Western Law to a standing room only audience on April 3.

Hart, the Andrew E. Furer Professor of Economics at Harvard University, addressed the question, "Does Serving Shareholders Mean Putting Profit Above All Else?"

In his lecture, Hart summarized a formal model, developed with Luigi Zingales, suggesting while business corporations should indeed serve shareholder interests, they should not assume those interests are limited to maximizing wealth.

Hart posited that shareholders have complex, 'prosocial' interests that must be balanced against the desire for financial gain. He argued corporations should determine

what those interests are (through shareholder votes on certain key matters) and act in accordance with their shareholders' revealed prosocial preferences.

The Annual Business and Law Lecture was presented as part of Western Law's Torys LLP Corporate and Securities Law Forum. It continues a series originally launched in 2008 as the *Beattie Family Business and Law Lecture*.

Past speakers in the series include: Nobel Prize-winning economists Robert Shiller, George Akerlof, and Myron Scholes; Delaware Supreme Court Chief Justice Leo E. Strine Jr.; and Lawrence Summers, former U.S. Treasury Secretary and President Emeritus of Harvard University.

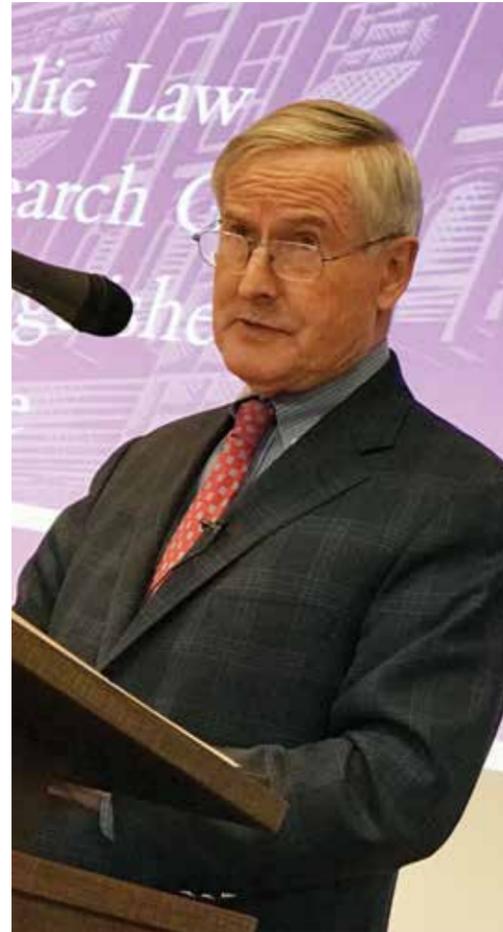
"We're very grateful to Torys LLP and to Geoff Beattie for their generous and continuing support of the law school, and particularly of this illustrious lecture series," Professor Christopher Nicholls, said. "The Annual Business and Law Lecture has become a major event at the law school, and one that attracts national and international attention."

The Torys LLP Corporate and Securities Law Forum was established in 2015 together with the creation of the W. Geoff Beattie Chair in Corporate Law, thanks to generous donations by the Torys LLP firm, Western Law alumni at the firm and Geoff Beattie, LLB'84, LLD'18, Chair of Relay Ventures and former CEO of The Woodbridge Company Limited.



OLIVER HART

## HOGG DELIVERS INSIGHTS ON KTUNAXA CASE



PETER HOGG

Professor Peter Hogg, one of Canada's foremost experts in constitutional law, delivered the Public Law Research Group's Distinguished Lecture on March 22. He spoke on the intersection of Aboriginal rights and freedom of religion in the Supreme Court of Canada's recent decision in *Ktunaxa Nation v. British Columbia*. First-year Western Law students were also treated to a memorable fireside chat with Professor Hogg, who shared his insights about the history of major constitutional cases, the future of Canadian public law, and the value of being open to unexpected opportunities. "We were very fortunate to hear the views of Professor Hogg, a brilliant scholar of constitutional law, on the Ktunaxa case and a variety of other constitutional law and practice-related topics," said Professor Wade Wright, co-director of the Public Law Research Group.

## ELIZABETH STEYN NEW CASSELS BROCK FELLOW IN MINING AND FINANCE LAW

Elizabeth Steyn has been appointed the Cassels Brock Fellow in Mining and Finance Law, beginning May 1, 2018. Her appointment runs through until June 2020.

Steyn will lead Western Law's interdisciplinary sustainable development curriculum, including the Global Sustainability Certification and the Graduate Diploma in Mining Law, Finance, and Sustainability.

"Elizabeth is a terrific addition to our mining law and sustainability program," said Dean Erika Chamberlain. "She's a talented academic who also brings a breadth of practical experience to her work. We are delighted that she will be joining us."

Steyn received her PhD at the Université de Montréal, where her research focuses on the intersection of Indigenous sacred sites and natural resource development projects. She says her research is a synthesis of comparative law, legal anthropology,

Indigenous theory, and international law.

Fluent in five languages, she is the author/co-author of 11 articles/book chapters in peer-reviewed publications.

Steyn recently spent four months as a Visiting Fellow at the Max Planck Institute for Social Anthropology, Department of Law and Anthropology in Halle (Saale), Germany, at the invitation of its Director, Professor Marie-Claire Foblets.

Originally from South Africa, she received her LLM from the University of South Africa, and graduated with a BA/LLB cum laude from the University of Johannesburg, where she served on the Faculty of Law from 1994 to 2003.

Steyn was admitted as an Advocate to the High Court of South Africa in 1994 and practiced in the natural resources and energy law fields.



ELIZABETH STEYN



Dean Strang and Jerry Buting, defense attorneys for Steven Avery from the Netflix documentary "Making a Murderer", spoke at Western Law last November. They addressed the issue of "Justice and the Defense of the Accused". This public lecture was sponsored by Western Law's Distinguished Speakers Committee.

## LEGAL CLINIC ASSISTS THOSE FACING EVICTION

Many law schools set up specialized clinics to respond to specific needs in their communities.

Through these clinics, students provide public legal information, advice, and representation, all supervised by lawyers. These clinics are supported by the law schools and Legal Aid Ontario, and the close to \$2-million in funding provided by The Law Foundation of Ontario to Ontario's law schools.

Western Law's Community Legal Services, in partnership with Pro Bono Students Canada and Community Law School (Sarnia-Lambton), created the Eviction Prevention Program (EPP) as a direct response to students and community members coming to them in desperate situations, often facing homelessness.

Since the EPP began in 2012, five to eight students have assisted about 20 tenants per year. Approximately 90 per cent of these tenants are able to settle with the assistance of the students. Under the direction of clinic lawyers, the students help their clients understand their legal rights, negotiate with landlords, and provide representation at the Landlord and Tenant Board.

"Thanks to funding from The Law Foundation of Ontario, Western Law is able to improve access to justice and other services within London and the surrounding community," said Western Law Dean Erika Chamberlain.

"Programs like this also ensure the next generation of lawyers appreciate the serving nature of our profession."

Using the law to help people uphold their rights is important to Annie Legate-Wolfe, JD'18, who was an EPP team leader



ANNIE LEGATE-WOLFE

and student supervisor at the clinic. In her role to date, she has successfully negotiated to have all of her EPP clients remain within their rentals, if they chose to do so.

"I feel a lot of satisfaction in knowing people have been able to exercise their rights and they're not just faced with a piece of paper that says, 'You have to leave in 10 days' and so they do."

She explains there are many reasons a person may face eviction, such as late rent

payments, too many people in a unit, or alleged criminal acts. Sometimes the reason is a lack of understanding between tenants and landlords. That was the case with one of her files last summer.

"I had clients who were deaf and they were refugees who didn't speak English. They would get the notices dropped off but they couldn't read them. They thought they were flyers," recalled Legate-Wolfe.

"To talk to my client, I spoke to a sign language interpreter

and the sign language interpreter talked to a deaf interpreter because they're two different languages. I was able to show the landlord that they wanted to comply, they just didn't understand. It was a challenge, but it was so satisfying knowing I was able to prevent them from being evicted," she said. "At the end of it all, the client wrote me a card in English and it said, 'Thank you for helping me keep my home.' That was really rewarding."

## THE PRECARIOUS WORKPLACE EXPLORED AT LABOUR LAW LECTURE & CONFERENCE

Precarious work is a growing, and worrisome, phenomenon in North America, and is contributing to both deteriorating working conditions and rising income inequality. This was the theme of the most recent labour law lecture and conference series at Western Law, held November 3-4, 2017.

"The lecture and conference focused on the spread of temporary, casual and part-time work throughout the North American economy," said Professor Michael Lynk, one of the event organizers.

"Our speakers and panelists spoke to the rise of vulnerability among employees in the Canadian and American workplace, and why law-makers should be addressing this trend. The consequences of insecure work go well beyond the workplace."

Dr. David Weil delivered the Koskie Minsky University Lecture in Labour Law. Weil, the Dean of the Heller School for Social Policy and Management at Brandeis University in Boston, explained the term 'fissured workplace' as a geological metaphor: the growing cracks in the once rock-solid promise of stable and long-term employment. The social contract that glued capital, labour and government together in the post-war world is coming undone in

the face of globalization and the mobility of capital, technology, legislative somnolence and the rise of the 1 per cent.

Fourteen conference presenters, including economists, public policy specialists and lawyers, addressed the attendees at the Fasken Martineau University Conference the following day. Hassan Yussuff, the President of the Canadian Labour Congress, representing 3.3-million workers, was the keynote speaker at the conference luncheon. He spoke about the urgency to improve employment standards in Canada, and the role of the labour movement in lobbying for better laws and a stronger voice for workers.

Ontario Minister of Labour, the Honourable Kevin Flynn, spoke about Bill 148, the Government of Ontario's legislative proposal to improve employment standards in response to the 2017 Changing Workplaces Review report, which addressed challenges facing Ontario's labour force and economy in a rapidly changing world.

"Our Lecture and Conference this year – the ninth such event we have hosted since 2003 with this partnership of leading labour law firms from both sides of the fence – was truly a great success," said Professor Lynk.



DAVID WEIL

"Labour law, after all, is about finding that balance between workplace productivity and workplace justice, and this event achieved that admirably."

## LAW GRAD SECURES TWO TOP COURT CLERKSHIPS

Most law grads would be fortunate to secure one judicial clerkship; Eric Andrews, JD'17, is in the enviable position of having two. Andrews will clerk at the Ontario Court of Appeal in 2018-19 and then for The Honourable Mr. Justice Clément Gascon at the Supreme Court of Canada in 2019-20.

Andrews says he is "tremendously honoured" to clerk at the top courts for Ontario and Canada.

"I'm particularly excited by the opportunity to confront pressing and novel legal issues, and the chance to work with and learn from some of our country's brightest legal thinkers," he said.

Andrews, currently working as an articling student at Blake, Cassels & Graydon LLP in Toronto, was awarded the Gold Medal upon graduating from Western Law in 2017. He received his Honours Bachelor of Arts in Political Science at McMaster University in 2014 and played rugby for the McMaster University's varsity team and for Team Canada (Under-17 men's team).

He previously worked as a summer student at Blakes, and at

Western Law he was a Research Assistant for Professor Jason Neyers and a Teaching Assistant for Professors Neyers and Chi Carmody.

His interest in law stems from his interest in history and politics. "I've always been fascinated by the history, structure and institutions of government," Andrews said, "So I wanted to go to law school to learn more about the legal system."

While at law school he had a keen fascination with tort law, but he also gravitated to issues of public law and international humanitarian law.

He's grateful to Dean Erika Chamberlain and Professors Jason Neyers, Kate Glover, Mysty Clapton, Zoë Sinel, Chi Carmody and Asad Kiyani for their support and assistance throughout law school and during the clerkship application and interview processes.

Following his clerkships Andrews plans to pursue an LLM overseas. His future career plans are open; he's interested in public service, academia or, "if am I fortunate enough, it would be an honour and a privilege to become a judge someday."

## GRANT SUPPORTS RESEARCH ON CLIMATE POLICY

Professor Chi Carmody has been awarded a grant of \$43,500 from the Centre for International Governance Innovation (CIGI) in Waterloo, Ontario for the project, "Mapping the Legal Framework of Carbon Pricing under the Western Climate Initiative (WCI)."

Carmody will supervise student researchers from Western Law, Case Western Reserve University Law, and UC Berkeley Law as they prepare a handbook on provincial and state compliance with the WCI. The WCI partner jurisdictions – Ontario, Québec and California – committed to a common cap-and-trade scheme of emission permits for greenhouse gases (GHG).

Although Ontario cancelled its emissions trading program and link with the WCI scheme in July 2018, California and Québec hope to extend the scheme to other North American jurisdictions in the future. For example, in May 2018 Nova Scotia signed a memorandum of understanding with WCI to receive administrative and technical services to support its own in-province GHG emissions trading program.

Carmody also notes that Canada's federal government will require all provinces to have emissions reduction targets starting in January 2019 to help meet Canada's commitments under the Paris Agreement on Climate Change, a



DAVID FANJOY, KATE NO, CHI CARMODY, HANNAH ALLEN, ANJU BANSAL

requirement which makes prior experience with WCI of continuing relevance.

"We're excited to receive this award," said Carmody. "The project builds on our longstanding relationship with the Case Western Reserve School of Law through the Canada-U.S. Law Institute and is particularly important at a time of continuing concern about climate change

and unsettled conditions between our two countries. We look forward to getting students working together on both sides of the border."

Research began in January 2018 and the handbook is due to CIGI in November 2018. Seven student researchers – five Canadian, two American – are undertaking the relevant research.

## TORYS LLP SPEAKER SERIES HOSTS HARVARD PROFESSOR

Reinier Kraakman of Harvard Law School spoke as part of the Torys LLP Business and Law Pre-eminent Scholars series in April. His lecture "Autonomous Management in an Era of Influential Shareholders" offered a wide-ranging and insightful canvas of the implications of the recent, unprecedented changes in the ownership structure and activism of shareholders of public corporations. Western Law is grateful to Torys LLP for support of this exceptional speaker series.



REINIER KRAAKMAN, CHRISTOPHER NICHOLS

## COUNSELLOR TO FOCUS ON STUDENT WELLNESS

Western Law is taking a lead in the conversation around student mental health.

Dr. Susan Battista, a Registered Psychologist, joined Western Law this summer and will be the faculty's first Student Wellness Counsellor.

"There is a growing need for students to receive individual mental health supports and to learn healthy ways of coping with stress," said Dean Erika Chamberlain. "Our profession is coming to terms with the ways that legal practice affects mental health. Western Law is committed to providing our students with the resources and skills they need to thrive in law school and beyond."

Battista has a BA in Psychology from Western, an MA in Social and Developmental Psychology from Wilfrid Laurier University and a PhD in Clinical Psychology from Dalhousie University. She has worked with children, adolescents and adults in numerous settings and has a specific interest in Concurrent Disorders when there is a mental health and substance use disorder.



DR. SUSAN BATTISTA

Battista will counsel law students who are experiencing mental health challenges (referring them to outside agencies where appropriate) and develop and deliver programming.

"The plan is to have a variety of services easily accessible for law students looking for more support or requiring specific treatment," she says.

Battista notes it's important to open up the conversation

about mental health and substance use.

"It's critical to reduce the shame and stigma that still surrounds these topics; as students start talking, they'll feel less alone and find connection and support."

Battista will offer a number of services including individual counselling, group programs, and community events. She hopes to provide a flexible service that will eliminate

barriers to accessing care.

"Making wellness a priority and building resiliency is a lifelong process that doesn't start or stop in law school," Battista says.

"We hope to support this process for students while they are here so that they can then share and nurture wellness for themselves and others when they move on to their next chapter in life."

## CHIEF JUSTICE SPEAKS ON JUDICIAL TRANSPARENCY

In one of his first public talks as the newly appointed Chief Justice of the Supreme Court of Canada, Richard Wagner told a standing room only at Western's Faculty of Law that Canada's top Court needs to be more transparent and accessible to the public.

"We have to explain to the population who we are, what we do, why we do it and how we do it," Wagner said.

Wagner spoke to more than 250 students and faculty as part of the school's Distinguished Speakers series on January 31, just a month after he succeeded Beverley McLachlin as Canada's Chief Justice.

He said judges need to take the opportunity to communicate with the public directly.

"You have to make sure there are clear decisions accessible in clear language," he said.

One of those changes, he noted, was that summaries of Supreme Court rulings will be written in a clearer language and made available on the court's social media pages.

Wagner was appointed to the Supreme Court of Canada on October 5, 2012 and appointed Chief Justice of Canada, December 18, 2017.



RICHARD WAGNER

# 'Feeding my soul'

## Ritu Bhasin's career awakening inspires a revival in workplace authenticity

BY SUSANNA EAYRS

**R**itu Bhasin, LLB'00, saw law as a way to fight back.

Bullied as a child at school, culturally adrift between her Sikh upbringing and Canadian society, Bhasin started to doubt herself. "I started to believe there was something wrong with being brown. And I desperately wanted to fit in."

Today, Bhasin is using her Western Law degree to reset the rules for others.

With Law degree in hand, she got "swept up into the Bay Street tide." She landed a corporate law job practicing civil litigation and then spent seven years on the senior management team of a pre-eminent Canadian law firm as director of legal talent.

But even after a decade in the legal profession, something didn't feel quite right.

"I now realize, with the benefit of hindsight, that I went to Bay Street for the money and the status. But it wasn't feeding my soul."

Working as a lawyer served her well, for a while. She was successful, doors opened and the experience gave her terrific training and connections. But she knew she was paying a heavy price for her success and was exhausted from her constant need to conform.

That awakening gave her the insight to help others be more connected to their "authentic self."

*"I now realize, with the benefit of hindsight, that I went to Bay Street for the money and the status. But it wasn't feeding my soul."*

RITU BHASIN, LLB'00



(PHOTO BY CALVIN THOMAS)

In 2010, Bhasin founded bci consulting to help organizations become more diverse, inclusive, innovative and successful. Travelling globally speaking on inclusion and mindfulness, she published her thoughts and perspectives in *The Authenticity Principle* in 2017. The book combines research on neuroscience, mindfulness and diversity with insights from more than 50 leaders, as well as tips on how individuals can bring their “authentic cultural selves” to work.

Bhasin, who was awarded the Young Alumni Award of Merit by Western’s Alumni Association in 2013, has worked with almost every large Canadian law firm now. She has seen how the relentless pressure to conform to a rigid culture has created a lot of dissatisfaction.

Bhasin said there are issues in the way in which legal environments are structured.

“We say we value differences, but really what we’re doing, as a collective, is pushing conformity and in the long run, legal employers who don’t adapt will miss out,” she said. “Differences are what actually propel innovation and creativity, which is what propels the bottom line and profitability.”

According to Bhasin, everyone adopts behaviours to conform in a workplace – “but the more marginalized one is, the more you have to move away from yourself to fit those expectations. And people often feel an intense pressure to change who they are in order to fit in.”

She acknowledges a demographic shift. In Ontario, at least one out of four new calls to the Bar are racialized and more than 50 per cent of law school graduates are women. That has made cultural differences more the norm within legal environments. But the problem, according to Bhasin, is legal culture is not set up to leverage those differences.

“The drive for efficiency encourages organizations to push for sameness through demanding behavioural conformity and masking authenticity,” she explained.

She argues there is tremendous value in cultivating an environment where people can bring their differences to the job and that those differences are embraced. “For those leaders who get it, and who are actively working on changing behaviour and celebrating differences, their cultures will shift and benefit.”

Bhasin said workplace legal culture is changing – slowly. “It’s a slow-as-molasses shift.”



(PHOTO BY CALVIN THOMAS)

Though real progress has been made with the retention and recruitment of women, there is a reticence and fear to talk about race. “It’s uncomfortable to tackle the issue of race. And, in particular, the experiences of black lawyers and Indigenous lawyers.”

When working with leaders, Bhasin looks to “call people in and not call them out.”

“We collectively need to work together. It’s important that’s done in a way that encourages and inspires behavioural shifts, rather than one that makes people

shut down.”

Bhasin wrote *The Authenticity Principle* for two audiences: For people like herself who want to succeed on Bay Street or in corporate Canada but want to do it authentically and don’t know how. And for leaders who hold power and want to build more inclusive environments.

“Our society needs a new paradigm for how we treat each other based on our differences,” she said. “I hope *The Authenticity Principle* ignites a revolution.” **WVL**

# THE FUTURE IS NOW

## Alumni on front lines of blockchain revolution

BY JIM MIDDLEMISS

**Zack Justein, JD'12,**  
Head of Business  
Development at  
Paycase which helped  
the TMX Group launch  
a cryptocurrency  
brokerage platform

**Chris Houser, JD'13,**  
Co-founder of Polymath,  
a leading securities  
token platform

**Eric Richmond, JD'14,**  
Director of Business  
and Legal Affairs at  
Coinsquare, one of  
Canada's biggest  
cryptocurrency  
exchanges

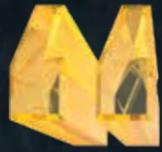
**Aaron Baer, JD'13,**  
Co-founder of  
the Blockchain,  
Cryptocurrencies  
and ICO group at  
Aird & Berlis LLP

**Amy ter Haar,  
LLB'04, LLM'13,**  
Board member  
of Blockchain  
Canada and former  
president of Integra  
Ledger, a blockchain  
company targeting  
the legal industry

**C**hris Houser, JD'13, discovered bitcoin while toiling away as an articling student at a Toronto litigation firm. He was immediately hooked on the buzz-worthy cryptocurrency and its underlying technology, known as the blockchain. While he wrote legal memos and drafted claims, he pondered the legal aspects of the technology. In his spare time, he devoured articles on the topic. "I was really much more fascinated by blockchain than litigation," he said. He started attending conferences and meeting groups involved in blockchain development. Luckily,

Toronto is one of the tech's biggest communities in the world. By 2017, Houser realized litigation wasn't for him. He quit his firm to immerse himself in the blockchain world. Along with Trevor Koverko, he co-founded Polymath and the two mapped out the idea of bringing traditional securities products, such as stocks and bonds, to the blockchain. If you don't fully understand, that's OK. Most of the world doesn't. But Houser is not alone in his fascination, as a recent wave of Western Law graduates have started staking claims in the rapidly developing blockchain space.

(PHOTO BY FRANK NEUFELD)



## Lawyers in private practice or in-house positions have a huge opportunity in front of them. There are countless legal considerations.”

ZACH JUSTEIN, JD'12

Blockchain technology uses smart-computer coding to create a type of digital ledger or spreadsheet that is stored across multiple networks and allows information to be updated constantly, distributed widely, but not copied. The information is public, verifiable and harder to hack, since there's no central location as the information exists simultaneously in millions of places. While it is the backbone of cryptocurrencies, other industries are starting to wake up to its power.

Blockchain is expected to transform how organizations transact business in industries such as banking, insurance, retail, energy services and health care, among many others. Areas like supply chain management, payments and capital raising will evolve using blockchain technology.

It will also impact how organizations interact with suppliers, such as law firms and financial institutions.

In fact, a number of Canadian law firms have recently announced efforts on the blockchain front, from the creation of practice groups to joining emerging blockchain networks.

Entrepreneur Amy ter Haar, LLB'04, LLM'13 and current PhD student, is former president of Integra Ledger, a blockchain company targeting the legal industry and is now a consultant and board member at Blockchain Canada.

One of the challenges for the legal business, she said, is that “lawyers don't think of their files as assets.” But the files that lawyers create and the documentation around them “sits really well on a ledger.” “It's a lot more secure than relying on

email. Blockchain is a way of increasing security,” she said.

She quotes a line she's heard repeated often:

Bitcoin is to the blockchain what email was to the Internet.

“It's far beyond cryptocurrency,” she said, noting that blockchain impacts all aspects of the law, from intellectual property to contracts, trademarks and even land registry.

Zach Justein, JD'12, is head of business development at Paycase Financial Corp., which helped the TMX Group launch a cryptocurrency brokerage platform.

Justein is a blockchain believer. He left Bennett Jones LLP where he was a corporate associate in the tech and media group to join Paycase. He said one of the many benefits of the technology is that “funds can be transferred globally in seconds and for nominal costs.”

In the current banking system, funds have to clear through a network of correspondent banks, which takes time and is expensive.

“It's really exciting to be part of this industry,” he said, adding that if blockchain development was a baseball game, “we're only in the third or fourth inning.”

Everything from loyalty points to real estate will be disrupted, he predicted, as well as whole swaths of the law from tax to insolvency, corporate, real estate, regulatory, anti-money laundering, governance, intellectual property, securities, banking and finance.

“Lawyers in private practice or in-house positions have a huge opportunity in front of them,” Justein said. “There are countless legal considerations.”

There is no playbook when it comes to advising on the legal impact of blockchain technology, he continues. Rather, blockchain involves an integrated approach covering multiple legal disciplines.

Aaron Baer, JD'13, who co-founded the blockchain, cryptocurrencies and ICO practice group at Aird & Berlis LLP, calls blockchain “transformative technology.”

“Clients will be looking at new solutions and they will need advice,” he said.

As an example, Baer expects due diligence in merger and acquisitions deals will change because of the way information will be recorded. “Maybe we won't need the same type of representation and warranties as we did in the past.”

The concept of holding funds in escrow will change, as will the need for trusted third-party intermediaries, because companies will deal more directly with each other. Title searches will change as well, including registrations under provincial and federal laws, such as Ontario's Personal Property Security Act.

Contracts will get smarter and property and assets linked to loans and mortgages, or the transfer of securities that are subject to restrictions, will be easily trackable and preventable unless the proper conditions apply. That should also reduce disputes among parties, he said.

As an added perk, blockchain has the potential to “get rid of the drudgery” in the practice of law, Baer said, and “free up lawyers to do more interesting things.”

It is a business that is growing fast.

Eric Richmond, JD'14, is director, business and legal affairs at Coinsquare, which is regulated as a money service business and features Canada's largest digital currency trading platform. He joined the firm at the beginning of 2018 when it had 16 employees – today it has 155 and counting.

According to [marketsandmarkets.com](http://marketsandmarkets.com), blockchain tech companies will see revenues grow from US \$411 million in 2017 to US \$7.6 billion by 2021, a compounded annual growth of almost 80 per cent.

“It's massive growth,” Richmond said. “And it's a very exciting culture.”

Calling his young company with a staff of mostly under 35s “scrappy and humble,” he said the emerging technology, means “learning on the fly.”

“This space is so new. It's a great opportunity to make yourself an expert quickly.” **VL**

## RESEARCH FOCUSES ON BLOCKCHAIN TECHNOLOGY IN THE TAX WORLD

Distributed ledger technology, better known as blockchain, is the disruptive technology behind cryptocurrencies such as Bitcoin and Ethereum.

“Blockchain could be transformational for the tax world,” says Professor Jennifer Farrell, who has been awarded a Western Social Sciences and Humanities Review Board grant of \$21,292 for her research project on blockchain and taxation.

Farrell is looking at how the use of blockchain technology could help close the Canadian sales tax gap, reduce compliance costs and improve government tax administration.

“Blockchain has the potential to tackle the ubiquitous problems of aggressive tax avoidance and tax evasion,” she says. “Some governments are actively researching and employing the potential of this technology for taxation problems.”

Her project called “Blockchain and taxation: A case study on eliminating the sales tax gap” will examine how blockchain could tackle current problems and record real-time transactions along the supply chain, create smart contracts, and calculate, withhold and remit taxes automatically to the Canada Revenue Agency (CRA).

In her research, Farrell posits that a blockchain system in a cashless society will significantly reduce, or even eliminate, the Canadian tax gap for GST/HST, and result in a significant increase in revenue for public finances.

“The non-payment or under-payment of sales taxes creates a significant loss of revenue in Canada,” explains Farrell. The CRA estimates the tax gap for GST/HST non-compliance at \$4.9 billion in 2014.

Her research will examine the advantages and disadvantages of blockchain for key stakeholders such as taxpayers, the CRA, and the government, and will explore the legal, technical, and ethical implications of this new technology, most notably privacy concerns.

“It's an exciting area of research,” says

Farrell. “Currently there are no Canadian studies on blockchain and its application to taxation so it's a relatively unexplored field for Canadian scholarship.”

“I'm looking at whether blockchain technology can help resolve or shrink this revenue loss using a model where sales taxes are collected and remitted in real-time as the sales transaction takes place. This method will substantially reduce the opportunity for a taxpayer to avoid or evade paying the tax.”

She is also reviewing tax implications that arise from activities in the crypto-asset space.

“Since blockchain is relatively new, and crypto-assets are continually evolving, the taxpayer is baffled with respect to when tax liability arises. My research looks at how these types of activities trigger tax liability in Canada and internationally, how we apply current tax laws to these activities, and where we need changes or further guidance from tax authorities.”

Farrell will be organizing workshops on blockchain tech for students this coming academic year.

“In order to work in the blockchain space, you have to understand the underlying technological ecosystem,” she says. “So, our workshops will begin with a primer on blockchain and cryptocurrencies from a technical perspective.”

In addition, practitioner-led workshops will look at areas such as the regulation of cryptocurrencies and Initial Coin Offerings (ICOs)/Initial Token Offerings (ITOs) in relation to securities law and tax law, and the type of litigation arising in this space.

“Can we do something about reducing tax evasion or tax avoidance or increasing tax compliance? It's also about how can this help from a tax industry perspective,” says Farrell, who will be conducting the case study with three part-time research assistants who are law students with computer science backgrounds.

According to Farrell, there currently



JENNIFER FARRELL

aren't any Canadian studies on blockchain's application to taxation, so this will likely be the first of its kind in the country.

Farrell stresses people need to strive to find the balance between creating and fostering an environment for innovation to thrive, but balancing this by understanding the problems with innovation, such as blockchain. She predicts while cryptocurrencies might not last the test of time, blockchain is only in its infancy.

“I think it's important that Western Law is on the cutting edge of innovation and looking at blockchain,” she says. “As far as I'm aware, I don't think there is any law course in Canada at the moment on this topic.” **VL**



# A world of difference

Stephen de Boer, LLB'89, fosters international connections with his diplomatic career

BY ADELA TALBOT

**S**tephen de Boer felt it brewing as early as he can remember. Growing up in a small town, the third of four children to Dutch immigrant parents, he sensed the restlessness early. It grew in tandem with a quiet self-doubt.

"I had a hankering from an early age to leave home. When I was in high school, I was interested in doing a rotary exchange and leaving the country for a year. Part of that, I think, was birth order, but to a certain extent, I had what you would call impostor syndrome," said de Boer, BA'86 (Political Science), LLB'89, Canada's Ambassador and Permanent Representative to the World Trade Organization in Geneva.

When he arrived at Western in the 1980s, de Boer wasn't certain he belonged. Originally from Goderich, with grades that could take him anywhere, he felt almost obligated to follow his peers to co-op programs at other institutions. He didn't really consider "the school down the road." But when he arrived on campus for a tour, de Boer knew Western was the right fit. What he didn't know was that he would find his legs – and a footing that would take him around the world – so close to home.

After completing his undergraduate degree in Political Science and getting involved with the Young Liberals on campus, de Boer was accepted into the Faculty of Law. As his studies progressed, he was granted an exchange with Case Western Reserve University's

(PHOTO BY GEOFF ROBINS)

School of Law, an opportunity that made Western's Law program particularly appealing. Once he completed his law degree, de Boer moved on to Georgetown University to pursue an LLM. He landed an articling job on Bay Street upon graduation, and thereafter, saw all doors as open – a credit, in large part, to the “solid, black letter law degree” he received from Western.

“It wasn't until I left Canada that I realized just how good my education was at Western. I think I took Western for granted because it's just down the road, because I got in. I didn't appreciate it. But I started to see what was possible; my education was solid,” de Boer said.

He's not sure what pulled him towards international trade law. De Boer just knew he had a definite interest in international things. Trade seemed practical. While he was in law school, the Canada-United States Free Trade Agreement was in negotiations; the 1988 election was looming and he saw Canadians starting to engage in discussions of free trade, though “not in any sophisticated way.” While de Boer was interested in contributing to the conversation, his path to the World Trade Organization took a winding, global route with stops in Poland, Morocco, Argentina and India – among others – as he pursued a career in law, climate change and trade.

After a stint in the provincial government, de Boer joined Global Affairs Canada in 2005, working in Investment Trade Policy and North America Trade Policy Divisions. The following year, he was named Director of the Softwood Lumber Division, later shifting gears and serving as Director of the Oceans and Environmental Law Division and Lead Counsel for Canada's international climate change

***“It wasn't until I left Canada that I realized just how good my education was at Western. I think I took Western for granted because it's just down the road, because I got in. I didn't appreciate it. But I started to see what was possible; my education was solid.”***

**STEPHEN DE BOER,  
LLB'89**

negotiations. In 2010, he joined Environment Canada as the Deputy Chief Negotiator for climate change and the Director General responsible for Canada's international climate change negotiations and partnerships. He took the reins of the Trade Controls Bureau in 2013, serving for two years before becoming the Ambassador to Poland, then Ambassador to Belarus. He has served as Canada's Ambassador and Permanent Representative to the World Trade Organization for the past year.

“I haven't made a lot of deliberate choices in my career,” de Boer said. “Most of the things that happened to me have been at the request of someone in senior management. People say there's all these secrets to success but doing a good job is quite underrated. You can spend a lot of time making sure you get face time with your boss, you could be very political about it, or you could put your head down and do a good job and people will notice.”

Part of his success can be attributed to taking risks, often embracing opportunities that seemed too difficult – even unappealing – at first. De Boer was habitually hesitant to turn these down; he didn't want to pre-emptively close doors such challenges could have afforded.

“When I was asked to do something hard, I thought it could be really good because the last time I did something hard, it worked out really well. It was personally satisfying and professionally, it moved me forward. I think students are looking for the magic bullet but there isn't necessarily a magic bullet. Doing a good job and showing up isn't rocket science, but it's worth remembering,” he said.

De Boer sees his career as united by the theme of multilateralism – which is

increasingly presenting a challenge for Canada in both trade and climate change. For Canada to advance in either, let alone become a leader, collaborative approaches are essential. When it comes to climate change, if one party doesn't pull its weight, everyone suffers, he explained. And when it comes to trade, the current political climate is not setting the stage for a promising future.

“We are facing some pretty serious challenges because the United States' commitment to multilateralism is not as clear as it was; there seems to be a sense that ‘might makes right.’ If we are going to liberalize trade and pull all countries up, and aid in their development, we need to be working together,” de Boer noted.

Canada's economic dependence on the United States won't change overnight, he added, though the government is working towards diversifying trade with the Canada-European Union (EU) Comprehensive Economic and Trade Agreement and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership. There is promise, and there is momentum; de Boer is responsible for building on that and creating markets for Canadian goods and services in diverse contexts.

He knows multilateralism is made possible by forging and fostering international connections and hopes more students would take advantage of international opportunities.

“Canada will do good in the world to the extent that we engage with the world. We have to leave at some point and come back – I hope. I would encourage students to spend a year abroad, do a graduate degree abroad, and if you are at Western, you have the opportunity to do that,” de Boer stressed. **VL**



# SCALING NEW HEIGHTS

**Chris Bredt,  
LLB'79, champions  
global literacy one  
peak at a time**

BY MARK WITTEN

(PHOTO BY IAN CRYSLER)

Reaching for the stars never felt so easy for Chris Bredt, LLB'79, as when he stood at night in a volcanic crater atop Mount Kilimanjaro.

"You're out there at 18,000 feet. The sky is so clear; the stars so close you could almost reach out and touch them," remembers the senior litigator at Borden Ladner Gervais LLP in Toronto. "The full moon was like a spotlight shimmering against the glacier. It was cold as hell – but beautiful."

That was July 2006. It marked the first time Bredt led a group of climbers to the summit of Africa's tallest mountain to raise funds for the Canadian Organization for Development and Education (CODE), a development agency focused on advancing literacy and education in African and Caribbean countries.

Today, Summit for Literacy is the Western Law alumnus' way of helping not only his fellow climbers, but children around the world, reach for the stars themselves.

"I had wanted to climb Kilimanjaro ever since I was a young lawyer," Bredt recalls. "I was turning 50 and wanted to do something different. So I combined the Kilimanjaro climb with a fundraiser for CODE."

CODE funds literacy programs in eight African countries, as well as in the Caribbean and among Canada's First Nations, Inuit and Métis communities. It partners with local organizations to support the development and publishing of locally authored, illustrated and designed children's books in 17 languages, as well as training teachers and introducing libraries in schools and communities.

"For children's literacy to develop and flourish, the books have to be culturally relevant and available in local languages," explains Bredt, who has championed the organization for more than two decades as a donor, board director and previous chair of CODE and the CODE Foundation Board.

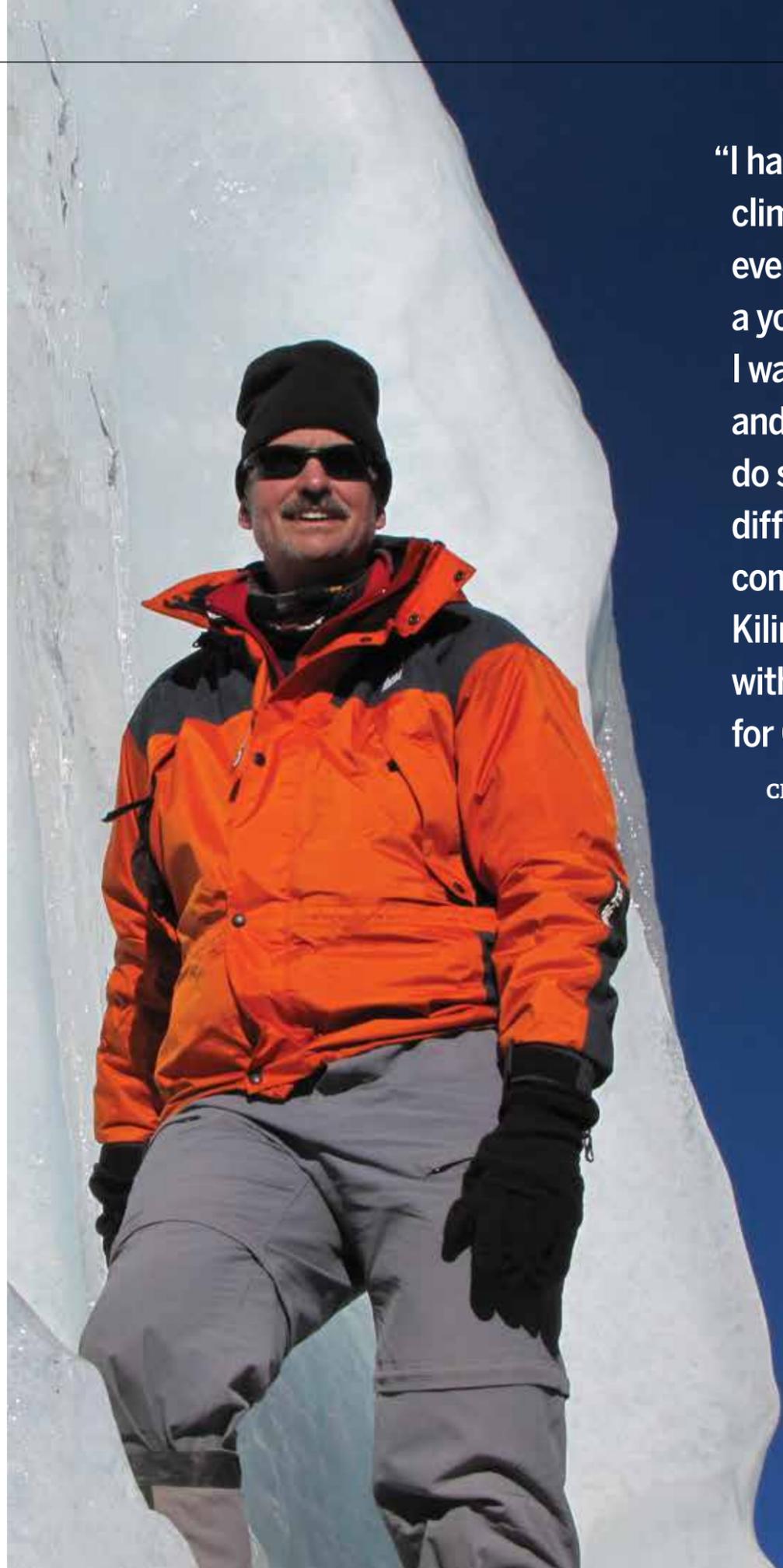
"In Tanzania, for example, kids write stories and the best stories are edited and professionally illustrated. These books, published in Kiswahili, are distributed to schools. They get worn out because so many different kids read them."

The production of more than 250 such titles has generated business for local writers, editors and illustrators in Tanzania.

There were seven people on that first climb, including Bredt's wife, Jamie Cameron, an Osgoode Hall Law School professor. The group raised more than \$250,000. Invigorated by its success, Bredt has scaled those heights – three more times.

Since the first climb in 2006, and including summits in 2010, 2014 and 2018, climbers have raised more than \$2 million, including matching funds from government programs. Climbers pay their own way to Tanzania, buy their own equipment and commit to raising at least \$5,000 via individualized websites set up by CODE.

In July 2018, Bredt took 16 climbers on the trek including litigation lawyers in private practice, a senior legal counsel at Loblaw Companies, and a past president of the Law Society of British Columbia.



"I had wanted to climb Kilimanjaro ever since I was a young lawyer. I was turning 50 and wanted to do something different. So I combined the Kilimanjaro climb with a fundraiser for CODE."

CHRIS BREDT, LLB'79



"Kilimanjaro is right at the Equator, so each day brings a different terrain from tropical jungle on day one through grasslands and alpine desert to glaciers at the top," said Bredt, who explains every one of the more than 60 climbers who has accompanied him on the seven-day ascent has made it to the summit.

Climbers form close bonds helping each other on the climb and then get to witness how their own personal quest to conquer the mountain is helping kids on the ground.

"When people go to visit the schools that benefit from CODE programs, it really cements their commitment. You see how eager the kids are to learn and to see the books. I enjoy practicing law, but when I visit the schools I know I'm making a real difference. That's why I keep doing this."

Bredt practices civil litigation, with an emphasis on commercial disputes, anti-piracy actions, corporate restructuring, directors' and officers' duties and liabilities, shareholder, oppression and other corporate disputes, class actions, constitutional, Aboriginal and administrative law issues.

He has appeared as counsel before all levels of the courts in Ontario, and before the Federal Court of Appeal, British Columbia Court of Appeal, Supreme Court of Canada, and numerous administrative tribunals, including the Ontario Securities Commission.

Since 2008, Bredt has served as an

elected benchler of the Law Society of Upper Canada.

But that success had help getting started. Bredt benefited from a great legal education at Western Law, which led to a clerkship at the Supreme Court of Canada, an LLM from Yale and then a DSU (Droit Administratif) from the Université de Paris (II).

"The education and encouragement I got at Western as an undergrad and Law student set me off in the right direction," said Bredt, who has established the Bredt-Cameron Entrance Scholarship in Law with his wife.

While at Western Law he was particularly influenced by his mentors Dean David Johnston and Professor Dennis O'Connor.

"The school provided me with the foundation to build a successful career in law. It's essential that alumni give back to allow future generations of students to succeed."

Bredt remains connected in numerous ways to Western, including as an active member of the Western Law Alumni Association.

"All of your life experiences are what you bring when you practice law. It's important to have a balanced life outside law," he said.

"I am a much more well-rounded person because of the work I've done for CODE in Africa – it has made me a better lawyer." **WL**

# Q&A

## TEN QUESTIONS FOR DASHA PEREGOUDOVA, JD'16

Litigation associate, Gardiner Roberts LLP



(PHOTO BY FRANK NEUFELD)

*Dasha Peregoudova is a litigation associate at Gardiner Roberts LLP. She's President of AthletesCAN, the association of national team athletes in Canada, and a nine-time national champion in taekwondo, with two Pan Am gold medals during her athletic career.*

**1 What's at the top of your bucket list?**  
My partner and I have been dreaming of an extended trip to South East Asia, as it's a largely unexplored area for both of us.

**2 What is the best piece of advice you ever received?**  
Under promise, over deliver.

**3 Where do you find inspiration?**  
I find inspiration in performers – athletes and artists – and in theatre in particular. It's incredibly vulnerable and makes me want to risk and create.

**4 What surprises you?**  
People surprise me, regularly. Also, my overly particular nature and ability to repeat mistakes, which is sometimes dumbfounding.

**5 How are you making a difference?**  
That's a big question. I would like to think that I start in my interactions and relationships, both personal and professional, by bringing curiosity and care to others. More specifically, I aim to make Canada a better place to be an athlete or artist, not just for the multiple Olympic medalist, but for those simply in pursuit of those lifestyles. While I'm a proud Canadian, I feel that Canada is relatively conservative in this regard.

**6 What book would you recommend and why?**  
I spend enough time with text that I've been reading at a snail's pace lately. On a recent dystopian kick, I loved *Parable of the Sower* by Octavia Butler for what felt like a not-so-distant possibility in a crazy world. For non-fiction and something super-relevant, I enjoyed *Hillbilly Elegy* by J.D. Vance. I've

just started Sheila Heti's *How Should a Person Be?* (recommendation-cred: Marissa Caldwell) and was hooked at page one of the *Prologue*. My favourite novelist overall is Gabriel García Márquez – he's a magic maker. If he writes about blistering heat, you can actually feel it. I once drew a huge family tree to keep up with *One Hundred Years of Solitude*.

**7 What is your favorite journey?**  
My favourite journey was a whirlwind four-day trip to Iceland. We arrived in the middle of the night after seeing northern lights from the plane window, and it was the first time I felt like I had landed on another planet. Close runner-ups are when my family and I climbed Mount Kilimanjaro, and when my friend Brooke and I went on a Habitat for Humanity build in Mongolia, both in 2008.

**8 What profession other than your own would you like to attempt?**  
Interior design, 100 per cent.

**9 Who are your heros?**  
My partner, [the Stratford actor] Sebastien Heins, is a daily source of inspiration, especially in what an amazing community member he is, and how dedicated he is to his career and passion. The people I quote and have looked up to most often are my former coaches, Tino and Jamie DosSantos, a brilliant scholar and my former professor at the University of Toronto, John Vervaeke, and my parents.

**10 You have 60 seconds with a first-year Law student. What do you tell him/her?**  
Practically, I am a big advocate of staying healthy during exams or big assignments, whether that's eating right or extra gym or yoga time. To me, it's a significantly smarter investment than the extra hour of late-night cramming (I've done that too). More broadly, be curious and allow yourself to be surprised. There is a lot of pressure to assume an identity, even in a relatively concrete field like law. I have most enjoyed practicing in the subject that I found the most challenging in law school – constitutional law. The legal degree skillset is one that can be applied extremely broadly, so despite all the brilliant A-types you're surrounded by, don't decide too quickly. In the words of William James, "...[to] leave the question open is itself a passional decision."

# Meditation program lightens the weight of the law

BY PAUL MAYNE

**W**estern Law professor Thomas Telfer has set a precedent that has nothing to do with any courtroom decision. He's the first person to lead a mindfulness ambassador council at a Canadian law school.

As Telfer led the entire first-year Law class in a brief meditation exercise – a teaser for the mindfulness council he would later offer to interested students – something stirred within Alejandro Gonzalez.

"The power in the silence of 170-plus classmates meditating emboldened me," Gonzalez said. He was inspired by the conviction and honesty with which Telfer and Assistant Dean (Student Services) Mysty Clapton spoke about issues they'd faced. "I wanted to develop my mental-health strength and it seemed like a great tool to do just that."

Telfer admitted to being a "bit skeptical" when he initially explored programs offered by Mindfulness Without Borders, a group that teaches the advantages of taking time to pause, to breathe, to be aware, to remain in the moment. It didn't seem, at first, to have a direct connection with the study and practice of law. But he soon found a link.

"There are a lot of different teaching techniques I never used before in my classroom," Telfer said. "I did not think law students would embrace the course. I did not think they would use the teaching techniques, the talking techniques used in the course. I wasn't sure this was really going to work."

But after proposing a five-week pilot project to the Dean and a brief two- to three-minute meditation session as an introduction to the students, Telfer gauged interest in the optional, non-credit course.

"I went back to my office and sent out the email inviting registration in the course. I really didn't know how many people would respond, so I was quite concerned about the initial uptake," he said. "Within 10 minutes I had three replies, and within the day the course filled."

It became the first Mindfulness Ambassador Council (MAC) at a Canadian law school.

Said Gonzalez, "For me, MAC, and the lessons we learn, is about growing as human beings and interacting with the world around us. It's powerful stuff."

The intention of the group is to develop daily mindfulness practice to strengthen attention and overall well-

being. Telfer is facilitator, allowing the students to lead the direction of each session.

"The students are ambassadors, and the idea is they would take what they've learned in the course and be ambassadors for mindfulness in the community, or for their classmates," Telfer said.

Mindfulness practice is paying attention to the present moment, without judgment, without being distracted. It has direct relevance both to well-being and education.

"The course is about building social and emotional intelligence. Listening mindfully, resolving conflict, noticing emotional triggers and how to respond to those triggers," he added.

"It's very hard, in a busy society, to focus on the present. Our minds always run to what we have to do next, where we have to be, where we have to go, or thinking, with some regret, about yesterday and how 'I could have done this, I should have done that.' But how many people are actually focused right now, in the moment? It's a practice you need to build."

Student Madison Derrrough chose to be part of the MAC as an extension of her push for better personal health and fitness.

*"Rates of depression and mental-health issues in the legal profession are higher than in the general population. This is a tool that is very helpful."*

THOMAS TELFER



THOMAS TELFER

"This was largely influenced by my travels, when I went on an exchange in my undergrad and the people I met while away, but also my new dedication to the practice of yoga, beyond just the physical challenges," said Derrrough. For Derrrough the sessions revealed that, even under the pressure of law school, she's not alone.

"It provided me with new techniques and support systems – meditations, exercises or people – I can use to help me navigate my way through law school, and beyond. It's improved

my ability to deal more skillfully with stress and anxiety."

A pre- and post-survey questionnaire from the first-semester offering of the course showed students had improved focus, concentration and feelings of well-being. That's particularly important in law, where pressures can be intense, Telfer explained.

"Rates of depression and mental-health issues in the legal profession are higher than in the general population. This is a tool that is very helpful. And with the students' arrival on campus, everything is new and

this course is a way to help them ground themselves."

The Personal Management Practice Guideline recently released by the Law Society of Ontario also highlights mental wellness and notes the advantages of mindfulness and mindfulness training.

Last spring, Telfer received a Teaching Fellowship to promote mental health and mindfulness and will study mental health education initiatives at other law schools and develop, in consultation with Western's Law faculty, a new mental health education program.

In addition, Telfer will also conduct research on the impact of these mental health and mindfulness initiatives.

"Thanks to Professor Telfer's leadership, Western Law is making substantial progress in improving student wellness," Dean Chamberlain said. "I'm eager to see how his ongoing research will equip law students to manage the personal and professional stresses of legal practice, so that they can serve their clients and the public more effectively." **WL**

# Crossing ‘borders’ for global understanding

BY ADELA TALBOT



ANDREW BOTTERELL

Andrew Botterell couldn't ignore the email. When a note from Academics Without Borders (AWB) popped up in his inbox, requesting curriculum support for Bahir Dar University's law school in Ethiopia, it might as well have addressed him directly.

Botterell, who holds a joint appointment with Western Law and the Department of Philosophy, has adopted two children from Ethiopia. With a connection to the country and the skills to answer Bahir Dar's need, he saw an opportunity to

give back. It just happened to be during a time of political tension in the country.

"The proposal (from AWB) was to have someone visit their law school and teach a course on advanced jurisprudence, or the philosophy of law. Bahir Dar wants to create a new PhD program in law but, to do that, they need people who can supervise PhD students," Botterell explained.

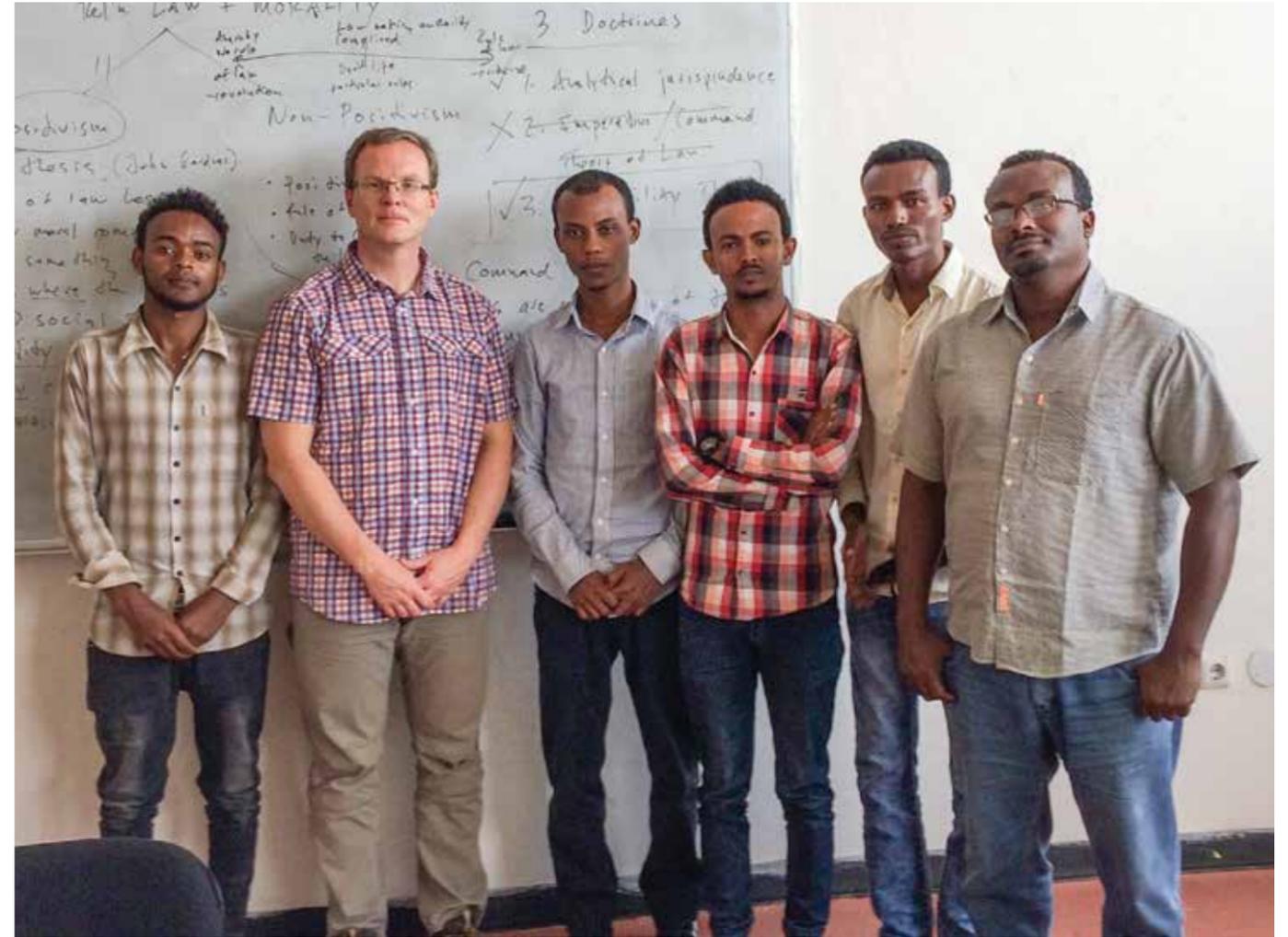
"As I was getting ready to travel in February, the Ethiopian Prime Minister (Hailemariam Desalegn) resigned. The

Minister of Defense declared a state of emergency in the country. There had been a lot of protests against the government, and while this was the first voluntary handing over of power in Ethiopia, the understanding is he was going to get pushed out, anyway," he continued.

"There was never any question when (Stephen) Harper lost the election that he was going to step aside gracefully and say all the right things – that is not something you can take for granted in Ethiopia. When we

*“For students interested in changing the world, or just asking why things are the way they are, I think it’s useful to reflect on other places.”*

ANDREW BOTTERELL



ANDREW BOTTERELL WITH GRADUATE STUDENTS AT BAHIR DAR UNIVERSITY LAW SCHOOL IN ETHIOPIA.

talk about the rule of law here, everyone has a sense of what that looks like and there's never any question that, by and large, Canadian society operates on a rule of law and we have a duty to obey the law. In Ethiopia, it is more of an open question – whether they are governed by the rule of law at all."

The current political climate in Ethiopia, within a greater context of a divided federal state with a history of revolutionary coups over three regimes in eight decades, set the tone for an engaging experience

at Bahir Dar, Botterell noted. During three weeks in February, he taught a compressed graduate course to a handful of students well-versed in jurisprudence. Part of the course was on traditional issues of jurisprudence – the relationship between law and morality, the rule of law and the duty to obey the law.

"They had very interesting things to say because their experience with the legal regime is very different from our experience. They are educated students. Many of them had

thought pretty hard about what democracy means. It was clear, I thought, they want democratic institutions. They want to feel as if they have a stake in the future of the country – and it's not clear they do," Botterell said.

The fit and timing of this opportunity couldn't have been better. Botterell is the first individual from Western to volunteer with AWB, a network of 19 Canadian universities operating collectively with a mission to assist universities in developing countries, particularly in the global

south, to train experts and contribute to capacity building locally. Western joined the network in 2017.

"For students interested in changing the world, or just asking why things are the way they are, I think it's useful to reflect on other places," said Botterell. And to the extent to which internationalization is important here, here's one way to participate and contribute. There are excellent opportunities with AWB." **WL**

# Grants and Awards

**Andrew Botterell** received the Western Law Award for Teaching Excellence. His nominators praised him for his accessible, clear and engaging teaching methods, which include class discussion of where the law meets societal realities, always presented with a sense of humour and compassion.

**Chi Carmody** received a \$43,500 grant from the Center for International Governance Innovation (CIGI) for his project, "Mapping the Legal Framework of Carbon Pricing under the Western Climate Initiative." He will supervise student researchers from Western Law, Case Western Reserve University Law, and UC Berkeley Law as they prepare a handbook on provincial and state compliance with the Western Climate Initiative. Carmody was also appointed Senior Fellow at CIGI in March 2018.

**Erika Chamberlain** and co-applicant Rande Kostal were awarded \$79,029 for their SSHRC Insight Grant project titled "Canada's Private Law Revolution". They aim to develop an original methodology to study doctrinal change in the private law of Canada's common law provinces. They will discern patterns in the rights-claim of the main social movements of 1945-1970 and to document their presence and impact on private law doctrine in the ensuing quarter century.



**Michael Coyle** is one of 12 co-applicants, along with Principal Investigator Catherine Choquette (Université de Sherbrooke), of a \$266,890 SSHRC Insight Grant for the project "L'adaptation du droit de la gouvernance aux changements climatiques". This collaborative project will examine

the appropriateness of existing legal norms and processes to meet the challenges posed by climate change. Coyle will investigate the relevance of Indigenous norms to the development of appropriate regulatory processes to address climate change, and the adequacy of existing laws to take into account the rights and interests of Indigenous peoples.

**Jennifer Farrell** has received a Teaching Support Centre Mentoring Micro Grant, \$1,800, and a Western Strategic Support for SSHRC Success seed grant of \$21,292 for her "Blockchain and Taxation" research.



**Randal Graham** won the Independent Publisher Book Awards gold medal for fantasy fiction for his novel *Beforelife*. The Ippy Awards honours the year's best independently published titles from around the world.

**Jason Neyers** and co-applicant **Andrew Botterell** were awarded \$87,846 for their SSHRC Insight Grant project titled "Deceit and Per Quod: A Rights-Based Perspective". They will examine the tort of deceit and the action of per quod, namely the rediscovery of the concepts of public right and status relations in law. The study will explore foundational issues about the nature of tort law from both philosophical and doctrinal perspectives, and will combine conceptual analysis with practical application.



**Valerie Oosterveld** has been awarded a grant from the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) in the amount of \$32,700 in order to co-host Strategic Dialogues on Gender-Based Crimes in International Criminal Law.

The inaugural Strategic Dialogues took place in London, United Kingdom, in June in partnership with academics and practitioners from around the globe.

**David Sandomierski** and Philip Girard (Osgoode) were awarded a SSHRC Connection Grant of \$25,000 to support their conference, "Beyond Harvard: Transplanting Legal Education", which took place in June. Sandomierski was also awarded a Governor General's Academic Gold Medal from the University of Toronto for his dissertation that provides an empirical foundation for an ambitious vision of legal education in which law schools can be more successful at cultivating critical, engaged citizens.

**Jacob Shelley** has been awarded a \$19,992 CIHR Planning Grant for a project titled "Law as a Public Health Tool: Empirical Research to Advance Evidence-Informed Law and Practice", along with co-applicant Nola Ries at the University of Technology, Sydney. The Planning Grant will examine the role for empirical and experimental methods in the study of law's role in public health. It will culminate in two workshops, one in Sydney, Australia and the other in London, ON. He was also awarded a \$10,000 Faculty of Health Sciences Emerging Team grant with Drs. Sibbald and Smith at the School of Health Studies. They will establish the Health Ethics, Law, and Policy Support (HELPS) research team as a result of this grant.

**Thomas Telfer** has been named a Western Teaching Fellow. His project will involve research into mindfulness and mental health education in law schools, and the development of new program for Western Law and builds on the mindfulness program that he piloted at Western Law this year. He will receive a three-year secondment, \$10,000 in funding per year to conduct his research.

# New Fellowships support faculty research

Professors **Kate Glover** and **Jacob Shelley** are the recipients of the inaugural Western Law Dean's Research Fellowships.

The Fellowships, valued at \$10,000 each, were established by Dean Erika Chamberlain to enhance the faculty's research program.

The fellowship opportunity is intended to support and strengthen scholarly research by offering significant financial assistance to researchers at any stage of career and in any area of research related to law. At least one Fellowship per year will be reserved for a pre-tenure faculty member.

"I'm proud to be making this new investment in faculty research," said Dean Chamberlain. "It will help faculty to expand their research programs and will also help to engage students in the research enterprise."

Glover will undertake research



KATE GLOVER



JACOB SHELLEY

on the constitutional character of the administrative state in Canada, and the implications of that character for legislative actors, Indigenous governments,

administrative decision-makers, and the courts.

Shelley will pursue research on the link between municipal law and public health. The

Fellowship funding will contribute to his research on healthy cities as critical partners in the fight against chronic illnesses. **WL**

# Fostering interdisciplinary innovation

Graduate students and faculty members from Information & Media Studies (FIMS), Music, and Law came together for the second-annual FIMULAW Graduate Interdisciplinary Research Day held on April 13.

"Interdisciplinary research is the future of knowledge production and creation," says Kelly Bylica, Western Music graduate student and one of FIMULAW's organizers. "We are not going to solve any issues thinking about research in a siloed way."

The event provided graduate students and faculty members an opportunity to present new ideas and engage in a transparent and open dialogue with

researchers from other faculties.

Research topics ranged from LGBTQ+ children's picture books in Ontario public libraries to collaboration between music educators and music therapists, and data security and society's diminishing ideology of privacy.

FIMULAW 2018 also featured two panel presentations, lightning talks, musical performances and poster presentations from graduate students in each of the three faculties.

FIMULAW 2018 had panel presentations on deconstructing privilege, and mental health.

"We had asked for topic recommendations from graduate students and faculty

members from all three faculties," said Lisa Macklem, Western Law graduate student and FIMULAW co-organizer. "Both panel topics were very relevant across all three faculties."

The panel on mental health – moderated by law professor Jacob Shelley – featured discussions about the impact of social media on mental health, assessing the mental health of Canada's incarcerated population, and the healing power of music in dealing with traumatic situations.

"The event is a great opportunity for graduate students to learn more about their own field of research from a completely different perspective," Macklem said. **WL**

# Our newest alumni

Ceremony honours Class of

# 2018

It was a day to celebrate the Class of 2018, and to applaud their hard work and congratulate the newly minted graduates on their hard-earned accomplishments.

"You teach us new things every year, and inspire us with your energy, your dedication to justice, your many, many talents, and your community spirit," said Dean Erika Chamberlain, speaking at the Western Law awards ceremony on June 20.

Michael Rubinoff, LLB'01, who developed the Tony-winning musical, *Come From Away*, delivered an inspiring keynote address and told the grad that realizing their dreams is possible. He encouraged them to embrace and learn from failures.

He told the grads it was his dream to tell the story of the outpouring of humanity by the people of Gander, Newfoundland

following the dark days of 9/11.

Rubinoff encouraged the grads to speak out against injustice, to raise up the most vulnerable, and to make Canada better for everyone.

"You have the power to make a difference for so many. We all have an important role and it starts with speaking up," he said.

In his valedictory address, Mark McAuley, JD'18 said the Class of 2018 forged strong bonds in their three years together.

"We laughed together, cried together, we cheered for our peers and colleagues when they triumphed at national moot competitions and at Law Games. We consoled each other in times of tragedy and sorrow. That's what friends do. That's what family does. That's what we are now."

"As lawyers we will not simply be

readers of rules, we will be working in a changing and evolving society... Today your already impressive résumés have been enhanced by a law degree that empowers you to be an agent of that change," he said.

Some of the honoured guests who joined in the awards ceremony were: Tony and Betsy Little, who presented the Arthur T. Little Scholarship and Gold Medal to the top graduating student Will Fawcett; Joshua Lerner, JD'17, who presented the Hon. Mayer Lerner QC Award to Dylan Dilks; Dr. Kevin Flynn, and his son Kevin Flynn presented the Ailbe C. Flynn, LLB'97 Memorial Scholarship to David Chapman; and Anna Maria Braithwaite, who presented the Lorenzo Di Cecco Memorial Award in Criminal Law to Danielle D'Alonzo.

(PHOTOS BY GEOFF ROBINS)



MICHAEL RUBINOFF



ERIKA CHAMBERLAIN



MARK MCCAULEY



# Alumni Gatherings

➤ From Dennings to class reunions to Homecoming, alumni are keeping their Western Law spirit alive. Here's how you can stay connected – visit: [alumni.westernu.ca/get-involved/chapters/faculties/law.html](http://alumni.westernu.ca/get-involved/chapters/faculties/law.html)

DON BOCCHINFUSO '16, ZAYNAH MARANI, RUSTAM JUMA '07



ERIN RANKIN NASH '08, DEAN ERIKA CHAMBERLAIN '01



TAMARA ZDRAVKOVIC '13, DANIEL HOROVITZ '10



JACQUELINE WOODWARD '15, WILLIAM WOODWARD '86



PAUL ROBINSON '15, OLGA ELMANOVA '16, HILARY JENKINS '15



ASHLEY TABORDA '17



MARISSA CALDWELL '16, BRANDT CHU '16, ROBERT GLASGOW '12



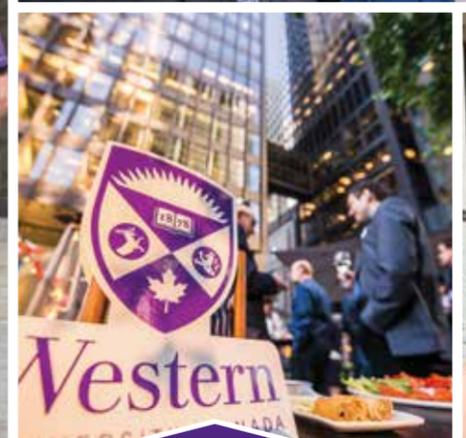
MARSHALL MAYNE '14, JELENA BUAC '14



JEREMY BORNSTEIN '13, AARON PEARL '13, ADAM JACOBS '13



CLASS OF '87 REUNION



EVELYN TEN-CATE '92, BARB LEGATE '79



PROFESSOR ROBERT SOLOMON, THEODORE MADISON '75

CLASS OF '67 50TH REUNION: MICHAEL ANDERSON, ANDREW HENDERSON, WILFRED JENKINS, JAMES KENT, CHARLES LOOPSTRA, NED MCLENNAN, PETER MOFFAT, DRUMMOND PEET, PREBEN SCHMIDT, RONALD SPARKS, ROBERT STANLEY, GORDON WALKER, GARY WILSON, PROFESSOR EARL PALMER



Photo credit: Andrea Marchant of As It Happens Photography

ALEX COLANGELO '01



RASHA EL-TAWIL JD'07, WITH HER DAUGHTER



CLAUDIO ROJAS '09



ALBERT OOSTERHOFF '64, YURI CHUMAK '05



WESTERN LAW'S SUSANNA EAYRS, MICHELLE BOTHWELL AND SAHIL ZAMAN '12



DASHA PEREGOUDOVA '16, JACKIE FERREIRA '17, DANIELA CHANG '17



RYAN STANDIL '14, NICHOLAS REINKELUERS '12



AARON VIEIRA JD'12, GORDON CASSIE JD'13, CHRIS BERRIGAN JD'12, STEPHANIE SUGAR JD'12



MITCH FRAZER '99, JEFF HOPKINS '02, MARK FLETCHER '89



CLASS OF '98 REUNION: VICTORIA GRAHAM, LOU FORTINI, CHRISTINE TABBERT, NORM GROOT, FRANCISCA SINN, SHAUNA FLYNN



## Student awards honours former academic mentors

Four awards generously established by Henry Ka-Shi Ho, JD'77, honour the achievements of three of his professors and a former Dean.

"My life in Canada and in Hong Kong, have led me to realize the exceptional high academic excellence of the Western Law Faculty, which deserves our respect," said Ho.

The **David L. Johnston Award in Corporate Law** was established by a generous gift from Ho in honour of David L. Johnston, Dean of Western's Faculty of Law from 1974-1979.

It is awarded annually to a full-time student completing first year in the Faculty of Law, who has attained the highest standing in Corporate Law.

In previous years Ho has also established the following awards:

**Peter Barton Award in Civil Procedure**, a \$1,500 award in honour of Peter G. Barton, Professor Emeritus in the Faculty of Law. Awarded annually to a full-time undergraduate student in Year 2 or 3, who has achieved the highest academic standing in the Civil Procedure course.

**Gregory Brandt Award in Constitution Law**, a \$1,500 award was established in honour of Gregory Brandt, Professor Emeritus in the Faculty of Law. Awarded annually to a full-time student completing first year who has attained the highest standing in Constitutional Law.

**Albert Oosterhoff Award in Property**, a \$1,500 award was established in honour of Albert Oosterhoff, Professor Emeritus in the Faculty of Law. Awarded annually to a full-time student completing first year who has attained the highest standing in Property Law.

## Lorenzo Di Cecco Memorial Award



DANIELLE D'ALONZO, MRS. ANNA MARIA BRAITHWAITE

Mrs. Anna Maria Braithwaite has established the Lorenzo Di Cecco Memorial Award in Criminal Law. The \$2,000 award will be presented annually to a full-time undergraduate student in their final year in the Western Faculty of Law, based on the highest academic average in advanced criminal law courses. This award honours Anna Maria Braithwaite's late brother Lorenzo Di Cecco, LLB'71.

Di Cecco practiced law and was appointed a Criminal Court Justice of the

Ontario Court of Justice, and later served clients as a criminal defense lawyer. "He was deeply principled, and always sought to advance the fundamental ideals of the administration of justice," recalled Anna Maria. "Lorenzo was a voracious reader and avid student, continuing his legal education and obtaining a Master of Law Degree in his retirement. He was a role model to us all and is deeply missed," she said. Di Cecco died in 2017 at the age of 73.

## Award supports students in need

Mr. Holden J. Rhodes who studied Law at Western in 1995-1996 and holds an LLB'95 from the University of Birmingham, has established an annual award to assist a Faculty of Law student in financial need. His gift will provide four annual awards of \$5,000.

"It takes a great deal of perseverance and financial resources to get into and through law school," said Rhodes. "I had a little help from my parents along the way and my wife and I wanted to give back to others that needed support," he said.

Rhodes practiced



HOLDEN J. RHODES

corporate law with McKenzie Lake Lawyers LLP in London, Ont. for 17 years. He co-founded CarProof in 2000, a valuable tool for purchasing used cars, and sold the company in December

2015. The successful business entrepreneur then purchased Killarney Mountain Lodge in January 2015, and in March 2016, purchased another resort property, The Sportsman Inn.

## New student award honours legacy of William Poole

A new student award will honour the life and work of one of Canada's finest criminal lawyers.

The W.R. Poole, QC Criminal Law Moot Award was made possible by a generous gift from Nancy Geddes Poole (BA '55, Honorary Doctor of Laws '90), in loving memory of her husband. John Drake, LLB'71, a former student of Poole's, also significantly contributed to this award along with friends and classmates from the Western Law Class of 1969.

John Eberhard, LLB'69, was the class' leader and instrumental in ensuring the legacy of the legendary criminal law professor lived on.

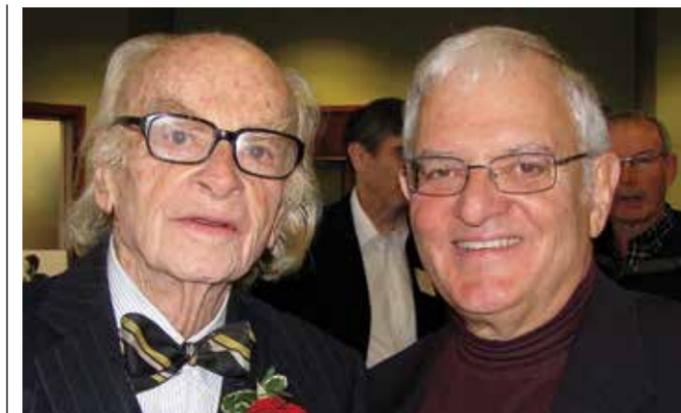
"The Class of 1969 was the beneficiary of one of Canada's great trial lawyers," said Eberhard, "and we're delighted

to see the establishment of this award in honour of our friend and mentor. His courtroom skill, style and knowledge would make him a worthy role model for all participating Moot competitors."

The \$2,000 award will be presented annually to a full-time law student who has displayed outstanding advocacy skills in an external criminal law moot competition.

During his illustrious 60-year career, Poole lectured to students on the subject of Criminal Law at Western's Faculty of Law. He also provided legal representation in some of the most notorious criminal trials of the day.

His abilities and his reputation for ethical behaviour resulted in his appointment to the Law Reform Commission of Canada



WILLIAM POOLE AND JOHN EBERHARD

by then Ontario Premier John Robarts, where he served from 1964 to 1985.

"Poole exhibited a love for the foibles of human character, and was able to provide outstanding representation for the less

fortunate and marginalized of society," Eberhard said. "He always exhibited a generous spirit and good sense of humour."

Poole, who practiced law into his nineties, died in 2014 at the age of 96.

## Gift pays tribute to Tim Edgar



CLASS OF 2007 REUNION

A new memorial award, established by the Western Law Class of 2007, honours the late Tim Edgar, LLB'85, a much respected and admired professor who taught from 1989 to 2011. This generous gift will establish the *Law Class of 2007 Tim Edgar Memorial*

*Award*, given to a full-time upper-year Western Law student who excels in the advanced study of tax law.

"Many of us in the Class of '07 learned a great deal from Professor Edgar, so we thought it appropriate to have our class

award named in his honour. We hope this award will help other students gain skills that will help them, too, make an impactful contribution," notes Jeffrey Levine, LLB'07, a partner at McMillan LLP.

# Annual Giving Donors

We would like to recognize the following donors who gave to Western's Faculty of Law between May 1, 2017 and April 30, 2018. We also wish to thank those donors who have chosen to remain anonymous and those who have made previous commitments to the Faculty of Law.

<p><b>Donors of \$500,000 or more</b></p> <p>Aubrey and Marla Dan</p> <p>Law Foundation of Ontario</p> <p>Legal Aid Ontario</p> <p><b>Donors of \$100,000 - \$499,999</b></p> <p>Holden J. Rhodes</p> <p>The Catalyst Capital Group Inc.</p> <p>Closing Folders Inc.</p> <p><b>Donors of \$25,000 - \$99,999</b></p> <p>Anna Maria Braithwaite</p> <p>Professor Erika Gross Chamberlain</p> <p>Lorna Cuthbert and Heather Giffen</p> <p>John and Mary Beth Drake</p> <p>Henry Ka-Shi Ho</p> <p>Dale R. Ponder</p> <p>Harry Rosen Inc. and Larry J. Rosen LLB, MBA'82</p> <p>Blake, Cassels &amp; Graydon LLP</p> <p>Cassels Brock &amp; Blackwell LLP</p> <p>McCarthy Tétrault LLP</p> <p>Osler, Hoskin &amp; Harcourt LLP</p>	<p><b>Donors of \$10,000 - \$24,999</b></p> <p>Robert J. Chadwick &amp; Elizabeth Pierson</p> <p>Brian Empey and Darlene Melanson</p> <p>Dr. Yahaya Kadiri</p> <p>Richard McLaren</p> <p>David J. 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"I'm greatly appreciative of the financial support I've received from Western Law alumni. It's reduced the financial burden of my education and enabled me to seek educational opportunities that would otherwise be inaccessible – including a specialty law course offered with another university and a French immersion program abroad."

**Nick Avis, JD'18**

*Recipient of the Catalyst Capital Scholarship in Bankruptcy, Insolvency and Restructuring Law*

## Scholarships, Awards and Bursaries

We would like to thank the donors who have generously contributed to the following awards valued at \$1,000 or more. We also wish to thank those donors who have chosen to remain anonymous. Your support of student scholarships, awards and bursaries provides exceptional opportunities for students to be inspired by leading faculty while also providing recognition for their academic achievements.

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Catalyst Capital Entrance Scholarship	Francis Marie Clark Award in Law	MacKewn, Winder, Kirwin Entrance Scholarship in Law	Robert and Anne Aziz Award	Western Law Entrance Scholarships
Catalyst Capital Scholarship in Bankruptcy and Insolvency Law	Gowling WLG (Canada) LLP Entrance Scholarship	Margaret E. Rintoul Award in Wills	Robert D. Preston Entrance Award in Law	W.R. Poole, QC Criminal Law Moot Award
Catalyst Capital Scholarship in Bankruptcy, Insolvency and Restructuring Law	Grad Pact Law Bursary	McArdle-MacKinnon 125th Anniversary Alumni Award	Robert Solomon Scholarship in Tort Law	
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## Dean's Circle Donors

It is my privilege to recognize the following donors who have pledged \$100,000 or more to the Dean's Circle. Their generous gifts and continuing strategic support and advice concerning the priority projects of Western Law benefit the entire Western Law Community. Please join me in recognizing their many contributions."

Dean Erika Chamberlain

The following donors are members of the Dean's Circle, as of April 30, 2018.

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Stephen R. Coxford  
Perry N. Dellelce  
Garth M. Girvan  
Ian B. Johnstone  
Richard McLaren  
David Charles Mongeau  
Dale R. Ponder  
Larry J. Rosen and Susan A. Jackson Rosen  
Ronald D. Schmeichel  
Professor Robert Solomon and Dr. Barbara Lent  
Kevin Sullivan



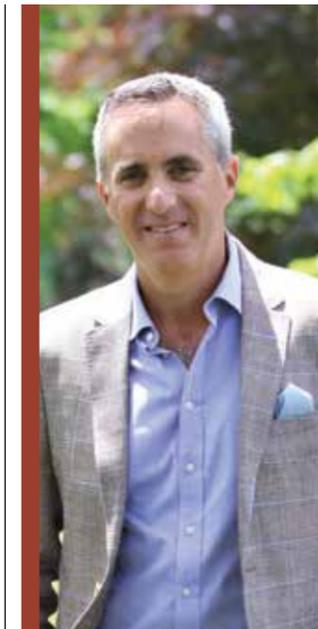
**Richard McLaren '71** was a major part of the film *Icarus* which won the Academy Award for Best Documentary. The film exposed the Russian state-sponsored doping program.



**Christine Elliott '78** was appointed Minister of Health and Deputy Premier of Ontario.



**The Hon. David J. Nadeau '83** was inducted to the Western Mustangs Sports Hall of Fame in October 2017.



**Warren Bongard '91**, has been appointed President of the Western Alumni Association.

**1972**

**Stephen Dattels**, a current director and co-founder of LSC Lithium Corporation, has been appointed Chairman of the company.

**1976**

**William (Bill) Braithwaite**, Chair of Stikeman Elliott LLP, was recognized as one of the Top 25 Most Influential Lawyers in Canada for 2018 by *Canadian Lawyer Magazine*.

**1977**

**Barry Cleaver** has been admitted as Partner at Miller Thomson, London ON.

**Rosemary McCarney**, was appointed to Export Development Canada's Advisory Council on Corporate Social Responsibility.

**1979**

**Jim Cimba** was awarded the Lincoln Alexander Award presented by The Law Society of Ontario.

**1980**

**Christianne Laizner** was appointed Vice-Chairperson (Telecommunications) to the Canadian Radio-Television and Telecommunications Commission, the first woman to ever hold this position.

**Dale Ponder**, National Co-Chair, Osler, Hoskin & Harcourt, was named one of Canada's Top 100 Most Powerful Women by the Women's Executive Network. She also received a Lifetime Achievement award in connection with the Euromoney Legal Media Group Americas Women in Business Law Awards 2018.

**1981**

**David Woolford** was elected to the Board of Directors of the EnerDynamic Hybrid Technologies Corp.

**1982**

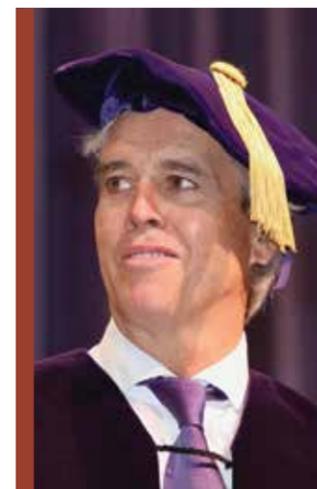
**Maurice Fleming** joined Fogler Rubinoff LLP as Partner.



CHRISTIANNE LAIZNER '80



WILLIAM (BILL) BRAITHWAITE '76



**W. Geoffrey Beattie '84**, chairman and chief executive officer of Generation Capital, a Toronto investment company, was awarded an honorary Doctor of Laws, honoris causa (LLD) at Western's 311th Convocation.



**Filomena Tassi '86**, a Hamilton-area Liberal MP, was named Minister of Seniors; a newly created portfolio in the Federal Cabinet.

**Brenda Pritchard**, Gowling WLG, has been recognized as one of the world's top 13 female Acritas Stars.

**1985**

**T. Sean Harvey** has been appointed to Carube Copper Corp's Board of Directors.

**Lori Beth Montague** was appointed a Justice to the Ontario Court of Justice. She was most recently a deputy Crown Attorney and was previously an assistant Crown Attorney for Peel Region.

**1988**

**Elizabeth Hewitt** has been appointed Senior Counsel of the Public Inquiry into the Safety and Security of Residents in the Long-Term Care Homes System.

**Elliott Noss**, the Chief Executive Officer and President of Tucows, is a recipient of the 2017 i2Coalition's "Ron Yokubaitis Internet Community Leadership Award".

**Heidi Zetsche** recently became a bencher for the Law Society of BC.

**1989**

**Stephen deBoer** was named Ambassador and Permanent Representative to the World Trade Organization (WTO), based in Geneva, Switzerland, in August 2017. Previously deBoer was Canada's Ambassador to Poland and Belarus.

**Rachel Grinberg** was appointed to the Ontario Court of Justice in October 2017. Justice Grinberg is a member of the Board of Directors of the Red Door Family Shelter.



**Antree C. Demakos '90**, was awarded the 2017 Constance E. Hamilton Award on the Status of Women. Antree has devoted her entire career to demystifying the law and helping millions of Canadians obtain better access to justice. Antree was also awarded the J. Shirley Denison Award, awarded by The Law Society of Upper Canada for her exceptional career achievements and contributions to the community.



**Jeffery Hutchinson '94** was appointed Commissioner of the Canadian Coast Guard in March 2017, leading the organization and its 5,000 individuals charged with overseeing Canadian waters.



**Laurel Broten '93**, President and CEO of Nova Scotia Business Inc, was named one of Canada's Top 100 Most Powerful Women by the Women's Executive Network.

**1990**

**Troy Speck** has been appointed CAO of Peterborough County.

**1992**

**Karen Jensen**, Norton Rose Fulbright, has been recognized as one of the world's top 13 female Acritas Stars. Karen was Western Law's gold medallist in 1992.

**Lisa Munro**, Managing Partner at Lerner's LLP, was named one of Canada's Top 100 Most Powerful Women by the Women's Executive Network.

**1993**

**Matthew Snell**, IBM General Counsel & Secretary spoke at the CBA program "Riding the Waves: Risk Management & Cybersecurity."

**Richard Wilks**, an entertainment and technology lawyer with more

than 20 years experience, was welcomed to Inter Alia Law.

**1994**

**Andrea Plumb**, Partner at Lerner's LLP, was inducted as a Fellow of The American College of Trial Lawyers.

**1996**

**Drew Hasselback** is working as a copy editor with Global News Online. Drew handles stories published throughout Canada on Global's network of TV and news radio station websites. He joined Global in December 2017 after nearly 20 years with the *Financial Post*. Despite his move, Drew remains lead guitarist in the *National Post* house band, Conrad Black Sabbath, which in November 2017 won the annual Newzapalooza battle of the bands competition

in Toronto for the third year in a row.

**1998**

**Jill Cameron** is an Assistant Crown Attorney who successfully prosecuted Dellen Millard and Mark Smitch for the murder of Laura Babcock.



LISA MUNRO '92



**Bruce Curran '98** was named Associate Dean at University of Manitoba, Robson Hall, Faculty of Law.

**Lou Fortini** recently joined TD Bank Financial group after 15 years at Hydro One Networks Inc.

**1999**

**John Fitzgerald** has been appointed President and CEO of Vogogo Inc. (Calgary),



**Caroline E. Abela '00**, a partner at WeirFoulds LLP, was a recipient of a Lexpert Zenith award celebrating mid-career excellence.

a web-based payment processing company.

**2002**

**Julie Beeton** is an Assistant Professor and General Counsel at the Canadian University Dubai.

**Simon McGrath** brings live event expertise to Inter Alia Law. Simon is an experienced commercial lawyer working in the concert industry alongside some of the world's top recording artists.



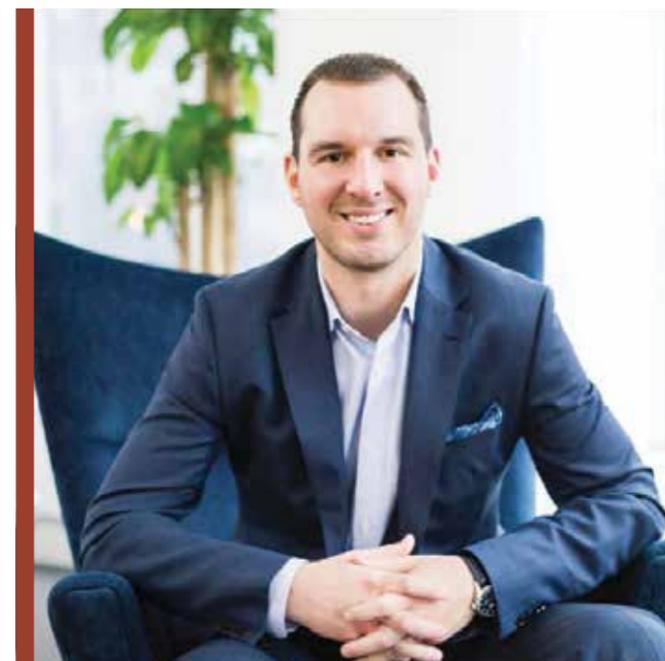
**Gillian Dingle '04** has been admitted as Partner at Torys LLP. Gillian's practice focuses on civil litigation in the areas of corporate and securities law.



Osler Associates **John Valley '04, Jay Greenspoon '09, Lauren Lefcoe '13, Marty Putyra '17 and Arash Param '18** participated in the final BizBasics session of the year at Western Law sponsored by Osler LLP. The sessions teach practical business law skills to first-year law students.



**Susan Toth '05**, is a recipient of the 2017 20 Under 40 Award from *London Inc.* magazine.



**Michael Acedo '07**, General Counsel, Open Text Corporation, was named as one of the Rising Stars, Leading Lawyers Under 40 by *Lexpert Magazine*.



**John McGowan '84, Dany Horovitz '10 and John Rider '90**, performed in the musical *The Drowsy Chaperon* for "The Lawyer Show" a fundraiser for Canada's flagship feminist theatre, Nightwood Theatre.

**2005**

**Roman Baber** was elected a Progressive Conservative MPP for the riding of York Centre in the 2018 Ontario provincial election.

**Matthew Kindree** has been admitted as Partner in the Business Law practice at Pallett Valo LLP.

**Katy Pitch** has been admitted as Partner at Wildeboer Dellelce LLP. Katy advises on domestic and corporate income tax law (both private and public).

**Derek Ricci** of Davies Ward Phillips & Vineberg received the "Emerging Talent of the Year" award at the Benchmark Canada 2018 award ceremony in February.

**Yola Ventresca**, Lerner's LLP, was named as one of the Rising Stars, Leading Lawyers Under 40 by *Lexpert Magazine*.

**2006**

**David Forrest**, General Counsel, Senior Vice-President at Canada Goose Holdings, was named as one of the Rising

Stars, Leading Lawyers Under 40 by *Lexpert Magazine*.

**Alison Harnick** is now General Counsel & Corporate Secretary of First Capital Realty Inc., a developer, owner and operator of urban retail properties.

**Andrea McEwan** has been admitted as Partner at WEL Partners. Andrea joined the firm in 2016.

**Belinda Rossi** has been appointed Partner at Miller Thomson LLP.

**2007**

**Phillip Millar** has been appointed a Director of iLOOKABOUT Corp. Millar is an active real estate investor and has worked on many major projects and start-up ventures.

**2008**

**Curtis Cleaver** has been admitted as an Associate at Miller Thomson, London ON.

**2009**

**Heela Donsky Walker** has been admitted as an Associate at Robin Appleby LLP's Tax & Estate Planning Group where she advises clients on all aspects of taxation and estates law, with a focus on Canada-US cross-border issues.

**2011**

**Aleesha Khan** is a marketing and business development professional at the global law firm of Hogan Lovells in Miami.

**Joseph Slavec** has been admitted as Partner at Blaney McMurtry LLP as a member of the firm's Family Law Group.



**Deandra L. Schubert '09**, McCarthy Tetrault, was named as one of the Rising Stars, Leading Lawyers Under 40 by *Lexpert Magazine*.



DEREK RICCI '05



**Suzanne Chiodo '11** accepted a position as Lecturer in Law at Oriol College, Oxford.



**Alexandra Mamo '14** is an Associate at the law firm Lockyer Campbell Posner.



**Gordon Cassie and Lyndsey Kiser '13**, welcomed their daughter Madeleine in 2016.

**Thomas Wong** has been admitted as an Associate at WeirFoulds LLP in the Information Technology and Intellectual Property Group.

**2014**

**George Hamzo** has been admitted as an Associate in the Lerner LLP London office, in the business law and commercial litigation groups.

**Naomi Metcalfe** joined Lenczner Slaght in their Intellectual Property Group.

**2015**

**Lindsay Board** has been admitted as an Associate at Stockwoods.

**Randy McAuley** has been inducted into the Western's 2018 Wall of Champions.

**2016**

**Carlye Bellavia** has been admitted as an Associate at Wildeboer Dellelce LLP.

**David Bocchinfuso** has been admitted as an Associate at Bereskin & Parr and as a member of their Life Sciences Group.

**Jessica Wuthmann** has been admitted as an Associate at Blaney McMurtry LLP in the Commercial Litigation group.



**Na Fan '14** has been admitted as an Associate at Torys LLP.

These alumni have been honoured by *Benchmark Litigation* as a Future Star/40 & Under Hot List for Canada:

**Melanie Baird '07**  
Lenczner Slaght

**Andrea Gonsalves '05**  
Stockwoods

**Justin Lambert '06**  
Bennett Jones

**Matthew Lerner '07**  
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**Zohaib Maladwala '09**  
Fasken

**Pooja Mihailovich '04**  
Osler, Hoskin & Harcourt

**Linda Visser '05**  
Siskinds

**IN MEMORIAM**

**Eric Armour**, LLB'02, died March 24, 2018 at the age of 43.

**G. Blaine Baker**, LLB'78, Professor Emeritus at McGill University, died in early July 2018.

**Earl Palmer**, Western Law Professor Emeritus, died February 7, 2018. An entrance scholarship in Professor Palmer's honour was established by Harry Burkman, LLB'76.

**Roger Yachetti**, LLB'64, died on September 16, 2018 in Hamilton, Ontario at the age of 78.



**Gerald Fridman, QC, FRSC**

Professor Emeritus **Gerald Fridman, QC, FRSC**, died November 24, 2017 at age 89.

Fridman's career spanned six decades and his work has been cited in over 50 Supreme Court of Canada decisions. Although he formally retired in 1994, Fridman remained a regular fixture at Western Law, actively publishing research and participating in the activities of the Tort Law Research Group.

A highly accomplished scholar, Fridman was one of Canada's most prolific authors of legal texts, articles and case notes. His writing on Canadian private law influenced generations of scholars, students, lawyers, law reformers and judges.

In recognition of his extraordinary legal career, Western conferred an honorary Doctor of Civil Law upon Fridman in 2016.

"There are very few scholars who have had such a broad and longstanding impact on private law in Canada," remarked Dean Erika Chamberlain, who was a co-author on the most recent edition of Fridman's *The Law of Torts in Canada* (2010). "He will be dearly missed at Western Law."

A Fellow of the Royal Society of Canada, he was an Ontario Queen's Counsel and Counsel at the London, Ont. law firm Cohen Highley.

The Faculty will host a symposium celebrating Fridman's work this fall.



# It's time to merge Ontario's two school systems

BY SAMUEL E. TROSOW, ASSOCIATE PROFESSOR, WESTERN LAW AND BILL IRWIN, ASSISTANT PROFESSOR, DEPARTMENT OF MANAGEMENT AND ORGANIZATIONAL STUDIES, WESTERN UNIVERSITY

There is a pressing need to consolidate Ontario's separate and public school systems.

Long ignored by most politicians, this controversial idea deserves a fresh discussion, especially now, with the provincial government imposing cuts to the education system. Consolidation will result in significant cost savings, and will do so in a manner that doesn't threaten existing services or facilities. It will eliminate service duplication, and eradicate enrolment competition between the systems.

And contrary to a widely held perception, denominational schools are not necessarily constitutionally protected, as demonstrated in Québec and Newfoundland-Labrador.

### Huge potential cost savings

A 2012 discussion paper from the Federation of Urban Neighbourhoods estimates annual savings between \$1.269- \$1.594 billion by merging the systems.

The report looked at several factors, including savings from grants for administration, capital costs, reducing under-utilization and transportation costs.

The Canadian Secular Alliance's 2015 pre-budget submission to Ontario's Ministry of Finance, stated that while "the exact savings realized depend

on what the amalgamated school system that would replace the status quo would look like, the savings under any reasonable set of assumptions amount to hundreds of millions of dollars per year." The alliance also pointed to various duplication costs.

While the estimates of cost savings may vary depending on how consolidation is implemented, a verifiable fiscal analysis should be undertaken.

### Eliminating competition for students

There is currently enrolment competition between the two systems as separate schools seek to enroll non-Catholics. This competition is unhealthy, inconsistent with the purposes for denominational schools, and is a waste of school resources.

Waterloo School Board Trustee John Hendry argues that attempts to enrol non-Catholic students show that the separate school system is facing difficulty surviving as a "faith-based education system solely with Catholic students."

Similar concerns were discussed in a 2016 *Globe and Mail* report showing that Ontario separate boards increasingly enroll non-Catholic children and "siphoning students from the public stream as the two systems vie for provincial funding."

Single-school, rural and

inner-city communities face particular risk for school closures given Ontario's current funding formula. It has become a numbers game when it comes to the future of many of these schools.

It's a challenge to keep schools running, and by extension keep a community viable, when students are channelled into competing schools. While a community may be able to keep its school open if all local children attend that school, splitting the student body into parallel systems makes the risk for closure much greater.

### Ontario should follow Québec, NL's lead

It's often argued that consolidation is impermissible because separate schools are constitutionally protected. While Section 93 of the 1867 Constitution continued existing schools' denominational rights, it could be easily amended.

The 1982 Constitution Act, Section 43 provides that where a provision applies to one or more, but not all provinces, it can be amended by resolution of the provincial assembly and federal Parliament. Québec and Newfoundland have already invoked this clause, and Ontario can as well.

University of Windsor law professor Richard Moon, wrote that in 1867 the dominant common school system in Ontario had a clear Protestant ethos. The protection for denominational rights ensured that members of the minority Catholic community would not be pressured to send their children to Protestant schools.

But Moon argues the "character of the public school system in Ontario has changed dramatically since 1867, a change that has been accelerated by the Charter of

Rights in 1982."

Moon's analysis is shared by Queens University law professor Bruce Parry. He reviewed the amending procedures needed for consolidation and concluded:

*"Any Ontario politician who claims that there is a Constitutional guarantee that binds the government is being disingenuous. The only thing that sits in the way of fixing a discriminatory and unfair constitutional anachronism is the reluctance of Ontario political parties to do so."*

### The time is now

Before imposing cuts like the recent suspension of the building repair fund and closing more schools, the government should initiate a discussion about how consolidation could proceed.

A goal of consolidation should be to minimize disruption to existing programs and services. While discussions will emphasize cost savings, the social costs of separate systems should also be considered. For example, how would consolidation impact the travel times to schools for students, especially in rural areas?

It is no longer viable to dismiss the issue on the grounds of Constitutional entrenchment. It is clear that the law can be easily changed through a resolution at Queen's Park and in the Federal Parliament.

All that's truly needed is the political will to take on a difficult issue and move forward. **WL**

*(This is an edited version of the original article which appeared in The Conversation at theconversation.com/its-time-to-merge-ontarios-two-school-systems-99922)*



## Save the Date for Community Legal Services 50th Anniversary Reunion

Friday, May 10, 2019  
6:00 p.m. – 9:30 p.m.

Brescia University College, Mercato Room, 1285 Western Road, London, ON

Mark your calendar to join Doug Ferguson, LLB'81, Director of Western's Community Legal Services Clinic and fellow CLS alumni, as we commemorate the 50th Anniversary of Community Legal Services.

This reunion celebration will take place following CLS's annual Access to Justice Symposium and will include a reception and dinner.

Don't miss this opportunity to share memories with former classmates and colleagues while reflecting on the important role that Community Legal Services plays as a national leader and local champion for access to justice.

More details are coming soon, but for now, please save the date!



For more information visit [www.westernconnect.ca/cls\\_reunion](http://www.westernconnect.ca/cls_reunion) or contact Natalie Devereux, Alumni Relations Officer: [nvereu@uwo.ca](mailto:nvereu@uwo.ca) or 519-661-2111 ext. 85056

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**Jay Carfagnini, LLB'80,**  
*Partner at Goodmans LLP*  
and **Karen Trimble, LLB'80**

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