

Winter 2009

UBC | LAW ALUMNI MAGAZINE

.....

A Place of Possibilities

NEW LAW BUILDING TRANSFORMS
BOTH SPACE AND LEGAL EDUCATION

The Green Pages

SUSTAINABILITY, ENVIRONMENTAL
LAW, AND THE UBC LAW COMMUNITY

.....



THE
UNIVERSITY OF
BRITISH
COLUMBIA



PUBLISHER
UBC Faculty of Law

EDITORIAL
Editor-in-Chief
Dean Mary Anne Bobinski

Managing Editor
Penny Cholmondeley

Copy Editors
Janine Root
UBC Communications Services

Researcher
Christopher Trueman

Proofreaders
Gareth Coghlan, Crystal Tai, Anna Holeton,
UBC Communications Services

Editorial Board
Mary Anne Bobinski, Ana-Maria Hobrough,
Sue Kennedy, Penny Cholmondeley,
the Honourable Jon Sigurdson

Advisory Board
Sarah Batut, the Honourable Janice Dillon,
Anna Feglerska, Miranda Lam, the
Honourable Jon Sigurdson, Betsy Segal, James
Spears, the Honourable Martin Taylor, QC

Contributors
Natasha Affolder, Mary Anne Bobinski,
Simon Butler, Chris Cannon, Penny
Cholmondeley, James Glave, Ian Greig, Doug
Harris, Carl Jonsson, Sue Kennedy, Kat Kinch,
Jim MacIntyre, QC, Janine Root, the
Honourable Jon Sigurdson, Kelsey Thompson,
Christopher Trueman

ART DIRECTION AND DESIGN
Tandem Design Associates Ltd.

PHOTOGRAPHY
Principal Photographer
Martin Dee

Contributing Photographers
Hamid Attie, Alastair Eagle, Eric Chan,
Brian Dennehy, Clancy Dennehy,
Eugene Lin, Shallon Photography



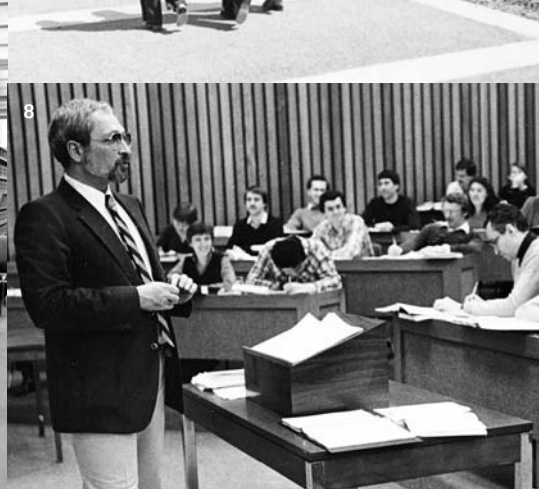
THE
UNIVERSITY OF
BRITISH
COLUMBIA

UBC FACULTY OF LAW
The University of British Columbia
1822 East Mall
Vancouver BC V6T 1Z1
Canada

To send your letters to Re-Torts, or your contributions to Closing Arguments, e-mail alumnieditor@law.ubc.ca. To submit information to Class Notes, click on http://www.law.ubc.ca/forms/class_notes/notes.html and use our online form. Please provide your full name and, if desired, title and company name. Submissions may be edited for length and clarity. To notify us of a change of address or other contact information, please e-mail alumnieditor@law.ubc.ca or write to us at the address listed above.

UBC Law Alumni Magazine is published twice a year by the UBC Faculty of Law; 7,500 copies are distributed to UBC Law alumni via direct mail.

Copyright © 2009 UBC Faculty of Law
Publications Mail Agreement Number
41130018
Return all undeliverable Canadian mail to
UBC Faculty of Law
1822 East Mall
Vancouver, BC V6T 1Z1



1 George F. Curtis Building model ca. 1975 | UBC Archives [41.1/2625-2]

2 1974/75, Construction of George F. Curtis Law Building | UBC Archives [UBC 1.1/186-2]

3 1974/75, Construction of George F. Curtis Law Building | UBC Archives [UBC 1.1/186-1]

4 1974/75, Construction of George F. Curtis Law Building | UBC Archives [UBC 1.1/186-2]

5 George Curtis and Bora Laskin at Curtis Building opening ceremony, September 1976 | UBC Archives, Photo by Jim Banham [UBC 41.1/200-2]

6 George F. Curtis Building, May 1976 | UBC Archives [UBC 41.1/2626]

Contents

FEATURES

4 A Place of Possibilities

NEW LAW BUILDING TRANSFORMS BOTH SPACE AND LEGAL EDUCATION

Flexible, innovative, and designed in sync with the needs of future generations of legal professionals, the new UBC Law building promises to be a transformative learning environment.



7 Upholding a Sacred Trust

9 A New Frontier: Wind energy symposium

9 Frogfile

10 Research

12 West Coast Environmental Law

14 The Lay of the Land

15 UBC Law Alumni on Environmental Law Cases

16 Profiles

24 Centre for Global Environmental and Natural Resource Law

DEPARTMENTS

2 Message from the Dean

3 Message from the UBC Law Alumni Association President

25 The Road Less Travelled *Pet expert and trainer Deborah Wolfe has transformed a love of animals into a career as a bestselling author, columnist, and award-winning radio and TV host.*

29 Report on Giving

32 Faculty Matters

35 Student Matters

38 Alma Matters

42 UBC Law Alumni Association

44 Class Notes

47 Closing Arguments

48 Honour Roll



7 Students studying in Law Library, 1977 | UBC Archives, Photo by Jim Banham [UBC 41.1/231-1]

8 Faculty of Law lecture, ca. 1974 | UBC Archives [UBC 10.1/26] Pictured: Associate Professor Emeritus Barry V. Slutsky



MESSAGE *from the* Dean

It is with great pride that I introduce the winter 2009 issue of the *UBC Law Alumni Magazine*. Over the years, the magazine has evolved into a critical tool for communicating with alumni and friends of the law school. I am delighted to say that this issue not only continues to inform its readership, it also applauds the accomplishments of alumni, students, and faculty. I hope you share our excitement about the many initiatives underway at the Faculty of Law that deserve recognition and celebration.

I am pleased to report that we have made tremendous progress on the UBC Law building project. In this issue, you will find renderings and conceptual drawings that offer a glimpse of what the new building might look like. In our cover story (page 4), renowned sustainability writer James Glave gives voice to the collective hopes and expectations placed on the building by those invested in creating an exceptional learning environment and collaborative research climate. The article also discusses many physical features of the new building, which will incorporate environmentally sustainable design and construction elements.



This issue also focuses on the contributions made by UBC Law alumni, faculty, and friends to the fields of environmental and natural resource law. Included are a series of alumni profiles, snapshots of faculty research activities, and updates on initiatives at the law school that are designed to educate students in all aspects of environmental law.

Our second feature highlights the Centre for Global Environmental and Natural Resource Law (page 24) through which the Faculty of Law now offers a formal Specialization in Environmental and Natural Resource Law.

At UBC Law, we work hard to foster an educational environment that is both engaging and stimulating—a task made all the more rewarding by the diverse and talented students pursuing their legal education with UBC's Faculty of Law.

I hope you enjoy this issue of the magazine, and I encourage you to stay in touch. As always, we welcome your comments, feedback, and suggestions.

Warm regards,

A handwritten signature in black ink, appearing to read 'M. Bobinski'.

MARY ANNE BOBINSKI
Dean, UBC Faculty of Law

UBC Faculty of Law Moves to J.D. (Juris Doctor) Designation

UBC Faculty of Law announced this fall that it would join several other Canadian law schools in accepting the student-led initiative to change the name of its degree from an LL.B. (Bachelor of Laws) to a J.D. (Juris Doctor). Extensive consultations with UBC faculty, students, alumni, and wider constituencies over the past two years revealed thoughtful comments on all sides of the issue, along with widespread support for the change. Alumni wishing to retroactively change the name of their degree designation to a J.D. should check www.law.ubc.ca for updates.

MESSAGE *from the* UBC Law Alumni Association President

Greetings on behalf of the Board of Directors of the UBC Law Alumni Association.

I would like to congratulate the editors of the *UBC Law Alumni Magazine* on their last issue, which was a remarkable account of the involvement of UBC Law alumni and faculty in the process of defining Aboriginal rights in British Columbia and in Canada. That involvement has been, and will continue to be, of profound historical significance.

In this issue, the editors address another topic of importance to our lives and those of our children—the environment. I expect that the role of UBC Law in developing environmental law will be of great consequence. Today, both areas—Aboriginal rights and environmental law—are increasingly in the forefront of the legal profession. Although legal issues concerning the environment have been the subject of study for many years at UBC Law, the nature of those issues has changed enormously in the last few decades. As graduates of UBC Law, we are proud of the law school and the manner in which scholarship and teaching have evolved to deal with changing legal and social issues in Canada.

The challenge facing the law school is to provide excellent education to its students while adapting to changing times. The Charter, Aboriginal rights, and environmental issues represent just a few of the many evolving areas of scholarship at the law school.

Although the connection of all alumni to UBC Law provides a common bond and a source of pride, it is interesting how different the experience was for all of us and how, with each new generation, the important issues also change.

Recently, we had a reunion for the Class of 1973 and were reminded of how much has changed at the law school. For most of us, it was hard to believe that we graduated more than 35 years ago.

The Class of 1973 reunion had an organizing committee big enough to be considered a reunion in itself. We were led by Justice Grant Burnyeat, who took on the planning.

Our class studied—if that is the correct term—in an era before digital cameras. We were able to look at photos taken during our days in law school, thanks to Trevor Todd, who documented our class at a time when hair was long and lectures seemed short. We enjoyed a reception at the law school and dinner at Sage Bistro—a sort of evening occupation of the old Faculty Club. Our classmates Judy Clark, Al Hamilton, and Gerry Ghikas described what they didn't learn in law school, which surprisingly was a fair bit.

The staff at the law school provided invaluable assistance in putting our reunion together, and they would be happy to help your class with its reunion. I encourage you to organize a reunion in order to catch up with your classmates and discover all the successes that can be enjoyed as a result of suffering through law school exams.



Of course, one of the reasons the start of law school seems so long ago is because for many of us it was. Justice Metzger presented Dean Bobinski with a nicely framed plaque commemorating G-14, one of the huts located south of the 1950s building. A short race through the rain to torts, G-14 was where one of our classmates—to much derision—suggested that non-stop smoking in class may not be appropriate. To understand the history of the building and the law school, go online and read Professor Wesley Pue's book entitled *Law School—The Story of Legal Education in British Columbia*. In this book, you will learn that the library actually had books and that students sometimes opened them.

Times really are changing, and for the better: construction of the new law building will begin soon. The Law Alumni Association is proud of the tireless efforts of Dean Bobinski and the committee in making this project a reality.

In the 1960s, we used to say, "You are what you eat." It turns out that you are what you study (or read). For this reason, the Law Alumni Association hopes you will stay involved and participate in our varied activities. We hope to see you at some of our upcoming events. In the Alma Matters section (page 38) of the magazine, we celebrate the achievements of some graduates, as well as of the Faculty of Law as a whole.

I hope you enjoy this issue of the *UBC Law Alumni Magazine*.

A handwritten signature in black ink, appearing to read "Jon Sigurdson". The signature is fluid and cursive, written over a white background.

THE HONOURABLE JON SIGURDSON
President, UBC Law Alumni Association



A PLACE
of Possibilities

BY JAMES GLAVE

FIAT JUSTITIA RVAT CO



AS DEAN OF THE UBC LAW SCHOOL, Mary Anne Bobinski not only heads up of one of the most respected academic programs of its kind in the world, she also serves as a tireless advocate for its faculty, staff, students, and facilities.

On second thought, scratch that last one.

“Our current building is the worst law school building in Canada, and it’s getting worse every moment,” says Bobinski. “I mean ‘worst’ in every sense: heating, cooling, ventilation, inadequate electrical supply, inflexible classroom spaces.”

She’s not alone in her derision. The 635-odd students who circulate through the George F. Curtis Building each year have few charitable things to say about the place, which was built in 1951 and extensively remodelled in 1975 in an architectural style appropriately known as “brutalism.” The rooms are so chilly in winter that a group of undergrads once petitioned the dean to allow space heaters in its classrooms. “It either cooks you or freezes you,” confirms Scott Bernstein, an Environmental Law student. “It sucks the life right out of you.”

But inevitably, the critiques always come back to the concrete. Anyone who has stepped foot in the building will confirm that there is, in fact, a great deal of the stuff—in the walls, floors, ceilings, even furniture. This makes for a sturdy structure, yes, but it comes with a significant downside, too.

“The building is so inflexible, it’s really limiting us from delivering on many of the emerging teaching methods and technologies that are sweeping academia,” explains Bobinski. “We have all these other pieces in place. We have amazing programs, brilliant faculty we have brought in from all over the world, fantastic students full of energy and ideas.

“But our building is kind of like a dam; it’s holding us back.”



STILL, THERE IS GOOD NEWS to be shared about the George F. Curtis Building. If all the pieces fall into place as hoped, about six months from now it will be torn down.

In its place will ultimately stand one of the greenest, most beautiful, and most sophisticated legal learning facilities in the world. The state-of-the-art \$60 million glass-and-brick building will not only welcome visitors arriving on campus via East Mall, but also enable a broader range of teaching strategies and technologies, while more effectively integrating the faculty with the surrounding academic community.

When it opens its doors—hopefully sometime in 2011—the 12,000+-square-metre building will inspire students, faculty, and staff alike. It will offer flexible classrooms and research spaces designed to enable distance education and support problem-based learning. It will house and integrate existing community law reform and advocacy groups such as the BC Law Institute, the International Centre for Criminal Law Reform and Criminal Justice Policy, and the Law Students' Legal Advice Program (LSLAP). It will work with its occupants, not against them.

Moreover, the new building will provide a solid foundation for the faculty's ambitions to be one of the best law schools in the world. It will support a broader range of teaching techniques—from distance education over the Web to video



conferencing—and include myriad smaller, more intimate learning spaces. “We’re going to create an environment where the students have much greater access to opportunities to use their knowledge to promote positive change,” explains Associate Dean Shi-Ling Hsu.

“Really, we are designing a law school building for the 21st century,” says Donald Schmitt, principal of Diamond and Schmitt Architects, the firm designing the new building.

Two things are clear: First, for anyone with so much as a casual connection to the faculty, the new building can’t get here fast enough. And second, knowing what we do now about the global challenges we face, its construction presents a real opportunity to be part of the solution.

YOU DON’T NEED a 4.0 GPA to understand why green buildings have become *de rigueur* throughout academia.

Between 30 and 40 percent of Canada’s greenhouse gas emissions can be traced to the heating, cooling, and powering of homes, businesses, and public institutions such as universities. Closer to home, a recent study conducted by UBC’s Institute for Resources, the Environment, and Sustainability estimated that campus facilities released some 88,500 metric tonnes of carbon dioxide into the atmosphere in 2006, via oil and natural gas furnaces as well as electricity use.

Setting aside the pressing atmospheric reasons to build green, there are other advantages as well. While researchers have yet to
Continued on page 8

Upholding a Sacred Trust

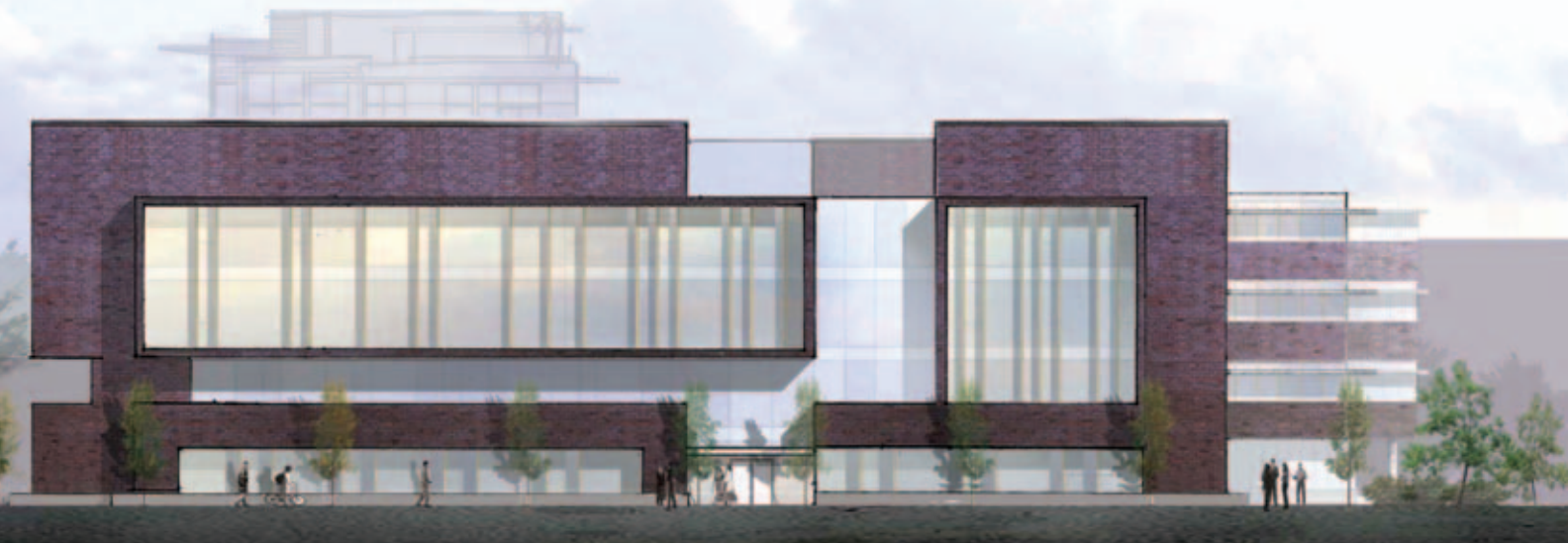
Environmental-Aboriginal Guardianship through Law and Education

Founded in 1997, Environmental-Aboriginal Guardianship through Law and Education (EAGLE) is a non-profit organization that combines the strengths of both Aboriginal and environmental law to assist Aboriginal Peoples in protecting the land and environment for the benefit of all Canadians. Over the years, many UBC alumni and faculty members have offered support through their involvement as board members, staff and contractors, directors, and volunteers, including Thomas Berger, OC, OBC, QC ('56); Peter Grant, QC ('75); Louise Mandell, QC ('75); John R. Rich ('85); Terri-Lynn Williams-Davidson ('95); Ardith Wal'pekto We'dalx Walkem ('95 and '05); Stacey Edzerza Fox ('98) Tahltan Nation; EAGLE, Andrea Hilland ('02) Nuxalk Nation; Assistant Professor June McCue; and Associate Professor Gordon Christie.

EAGLE offers a wide range of services including legal advice, educational workshops, litigation, and out-of-court assistance. Among the many cases and issues that EAGLE has been involved with over the years is the high profile “Haida TFL 39 Case” in which EAGLE successfully represented the Council of the Haida Nation before the Supreme Court of Canada. It was the first time in Canadian history that a logging community intervened in favour of Aboriginal litigants and the first time that the First Nations parties and interveners strategically organized their appearance before the Supreme Court of Canada. The case was an important milestone demonstrating the importance of establishing balance between economic development, the rights of Aboriginal Peoples, and the environment.

Editor's note: At press time, the Board for EAGLE announced the program's closure due to shortfalls in funding.





unequivocally establish that sustainably designed schools improve learning, a June 2006 study by the US General Services Administration found that the agency's sustainably designed buildings scored 29 percent higher than the national average for occupant satisfaction.

In short, those lucky enough to spend their days inside green buildings are generally happier, more creative, and more productive. Plus, the dean explains, given the subjects that will be taught within, a green building just makes sense.

"We have a strong commitment to our environmental and natural resource law programs," says Bobinski. "And here we have an opportunity to have our very building represent that commitment."

Diamond and Schmitt is aiming for a Leadership in Energy and Environmental Design (LEED) gold certification from the Canada Green Building Council. To earn that coveted label, they'll need to meet a number of prerequisites and credits from a long list of best practices in areas such as water efficiency, energy use, building materials, indoor environmental quality, and so on.

At press time, the team was still investigating which green strategies would make the most sense for the site and budget, but the ideas flying around are promising. Schmitt's team is presently costing out a ground-source heat pump—a geothermal system—for the site's

north lawn area. Also in the hopper: a living "green" roof that will add insulation value to the building, manage rainwater, and help take up carbon dioxide.

Like the pipes under the lawn, or grasses swaying high on the roof, a sustainably designed building's greener attributes are often tucked away out of sight. But, explains Schmitt, one hoped for feature of the project will not only reduce energy consumption and clear the air, but it will look great at the same time.

"When you come into the building, you would immediately see a 'bio filter,' a vertical wall of living plants that we will use as the building's air-filtration system," he says.

The school's ventilation system would draw air in through the roots of the plants, where microbes will help purify it, he explains. "It not only keeps the air clean, but it reduces the building's energy consumption, because the air is so good that you don't need to bring in as much fresh air, and in the winter you don't need to heat as much incoming cold air.

"Plus, it will be a beautiful element of the space."

The building will also use extensive "daylighting." This strategy of welcoming natural light inside the space wherever possible not only makes reading easier, but it helps reduce energy consumption. And nowhere will this be more apparent than in the new library, which may be the *pièce de résistance* of the Diamond and Schmitt design.

Continued on page 10

A New Frontier

Wind energy symposium explores a greener source of energy

Harnessing the power of wind is not just good for the environment, it can also be good for business. Pollution-free, quiet, and non-reliant on carbon-based fossil fuels such as oil and gas, wind energy is a critical element in a sustainable energy future.

On June 5, 2008, more than 75 business leaders, engineers, and legal scholars took part in Vancouver's first "wind only" energy symposium to discuss, explore, and debate the benefits and realities of wind power.

Organized by the National Centre for Business Law and Fraser Milner Casgrain LLP, the symposium featured panel discussions and seminar topics addressing a number of core issues, including the competitive advantages of wind, policy development financing, regulatory and community challenges, and the complexities of the wind energy regulatory framework. Dr. Janis Sarra, UBC Law Professor and former director of the National Centre for Business Law, chaired the symposium and welcomed high-profile speakers including the Honourable Brian V. Tobin, PC, former federal Minister of Industry, and former Premier of Newfoundland and Labrador.



Photo courtesy of TransAlta Wind

"The wind symposium is an example of the kind of relevant, thought-provoking, and timely event that the National Centre for Business Law is so proud to help create," says Co-Director and UBC Law Professor Cristie Ford. "We were pleased to be able to foster this valuable engagement between leaders in the business, regulatory, and legal communities around this crucial issue."

Coined the "green gold rush" by the UN Environment Programme, the race is on to locate investment opportunities in clean and environmentally friendly energy alternatives. The keynote speech by Michael Burns, chair of the NaiKun Wind Energy Group, was therefore a highlight of the symposium. In addition to noting that BC has one of the best offshore wind sites in the world, Burns discussed key success factors and concerns for communities that must be addressed in the overall development of a sustainable clean energy sector.

Frogfile

Gil Yaron is obsessed with three-ring binders. You know, the vinyl ones that line the shelves of every reference library in Canada? The non-repairable, non-recyclable plastic things that keep us organized—at least, until they break and end up in the landfill?

No, Yaron's not deranged. As founder and CEO of Frogfile

(www.frogfile.ca), Canada's only sustainable office products supply company, his mission is to reform one of throwaway culture's last strongholds: the humble supply cabinet. Yaron's firm offers greener options for the nuts and bolts of corporate life, such as refillable high-lighters, laptop bags made from recycled plastic bottles, and 100-percent post-consumer photocopier paper.

After launching Frogfile in April 2006—initially running it out of the basement of his Bowen Island, BC, home—Yaron quickly moved his business to Vancouver. The company has since enjoyed meteoric growth. Over the most recent fiscal year, revenue soared 400 percent, says Yaron, who is preparing to take the brand national.

But he isn't just in it for the cash. "If I were just selling widgets, I wouldn't be doing this," says Yaron, who earned his Master of Law from UBC in 2000. "It's about pushing the envelope and trying to be a leader."

And the binders? Yaron now stocks a vinyl-free version that, at the end of the day, can be easily disassembled and tossed into the square—and not the round—bin.

“In one of our possible designs, the library will be visible to every level on the interior, with fantastic views to the north, a big two-storey reading room on the third floor, and views into a garden to the south with cherry trees and an outdoor café,” Schmitt says.

The existing library will be retained while the rest of the building is demolished and rebuilt. Then, after the books are moved over, it too will be demolished.

As Schmitt stands in the present library’s main reception area—a grim expanse of immobile concrete that echoes and amplifies every cough and footstep—the inflexibility of the space becomes obvious. “Look, even the desks are made of concrete,” the architect says, gesturing to the reception area.

“It’s not that hard to do better,” he allows. “And I think we can do way better.”

That sounds like sweet music to law school head librarian Sandra Wilkins, who presently works in a space marked by poor ventilation, inadequate electrical service, and inflexible study spaces. (“We librarians,” she gamely offers, “we make do.”)

“Law libraries are the heart of any law school; they are laboratories,” she says. “Chemistry students go into a physical lab, and law students go into the library. It is where they learn the problem solving they will use for the rest of their lives.”

RESEARCH

Through their research activities, faculty members at UBC Law are asking and answering some of the most important questions about the environmental issues that our planet faces. Their important work adds invaluable insight to our collective knowledge as a society about our changing environment.



Douglas C. Harris

PROPERTY, LAW, AND THE MAKING OF FALSE CREEK

Principal Investigator, Professor, and Associate Dean Douglas Harris

The small inlet known as False Creek in Vancouver has been the site of extraordinary transformation in the last 125 years. The changes, driven primarily by human reinventions of the space, have been both ecological and social. In ecological terms, the surface area of the body of water is now about one-quarter its former size; the tidal mudflat that formed an eastern basin has been completely filled in, a tidal sandbar has been refashioned as an island, and the remaining inlet has been dredged and deepened.

But even these most obvious of physical changes to the inlet have gone largely unnoticed by

the people whose residences, workplaces, and recreational spaces occupy False Creek. Humans have so repeatedly and completely remade the inlet so that its former identity—as a Coast Salish space and then as an industrial space—has all but disappeared. False Creek is now at the centre of one of the densest and most widely acclaimed urban neighbourhoods in North America, the site of a highly successful public market, and the future site of the 2010 Olympic Village.

This project is about a place, and the changing and contested human uses of that place. It is also about the idea of property and the role of property law in the creation and recreation of urban landscapes. In particular, it focuses on the role of private property and the relationships between private, common, and public property in the transformation of place. To do so, the project will use a number of case studies that reveal the diverse and contested claims to property in the inlet, but also the contested idea of property. These case studies will include:

- an exploration of the inlet as Coast Salish space, of the unresolved issue of Aboriginal title, and of the appearance, disappearance, and reappearance of a reserve at the entrance to the inlet;



Wilkins' new workplace will incorporate the principals of a learning commons. In other words, it will be much more than a state-of-the-art research facility offering thousands of digital and print resources; it will also be a dynamic, collaborative centre with individual and group study spaces, and librarians and

information technology staff on hand to offer instruction and advice. It will promote freedom of information, openness, and community.

And as academia grows increasingly multi-disciplinary, it's also where many others will be headed as well.

Continued on page 12

- an analysis of the role of private property in the rapid development of the land surrounding the inlet, and of the conflicts that ensued between holders of private interests and those who claim rights of private and of common property;
- an examination of strata title (condominiums) as a legal instrument that facilitates the vertical division of space into private property, and an evaluation of its role in the increasing density and gentrification of the north shore of False Creek; and
- a comparative reflection on the institution of private property in Canada, following the Supreme Court of Canada's rejection of the Canadian Pacific Railway's claim for compensation when the City restricted its use of an abandoned rail line.

The four case studies will become chapters of a book-length study centred on False Creek, which will add to the growing literature across a number of disciplines on the nature of property and its role in constructing and transforming relations between humans with respect to the material world.

CONTRACTING FOR BIODIVERSITY CONSERVATION IN GLOBAL MINING PROJECTS: EMERGING ENVIRONMENTAL LAW

**Principal Investigator and
Professor Natasha Affolder**

This project examines an unconventional source of environmental law: the biodiversity commitments that mining companies are making as a result of negotiations with a range of private actors. Environmental activists, community groups, and indigenous peoples are attempting to improve the environmental performance of mining companies through negotiated agreements on biodiversity protection. The private agreements that emerge from negotiations between mining companies and other private actors remain largely unexplored by legal scholars. Even in countries like Canada, where mining is an important national industry, research into mining law and policy is rare. While the focus of this research is the environmental governance of the mining industry, the outcomes will be of interest to diverse audiences tackling the challenges of effective public and private governance.

Natasha Affolder



WEST COAST

“We are the most comprehensive publicly accessible legal-research centre in mainland British Columbia,” Wilkins explains. “We consider our main clientele to be the UBC community, but there are so many students doing interdisciplinary studies as well; there are students from every faculty doing research here.”

Donald Schmitt knows this, which is why his team’s design offers multiple points of entry for multiple kinds of users and centres around an atrium that is meant to be a crossroads for both the complex and the immediate surrounding community.

“Law isn’t practised in isolation from other disciplines,” the architect explains. “The Faculty really wants to engage; it wants speakers to be drawn from other disciplines. I think [this building] will be one of the most attractive environments for people to come and hang out, right here at the front door of the whole campus.”

For his part, Associate Dean Shi-Ling Hsu wouldn’t have it any other way.

“As you walk into the building in 2012, we would hope your first feeling is one of connection, that the law school experience is integrated with the rest of the campus and the rest of the world,” Hsu says. “There is an old idea that law school is a cloistered place where we engage in serious, morose thought. We hope the new building will turn that on its head.”

Continued on page 14

Many of us only recently acquired an ecological awareness—perhaps after watching *An Inconvenient Truth*—but Andrea Hillard’s own planetary wake-up call came decades ago, when she was still a young girl in the Coast Mountains outside Bella Coola, BC.

“My family really relied on the land for our food,” recalls Hillard, a member of the Nuxalk Nation, who graduated from UBC Law in 2003. “We’d go out mushroom picking or berry picking, and sometimes when we got to one of our favourite spots, we’d find it had been clear-cut without any notification at all.”

Now a staff counsel with West Coast Environmental Law, Hillard is helping to ensure that those days never return. Indeed, her employer drafted many of the legal underpinnings of the Great Bear Rainforest Agreement—the landmark 2006 deal that safeguards 64,000 square kilometres of BC’s central coast from logging and development.

The Great Bear Rainforest Agreement is just one of the dozens of victories that West Coast Environmental Law has under its belt across



Environmental Law

a 34-year history of advocating for a more sustainable BC through policy work and law reform.

"We work on specific areas where we have expertise," explains Executive Director Patricia Chew. "We work with other environmental organizations—we work with industry and other agencies and government—and we try to institute better legal protections for the environment."

The group also provides legal backup to grassroots community groups that may face battles over environmental issues in their backyard.

"Say a forestry company starts logging in a watershed," explains Chew. "Representatives of the affected community will typically come to us for help. We'll give them free legal advice over the phone, or write a letter for them."

"At that point, the company will often rethink its position. In other cases, when it looks like the community is going to have to make a submission or fight, then we give them money to do so."

That money comes from a variety of sources, including private charitable foundations. The lion's share of funding originates with the Law Foundation of British Columbia. "West Coast Environmental Law has 25-plus years of proven experience dealing with environmental issues," says Wayne Robertson, executive director of the Law Foundation of British Columbia, which funds about half of West Coast Environmental Law's budget. "Many of their reports are very influential in terms of informing public opinion and shaping government policy."

Founded in 1974, West Coast Environmental Law is one of the oldest green groups in the province but it does not enjoy the same profile as some other organizations, mostly because it doesn't pursue litigation. Instead, the group focuses on law reform and policy development, which tend to happen just beyond the limelight.

"They don't have much of a public profile; they work behind the scenes," says Devon Page, the executive director of Ecojustice Canada, a national organization that pursues litigation to protect the environment. "They develop environmental law in BC through their policy expertise."

And that expertise runs the gamut of green. Partly through Hillard's efforts, West Coast Environmental Law works to empower First Nations groups to understand their basic rights with respect to resource extraction. Over past decades, the group has drafted agreements with various levels of government to protect First Nations rights.

The group also works to fight climate change through land-use planning, by helping codify smart growth principles at the local government level across the province. Smart growth is a collection of development principles that emphasize compact, walkable communities that promote decreased dependence on vehicles and improved quality of life.

West Coast Environmental Law is also active in oil, gas, and mining law, ensuring that existing and planned legislation and policy governing issues such as tanker traffic and a proposed pipeline across northern BC are as strong as they can be.

It's challenging, often unglamorous legal work, but it's also incredibly rewarding for the lawyers who work there.

"There aren't a lot of jobs in public interest environmental law, and I feel very fortunate that I have one," says Margot McMillan, a West Coast Environmental Law staff attorney who graduated from UBC Law in 2004.

"I really feel like I am working for change," she adds. "It sounds so clichéd, but it is a really good fit for me."

Editor's note: At press time, Andrea Hillard had just accepted a position with UBC Faculty of Law as associate director of the First Nations Legal Studies Program.



IF ALL THIS SOUNDS LIKE A WHOLE NEW world, that's because it is. The fresh design—green, bright, accessible, and offering numerous opportunities for casual connections between faculty, staff, students, and visitors—mirrors a broader shift in thinking about not just law, but higher education overall.

“The new building will be a place of great transformative potential,” says Dean Bobinski. “Because after all, legal education is trans-

formative; it changes peoples' lives and their communities. The building we have now suggests barriers; literally, it is all about concrete barriers. For me, the new facility is all about openness and light and interaction.”

“It will be a place of wonderful possibilities.” ●

James Glave is the author of [Almost Green: How I Built an Eco-Shed](#), [Ditched the SUV](#), [Alienated the In-Laws](#), and [Changed My Life Forever](#) (Greystone Books).



The Lay of the Land

A unique internship opportunity gives a recent graduate on-the-ground experience

Exploring the great outdoors is a pastime for many Canadians, but for 2007 UBC Law graduate Julie DesBrisay, it has blossomed into a career dedicated to doing her part in protecting the environment.

An avid cyclist, kayaker, and all-around outdoor enthusiast, DesBrisay believes that the preservation of the environment is important not only for recreational purposes, but for the survival of communities who depend on it. Thanks to an internship with the Yukon River Inter-Tribal Watershed Council (YRITWC), an opportunity created

by Canadian Lawyers Abroad, DesBrisay spent the summer both enjoying and caring for the environment in partnership with First Nations.

The YRITWC was created in 1997 by the largest international treaty of indigenous governments in the world: 66 of the 76 tribes and First Nations in the Yukon Basin (Alaska and the Yukon Territory) are participating in the Watershed Council through the enactment of an Inter-Tribal Accord. A grass-roots organization, the YRITWC is dedicated to the protection and preservation of the Yukon River Watershed.

As an intern DesBrisay was stationed in Whitehorse where she worked on advocacy, legal research on water quality

legislation and governmental adherence to existing laws, and water sampling by canoe. She also learned about working with First Nations, particularly those in the Yukon that are self-governing under land claim settlement agreements with the federal and territorial governments. Other perks included fishing trips and family gatherings held by some of the YRITWC's First Nation board members.

For DesBrisay, the experience has been invigorating. “As naive or clichéd as it may sound, protecting the environment does, and will hopefully continue to, inspire me throughout my career.” DesBrisay, who has also worked as an environmental engineer and served as co-chair of the Environmental Law Group while

she was still a student at UBC Law.

Although she was sad to leave Whitehorse at summer's end, DesBrisay is excited about her clerkship with the BC Supreme Court and articling at the Vancouver office of Fasken Martineau. She hopes that focusing on environmental law will allow her to work on environmental policy development, as well as protection and conservation on a broader scale.

“Environmental law is relatively new and currently undergoing a very fast evolution and growth. Besides wanting to work to protect the environment, I find the idea of working in an area of law that is developing so quickly to be challenging and exciting.”

UBC Alumni on Environmental Law Cases

1980

R. v. Northwest Falling Contractors Ltd.

[1980] 2 S.C.R. 292

For the appellant, Brian A. Crane, QC ('60); for the respondent, Harry James Wruck, QC ('73).

R. v. Fowler

[1980] 2 S.C.R. 213

For the appellant, Duncan W. Shaw, QC ('56) and Richard C. Gibbs, QC ('75); for the respondent, Harry James Wruck, QC ('73).

1988

R. v. Crown Zellerbach Canada Ltd.

[1988] 1 S.C.R. 401

For the appellant, Digby R. Kier, QC ('61); for the respondent, Duncan W. Shaw, QC ('56), and Brian D. Gilfillan ('81).

Among the SCC, The Right Hon. Antonio Lamer ('99 Honourary).

1992

Friends of the Oldman River Society v. Canada (Minister of Transport)

[1992] 1 S.C.R. 3

Among the respondents, Brian A. Crane, QC ('60); Dr. George H. Copley, QC ('79) (Attorney General of British Columbia); for the interveners, Gregory J. McDade, QC ('78) (Sierra Legal Defence Fund, the Canadian Environmental Law Association, the Sierra Club of Western Canada, the Cultural Survival, Canada, and the Friends of the Earth).

Among the SCC, The Right Hon. Antonio Lamer ('99 Honourary), The Hon. Frank Iacobucci, QC, CC (LLB '62, LLD '89).

Canadian Parks and Wilderness Society v. Canada (Minister of the Environment)

(1992), 55 F.T.R. 286

For the appellant, Gregory J. McDade, QC ('78) and Mark Haddock ('87).

1994

Greenpeace Canada Ltd. v. MacMillan Bloedel Ltd.

(1994), 118 D.L.R. (4th) 1 (B.C.C.A.)

For the appellants Gregory J. McDade, QC ('78) (Greenpeace).

For the BCCA, The Hon. Allan McEachern (LLB '50, LLD (Honourary) '90), The Hon. Alan Brock Macfarlane ('49).

1995

Sierra Club of Western Canada v. British Columbia (Chief Forester)

(1995), 126 D.L.R. (4th) 437 (B.C.C.A.)

For the appellant, Gregory J. McDade, QC ('78).

Among the BCCA, The Hon. Alan Brock Macfarlane ('49) and The Hon. Madam Justice Jo-Ann E. Prowse ('74).

1998

Western Canada Wilderness Committee v. British Columbia (Chief Forester)

(1998), 158 D.L.R. (4th) 353 (B.C.C.A.)

For the appellant, Gregory J. McDade, QC ('78).

Among the BCCA, The Hon. Madam Justice Catherine Anne Ryan ('75) and The Hon. Madam Justice Mary V. Newbury ('74).

1999

Society for the Preservation of the Englishman River Estuary v. Nanaimo (Regional District)

(1999), 28 C.E.L.R. (N.S.) 253 (B.C.S.C.)

For the appellant, Timothy J. Howard ('94); for the respondents, Gary Anderson ('64) and S. Manhas ('96).

For the BCSC, The Hon. Mr. Justice Malcolm Macaulay ('73).

CanadianOxy Chemicals Ltd. v. Canada (Attorney General)

[1999] 1 S.C.R. 743

For the appellant, The Hon. Mr. Justice S. David Frankel, QC ('72); for the respondents, Gary A. Letcher ('75) and Jonathan S. McLean ('88).

For the SCC, The Right Hon. Antonio Lamer ('99 Honourary), The Hon. Frank Iacobucci, QC, CC (LLB '62, LLD '89).

2001

Beazer East Inc. v. British Columbia (Environmental Appeal Board)

2000 BCSC 1698

Leonard T. Doust, QC ('66); and Nicholas R. Hughes ('89) (Beazer East, Inc.); Michelle B. Pockey ('94) (Atlantic Industries Limited); Joyce Thayer ('93) and Greg Morley ('66); Richard E. Bereti ('91) and Stephen W. Lesiuk ('96) (Canadian National Railway Company).

Among the BCSS, The Hon. Mr. Justice David F. Tysoe ('75).

2003

Imperial Oil Ltd. v. Quebec (Minister of the Environment)

2003 SCC 58

Lynda M. Collins (LLM '06) (Friends of the Earth (Written submissions only) for the interveners.

2004

Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)

2004 SCC 74

For respondent (Tlingit band), Arthur Charles Pape ('79) and Richard B. Salter ('79); for respondent (Redfern Resources and Redfern Ventures Ltd.), Randy J. Kaardal ('86) and Lisa Deanne Hynes ('95); for intervener (AG Canada), Mitchell Ross Taylor ('80) and Brian Alexander McLaughlin ('81); for intervener (Business Council of BC, BC and Yukon Chamber of Mines, BC Chamber of Commerce, BC Wildlife Federation, Council of Forest Industries, Mining Association of BC and Aggregate Producers Association of BC), Peter James O'Callaghan ('84); for intervener (First Nations Summit), Hugh M.G. Braker, QC ('83), Anja Petra Brown ('97) and Arthur Charles Pape ('79).

Among the BCCA, The Hon. Madam Justice Mary Southin, QC ('52) and The Hon. Madam Justice Anne Rowles ('68).

British Columbia v. Canadian Forest Products Ltd.

2004 SCC 38

For the appellant/cross-respondent, The Hon. Mr. Justice G. Bruce Butler ('79) and Birgitta von Krosigk ('97); for the respondent/cross-appellant, J. Douglas Eastwood ('90) and Karen Horsman ('92).

Haida Nation v. British Columbia (Minister of Forests)

2004 SCC 73

For respondents (Haida Nation), Louise Mandell, QC ('75), UBC Law professor Michael Jackson, QC and Terri-Lynn Williams-Davison ('95); for intervener (AG Canada), Mitchell Ross Taylor ('80) and Brian Alexander McLaughlin ('81); for intervener (Squamish Indian Band and the Laxkw'alaams Indian Band), Gregory John McDade, QC ('78) and John R.

Rich ('85); for interveners (Council of Forest Industries, Business Council of BC, and BC Chamber of Commerce), Peter James O'Callaghan ('84); for intervener (First Nations Summit) Hugh M.G. Braker, QC ('83), Anja Petra Brown ('97) and Arthur Charles Pape ('79) and intervener (Village of Port Clements), Stuart Allen Rush, QC ('70).

2005

Sumas Energy 2 Inc. v. Canada (National Energy Board)

2005 FCA 377

For the appellant, Russell W. Lusk, QC ('68), W.K. McNaughton ('84); for the respondent (Province of British Columbia et al.) George Copley, QC ('79) and James G. Yardley ('90); for the respondent (Society Promoting Environmental Conservation et al.) Thomas R. Berger, QC ('56) and Timothy J. Howard ('94); for the respondent (Abbotsford Downtown Business Association) Patrick K. McMurchy ('86).

2006

British Columbia Hydro and Power Authority v. British Columbia (Environmental Appeal Board)

2005 SCC 1

For the appellants, Monika B. Gehlen ('83); for the interveners (Friends of the Earth, Georgia Strait Alliance, T. Buck Suzuki Environmental Foundation and West Coast Environmental Law Association) Margot A. Venton ('97).

2006 BCCA 334

Joyce Thayer ('93) (Counsel for Eagleridge Bluffs & Wetlands Preservation Society), Dr. George H. Copley, QC ('79) (Counsel for the Attorney General of British Columbia), Derek Brindle, QC ('74) (Counsel for Peter Kiewit Sons Co.).

For the BCCA, The Honourable Madam Justice Risa E. Levine ('77).

This list is by no means exhaustive. Rather, it serves as a sampling of the various environmental law cases that UBC Law alumni have been involved in. Every effort has been made to ensure the accuracy of this list. If an error is noted, please accept our sincere apologies in advance and notify us at 604.822.4172 or by email at communications@law.ubc.ca.

The Honourable John A. Fraser

PC, OC, OBC, CD, QC, LLD (Hon.)

BY PENNY CHOLMONDELEY

By the late 1940s, during his teen years, John A. Fraser was working in lumber mills and camps, loading boxcars and booming logs. It was dangerous and brutal work. There was no automation, there were no computers—just sweat, muscle, and back-breaking labour. It was then, on the tidewaters and in the forests of British Columbia's rugged wilderness, that the future politician and conservationist nurtured his deep appreciation for nature. It was also at this time that he solidified the stringent work ethic that carried him through law school and cultivated a celebrated career in public life.



Fraser graduated from UBC Law in the spring of 1954, thanks in part to raw ambition and determination. "When I got into law school, I was going through a difficult time," he reflects somberly. He pauses, then continues with a mischievous smile: "I thought, 'I don't know how smart I am compared to some of these students, but I do know that I can outwork any one of them and I am going to work so hard and become such a good counsel that even the Liberals, who I then assumed would always be in power, would *have* to appoint me to the bench."

True to his spirit of adventure, he spent the summer after graduation leading pack horses through the Yukon before embarking on a legal career that would last until his election to the House of Commons in 1972. Although active in politics from an early age, Fraser says giving up the practice of law was the most difficult decision of his life. "I thought it was my duty. Looking back on it now, I have no regrets and I don't indulge in nostalgia, but I missed the law very much. My whole ambition in life, and what drove me, was the law."

Committed to a life in politics, he would return to Ottawa five more times over the next two decades, serving in a number of positions including Minister for the Environment, Minister of Fisheries, and Speaker of the House of Commons. During this time he demonstrated his dedication to environmental conservation through a number of initiatives including an international treaty between Canada and the

US to prevent flooding in BC by the proposed Skagit River dam in Washington, and the creation of the Pacific Salmon Treaty with the US.

There is no doubt that John Fraser is a tenacious achiever. For his work in the service of his fellow Canadians, he has been made an officer of the Order of Canada (OC) and a member of the Order of British Columbia (OBC). He also holds the Canadian Forces Decoration (CD), is a Queen's Counsel (QC) and was awarded honorary Doctor of Laws degrees for his contributions to environmental causes by Simon Fraser University, St. Lawrence University (1999) and the University of British Columbia (2004).

But John Fraser is also a thinker whose decisions and actions are made with an eye to the future—a future he believes must include the protection of the natural world. It is a value first instilled upon him by his father, who worked in the BC lumber industry in its early days. "My father said we have one of the richest heritages and sources of superb wood in the world. Grinding it up for pulp and two-by-fours was sacrilege—it was worth more than that. He was ahead of his time."

Fraser took his father's message seriously during his time as a practising attorney. By the 1960s, he was already warning corporate clients in the forestry industry about impending changes to environmental legislation and regulation.

"There used to be people who said, 'We have a timber licence, we have a contract, and don't you dare tell us what to do.' My partners and I were trying to tell them that the days when companies could lock everyone out were nearly over. That the land being harvested was also essential for water, for wildlife, for the resources it holds, for recreation, for spiritual aspects. That these are beautiful places. And that they needed to take a more holistic view." A shift in thinking was underway, Fraser warned, and so were criticisms from the populous.

It turns out Fraser was right. Today, he illustrates this shift by referring to the arrest of 800 protestors at Clayoquot Sound in 1993; and more recently, to the Great Bear Rainforest Agreement, which is an innovative new conservation and economic development model.

This ability to calculate the future ramifications of action—and inaction—in the present has been invaluable throughout Fraser's career. He was the first Canadian politician to instigate negotiations with the US on the issue of acid rain; and as early as 1984, he was discussing climate change and global warming in cabinet meetings. In 1994, he was appointed Canada's Ambassador for the Environment, serving for nearly five years. Along the way, Fraser has engaged in a delicate juggling act, managing the needs and desires of competing stakeholders. He believes his grounding in law was an asset to his political career, and sees similarities between courtroom work and political life.

"There are rights and wrongs; there is innocence and guilt. There are people who are good most of the time but not all of the time, and people who are bad most of the time, and every once in a while, they surprise you by doing something good. The great thing about the legal profession is that we have striven mightily to keep all of these contentious issues within the framework of civility. It is harder to do that in the political world, but you have to strive for it."

An address by Dean Curtis to Fraser's first-year class continues to resonate deeply. "[Dean Curtis] spoke to the importance of the rule of law, without which you cannot have a democracy. Without the rule of law, we get the rule of the whims and caprices of individuals, and sometimes with pretty terrible results."

Although now retired from the political arena, Fraser is still active with a number of organizations dedicated to the environment and sustainable development. From 1998, he chaired the Federal Pacific Fisheries Resource Conservation Council, tasked to report on the state of salmon stocks and habitat, until he was appointed by Premier

Campbell in 2005 to chair the independent BC Pacific Salmon Forum, mandated to resolve fish farm and wild salmon issues, and to advise the provincial government on ways, within its jurisdiction, to conserve salmon, steelhead, and their habitat.

"Obviously, in an organization like this, you have to work with a lot of people, some of whom don't like each other. You also need to maintain a relationship with government... unfortunately, the antagonisms between certain people in the industry and those who are fearful that fish farms are going to diminish or extinguish salmon is very deep-seated."

Still, the forum has made progress. Fraser says it remains "amazingly independent," spending over \$2 million dollars on research, and recently publishing a study on the Broughton Archipelago over three decades.

With issues like fish farms, fossil fuels, and global warming persisting as hot topics for public debate, the word "change" is on the minds of many Canadians. Does Fraser think we are ready for change? It depends, he says. He believes that some people want a change in human nature, but that will always remain an unattainable goal.

"There is no one great battle out of which will come a victory for goodness... where evil will be banished and we will all walk arm-in-arm along the high road of good sense and amicability."

Instead, those who strive for change will encounter a never-ending series of battles and challenges. "What keeps you going is the obligation to do your duty. We have to strive to cope with the world we find ourselves in and to make it better—to get things done that need to be done."

"The great thing about the legal profession is that we have striven mightily to keep all of these contentious issues within the framework of civility. It is harder to do that in the political world, but you have to strive for it."

Alastair Lucas

BY CHRIS CANNON

“I think you have to step in,” says Alastair Lucas when asked if he considers himself an environmental activist. “In my career, a lot of work [involved] collaborating with public interest environmental groups... They’re really necessary to move issues forward, to move the debate forward. I think their work and their perspective is really important.”



From his office at the University of Calgary, Lucas rattles off environmental agencies he's worked with like they were his grandchildren's names—the Canadian Arctic Resources Committee, Ecojustice (formerly the Sierra Legal Defence Fund), the Environmental Law Centre in Alberta, the West Coast Environmental Law Association in Vancouver, the Canadian Environmental Law Association—the list goes on. Now dean of the University of Calgary Faculty of Law, Lucas looks back on a career spent at the forefront of environmental regulation.

Born in Saskatchewan and raised in Edmonton, Lucas hails from a family of teachers that goes back generations. When he was an undergraduate at the University of Alberta in the 1960s, he embarked on a five-year course of study that earned him a Bachelor of Arts and an LL.B. at the age of 21 (younger, he laughs, than the age of most students first entering law school today). When a professor informed him that UBC was opening a graduate program, he contacted UBC professor Charles Bourne, who brought Lucas to the University and served as his supervisor.

“Even at that time, in the early sixties, energy developments—oil and gas, water and the like, big developments in the hinterland—caused environmental problems,” says Lucas. “I thought I wanted to study the legal framework for that and what the law had to say about environmental protection when it came to major projects.”

Although there was no particular emphasis on environmental regulation in the program at the time, Lucas attached himself to Noel Lyon (founder of the first course in Natural Resources Law at UBC), who got him interested in the pollution control legislation that had just come into effect in BC.

“There was a big public controversy about the development of a mine on Vancouver Island in Quatsino Sound, near Port Hardy,” he recalls. “So I used that as kind of a case study, and looked at the BC pollution control system as a regulatory system, and it was kind of a forerunner. I guess it was growing up in Alberta and starting to see the way energy was going even in the sixties and thinking about the environmental implications of that.”

By 1968, Lucas had earned his LL.M. and made a home at UBC, teaching in the law school for the next eight years and developing his interest in environmental law and sustainability—just as these issues began to move into the public consciousness.

In the early 1970s, he was involved in the famous *Berger inquiry after he was contacted by the Ottawa-based Canadian Arctic Resources Committee, a public interest group that focused on rational northern development.

* The “Berger Inquiry” refers to The Mackenzie Valley Pipeline Inquiry. The inquiry was commissioned by the Government of Canada in 1974 to investigate the impact of a proposed gas pipeline that would run through the Yukon and the Mackenzie River Valley of the Northwest Territories. The commissioner of the the inquiry was Justice Thomas Berger, OC OBC QC (’56).

"I enjoyed that experience as a young academic and really built on it," he says. "The irony is that it's come back again. The current Mackenzie Valley pipeline proposal and even the TransCanada PipeLines Alaska proposal that looks like it might be going ahead now—they're almost exactly the pipeline proposals that we were looking at over 30 years ago."

Lucas's work on the Berger inquiry led to a year spent on leave, working at Environment Canada (the first year it was established as a separate ministry). "I was really young when I got started, so I thought, 'Hey, these are great opportunities, and I have lots of time, so I better take advantage of them!'"

Another opportunity Lucas could not let slip away was the chance to return to his home province when the University of Calgary opened its law school in 1976. Already a member of the Alberta Bar, Lucas jumped at the chance to become a founding member of the new school. At UBC, he had helped launch one of the first seminars on environmental law in Canada and founded courses on forestry law and water law. But due to a lack of interest in forestry law in the prairies, he shifted his focus to environmental regulation of the oil and gas industry. With the help of founding dean, John McLaren, who made environmental law a focus of the law school, Lucas helped launch the Canadian Institute of Resources Law in 1979, serving a term as the organization's executive director.

As the law school's current dean, Lucas continues his focus on the oil and gas industry, particularly oil sands regulation, with a general interest in climate change. "The faculty here has really strengthened and grown," he says. "We now have Faculty members who buy into the idea of natural resources, energy, and environmental law as a specialization of the law school, while still keeping in mind we must be a full-service law school. This particular specialization seems only logical for a school in Calgary, the oil and gas hub. We envision it will pay off for us in that it will attract top students and instructors in the area, and lead to industry partnerships."

Such a specialization will not only pay off for the school, but for Canada as well. As massive pollution from Alberta's oil sands looms on the horizon, the goal of putting our petroleum appetite on a diet has become a focus of environmental law. "A low-carbon economy is really the future," says Lucas. "Not only do we have to get there, but from the point of view of the business community, it makes sense to recognize that that's where things are going."

To this end, Lucas has been studying how federal and provincial climate change legislation policies apply to the tar sands, as his colleagues focus on carbon capture and storage. According to Lucas, as oil sands production increases, we must find ways to mitigate a higher level of carbon emissions than we have seen via conventional oil and gas production. Sequestering carbon in geological formations is the next step to reducing our overall greenhouse gas emissions. "If we're going to make much progress over the next couple of decades in

"I'm very geared toward outcomes, whether it's stopping a bad proposal in working with a public interest group, or working to ensure that a worthwhile energy proposal, which is not going to do a lot of damage and produces a lot of benefits, goes ahead."

terms of climate change in relation to oil and gas and the oil sands, that's how it's going to happen."

Considering the long, uphill battle that environmentalists have been fighting over past decades (a battle still in its infancy), it makes sense that someone in Lucas's position would take the long view. He considers both oil sands and natural gas to be transitional fuels until we finally achieve a low-carbon economy. More and more electricity-generating plants in Canada and the US are using cleaner burning natural gas, but he worries about gas being wasted to fuel the energy-intensive process of refining the oil sands.

"I don't think anything's going to stop the oil sands, but right now, it's hard to predict how far and how fast it's going to go," he says. "It's high-cost oil, that's for sure, but that, in itself, may be a sign that we are, if not reaching the end of the road, at least plateauing. Oil prices are getting so high that renewable alternatives are going to be more and more attractive."

Though the oil sands seem like a local phenomenon, the impact of their development is a global concern. This has given Lucas opportunities to travel and study that he had never dreamed of. "When I started, my work was very much provincial, then it became national, and then, ultimately, international. As a result, I work with people all over the place—in China, and Russia—and I've had a chance on sabbatical and leave to actually live and work in some of these places." In addition to his current appointment at the University of Calgary, Lucas also serves as a trustee of the Rocky Mountain Mineral Law Foundation and as a special legal advisor to the North American Commission for Environmental Cooperation.

The transition to cleaner burning fuel continues to be a tough fight, but the ever-growing field of environmental law does bring about regular successes in regulation. This, Lucas claims, is one of the most rewarding parts of his job.

"I really enjoy seeing things happen," he says. "I'm very geared toward outcomes, whether it's stopping a bad proposal in working with a public interest group, or working to ensure that a worthwhile energy proposal, which is not going to do a lot of damage and produces a lot of benefits, goes ahead. That's the kind of thing that turns me on."

Diana Valiela

BY CHRIS CANNON

Diana Valiela didn't expect to become a lawyer. Since she was a child, following her father around the world on business trips—living in places like Brazil, Mexico, the United States, Spain, England, and her native Argentina—she maintained a curiosity about the natural world. After completing her undergraduate work in biological sciences at Rutgers University in New Jersey, and her Master and Ph.D. degrees in Zoology at Duke University, she assumed her course was set.



"I was an environmental scientist from the beginning," she says, "so I did a lot of work on ecosystem processes, plants and animals, and interactions between various things that people do and the environment. I always had an interest and a lot of work in environmental impact assessment."

Valiela's environmental work took her on a circuitous path before landing her in British Columbia in 1973. After a period teaching at Rutgers University, where she studied insecticides in the salt marshes of New Jersey, her fascination with the connection between human activity and natural ecosystems grew beyond academia.

"That's how I actually came to BC—because I came to study something that was very much a specialty, which was modeling of ecological systems. When I got here, I decided it was pretty much paradise, and I wanted to stay."

It was during a nine-year position with the Pacific and Yukon region of Environment Canada that she began considering expanding her talents into the field of law. "I never really considered becoming a lawyer until I had been working as an environmental scientist for years. I was working with Environment Canada, doing studies on the effects of various types of human activity on the environment. We were doing an awful lot of work in which lawyers participated, and they used to get lawyers from Justice Canada to help us with various issues. There was always an issue of having to train the lawyers to understand the scientific language, to understand the

concepts we were talking about, what the issues were about. I saw a real need for somebody who could understand both fields, so I decided to go to law school and get trained as a lawyer in addition to being trained as a scientist."

Despite her expertise and early success, returning to academia was a tough road. During her three years at UBC Law, she maintained an environmental consulting practice while raising her two children as a single parent. After graduating in 1994, she joined the Vancouver offices of Lawson Lundell, where she continues to serve as a member of their Environmental, Mining, Energy, and Northern Practice Groups, concentrating on environmental and natural resource law and related issues in administrative and Aboriginal matters.

"I advise clients on environmental issues. I help them with environmental impact assessments, and I appear before boards and tribunals, which are boards that are set up to examine those types of processes. I also advise clients on due diligence and how to comply with legal requirements of all kinds in environmental areas." Since joining Lawson Lundell, Valiela has built an additional expertise in Aboriginal law and natural resource development. "In the North, there's an enormous increase in environmental controls; and now, with all of the land claims, most of their regulatory systems are handled completely by Inuit and other Aboriginal organizations. So there's a lot of regulation to get through with one of the projects in the North, including significant overlap between the federal and Aboriginal regulatory systems."

“I think the most work that’s going on is in industry because they’re the ones who are responding, not only to legislation, but they’re also responding to the demands of public opinion. They are responsible for their image to the outside world and themselves.”

Valiela has served as Canadian chair of two committees under the International Joint Commission's Flathead River International Study Board, as a member of the National Energy Board, and on the federal public review panel on the moratorium on BC offshore oil and gas.

Valiela's width of experience working in the government, corporate, and academic sectors has given her a unique perspective on how we are dealing with ecological issues. Her writing on sustainability has ranged from a book on Environmental Impact Assessment to articles in scientific magazines to a body of lectures for conventions and Continuing Legal Education sessions, and she currently teaches as an adjunct professor at the UBC Faculty of Law.

So which of these sectors can we look to for progress on our environmental challenges? “I think the most work that’s going on is in industry because they’re the ones who are responding, not only to legislation, but they’re also responding to the demands of public opinion. They are responsible for their image to the outside world and themselves. So I think that’s where most of the action is being taken.”

The relationship between corporate image and public perception, however, is largely dependent on a sector rarely held as accountable as the government and private businesses are on environmental issues: the media. “I think the media has a very onerous responsibility to be well informed on all sides of the issues—obviously any interactions between what scientists are developing in terms of information and what the media and politicians do in terms of what information and policies they talk about. And what the media covers, by the way, has a huge influence on what happens, and also on what the public reads, and how they react to it.”

It is the media sector, Valiela believes, that needs to step up their game. The more the media stays abreast of the rapidly spiraling sustainability challenges, and the more it works to keep the public properly informed, the faster industry and the government will work towards positive change. “I certainly see it changing very rapidly towards more regulation and more consciousness of the fact that we need to do something about [environmental issues]. And lots of attention also on what’s happening in the US because they’re so influential, especially with Canada... It depends on public policy and where public opinion drives these types of issues.”

But we have been here before. In the late 1980s, the global warming issue was front-and-center of public consciousness and the political agenda, with Canadian and US leaders promising immediate action on climate change. However, the US recession of 1990 quickly moved environmental issues to the backburner as the economy took center stage, and we have been paying the price ever since.

Financial challenges in the US—which send ripples and waves through the Canadian economy—are the worst they’ve been since the Great Depression of the 1930s, but Valiela is optimistic that this time around the ties between the economy and the environment cannot be ignored.

“It depends on economic factors, because the economic situation in the United States is apparently very, very bad, and so that’s being considered. And there’s always the argument that you don’t need to have one in opposition to the other—they can be complementary, and I think that’s definitely where the future is going to be; the economic interests are linked very substantially. And by that I don’t mean the industry having enough clout, necessarily, I also mean the public is feeling the economic pinch in a very real way, like they are in the US. Then it’s going to be a big priority for the public to become way, way proactive, and insisting that politicians set economic controls, carbon taxes, things like that. We’ve certainly seen a lot of change in that direction with environmental regulation over the past couple of years.”

As consuming a career in environmental law might be, Valiela finds joy in making time for sailing and a hobby one might expect of someone who spent their childhood touring Europe and South America: soccer. In 1998, she and her son made a special trip to France for the World Cup, and she can’t help but smile when she says that her favourite team is Barcelona. “But of course they’ve got some Argentines on the team,” she grins. “[Spain] won the Euro Cup just now, and they play some of the most beautiful soccer I’ve ever seen.”

Greg McDade, O.C.

BY PENNY CHOLMONDELEY

When it comes to the environment, Gregory McDade pulls no punches. “I think the battle for climate change is largely lost. Our kids will inherit a very different world than the one we live in.” Spoken by one of Canada’s top environmental lawyers, these words must not be taken lightly.



For four decades, McDade has fought the good fight, working on some of the most important environmental law cases in Canadian legal history. Along the way, he gained the experience and wisdom to back up his grave prediction. He was the first executive director of the Sierra Legal Defence Fund (now Ecojustice) and handled seminal cases for clients like Greenpeace Canada, the Canadian Parks and Wilderness Society, and the Canadian Environmental Law Association. He has witnessed the changing tides of the environmental movement and has relentlessly argued that to bring about meaningful change, the system itself must be transformed.

As a young environmentalist, McDade believed the law was the most effective way to make an impact, and in 1975, he moved from Alberta to attend UBC Law. UBC had a reputation as a corporate law school and McDade expected to exist on the fringes. When he arrived, he was astonished to discover that the law school had an active environmental law club.

“I was surprised by how many law students were like me—students who went to law school with the hope of changing the world. I liked law students and law school a lot more than I expected to... To pat UBC on the back, British Columbia has been a dominant force in environmental law in the country and has engendered an awful lot of lawyers who are at the forefront of Aboriginal, environmental, and social justice law cases.”

By his final year of law school, the ambitious environmental law club transformed into the West Coast Environmental Law Association (WCELA), of which McDade became executive director. The association championed environmental causes through advocacy, law reform and research. The dominant issues at that time were pesticides and pollution. “Almost all the great environmental laws—the Clean Air Act and the Clean Water Act in the US, for instance—were passed in the early seventies. There was great public concern for the environment back then, but it was about toxins, pesticides, and clean water and air.”

For three years, the WCELA ran primarily as a summer program utilizing UBC law students and government funding, with McDade acting as the sole administrator in the winter. They offered a collective approach to environmental issues, something McDade still ardently supports. Relying on individual lifestyle choices to fix environmental problems is an approach doomed to fail, he says.

“In the environmental field we talk about the tragedy of the commons, which means everybody has an equal common interest in protecting the environment but an individual self-interest in exploiting it. The only answer to the tragedy of the commons is to have a collective approach to environmentalism.”

In 1990, McDade took over as executive director of the Sierra Legal Defence Fund (SLDF). Recognizing that accessing the legal system requires money, the SLDF offered free legal representation for environmental groups across Canada.

"One of the consequences of the tragedy of the commons is that those people who want to destroy the environment or avoid protecting it are the ones who can afford to hire lawyers. Those people who want to protect the environment have no financial stake in it. So they can't pay for lawyers... The only way you can have lawyers who protect the collective interest in the environment is to have organizations like West Coast Environmental Law and Sierra Legal Defence Fund that are funded commonly."

Under McDade's leadership, the SLDF tackled defining cases in Canadian environmental law. During the 1990s the great environmental battles centred on wilderness, forestry, and endangered species and wildlife habitat. In *Friends of Oldman River Society v. Canada (Ministry of Transport)* (1991), a Supreme Court of Canada decision that established enforceability of Canadian environmental assessment, the SLDF acted as an intervener. In *Greenpeace Canada v. MacMillan Bloedel* (1996), the SLDF represented Greenpeace Canada in the Supreme Court of Canada over the 1994 public protests against logging operations in BC's Clayoquot Sound.

"Environmentalists began to use the courts in a much more creative way," McDade explains. "They began to have more impact on the political debates and learned to fundraise more effectively. The size and the power of the various environmental groups increased dramatically over the course of that decade."

The group also developed critical relationships with First Nations on environmental issues. When McDade left SLDF in 1997, his experience working with First Nations helped him secure a position with Ratcliff and Company LLP. He was appointed Queen's Counsel in 1996, and is now Managing Partner and a senior litigator. He works primarily in Aboriginal law, but has not abandoned the practice of environmental law.

"I have been able to accomplish as much or more in terms of environmental protection in my work with First Nations than I ever did working as a public interest environmental lawyer," muses McDade.

He cites *Haida Nations v. British Columbia* (2004), which established the duty of consultation with First Nations, as an example of a Supreme Court of Canada case that was both an Aboriginal rights case and an environmental law case. "First Nations have a collective view of property and see self-interest in protecting the land. They will pay for lawyers to fight environmental battles that protect the land and the wildlife and the fish... And they have legal rights. I find dealing with environmental rights with my First Nations clients to be a much more satisfying experience and hopeful way of resolving things."

Despite inroads made in Aboriginal law and increased media attention on the climate crisis, McDade laments that the environmentalists of his generation must recognize they have largely failed to turn society

around as needed. "We've tried to build awareness of these problems, and we have, but awareness hasn't changed the trends of society... As long as we are consuming so much more than the environment can possibly support, we're in deep trouble."

The irony is that many of the mechanisms for change are actually in place. He points to Canada's Fisheries Act and the Canadian Environmental Assessment Act as two powerful pieces of legislation that could make a tangible difference in Canada's response to climate change and environmental issues. The problem is a lack of application and enforcement.

"I think that the government is responding in a partial and inadequate way, and I think most politicians know it... But it's what the voters want them to do. Most voters don't want to make the necessary lifestyle changes and will punish any politician who tries to make them."

As for individuals and organizations committed to living in balance with nature and protecting the planet, McDade believes they still play a role. "It's fighting a holding battle," he explains. "A small percentage of people are working and dedicating their lives to it, and eventually they'll knock away at it. Where would we be without poverty activists? Where would we be without anti-smoking activists? Those activists don't have the power to change society because, by definition, they are a very small minority. But they do have the ability to stop society from making really huge mistakes."

If the war on climate change is lost, and environmental movements of the past four decades have failed, what keeps McDade going? "There are choices we make about how we are going to spend our lives that define who we are as people. Environmental issues are the greatest risk to us and our way of life, and what has become the highest quality of living for humans in all of civilization. If we want to preserve that, we *have* to be environmentalists."

"In the environmental field we talk about the tragedy of the commons, which means everybody has an equal common interest in protecting the environment but an individual self-interest in exploiting it. The only answer to the tragedy of the commons is to have a collective approach to environmentalism."

Global Environmental and Natural Resource Law

BY JAMES GLAVE

Some believe that law school should just teach the law. But a growing chorus of professors now argues that academia has a bigger role to play. Students should be prepared to be lawyers, to see a case from various sides, they argue. They should move beyond the textbook application of law, and add some of the nitty gritty of what actually happens in legal practice, and why.

That's why UBC Law School Associate Dean Shi-Ling Hsu is spearheading the creation of case studies based on significant, precedent-setting challenges across environmental and natural resource law.

"We want to help students really grapple with a problem," says Hsu, who is developing the project under the umbrella of the Centre for Global Environmental and Natural Resource Law at the UBC Faculty of Law.

Each of the dozen or so modules that Professor Hsu hopes to have assembled and in classroom use by the spring would contain a selection of backgrounders on a given episode in natural resource or environmental law. One will address the legal complexities of salmon farming, and at least two or three others will plunge into the subtleties of Aboriginal rights and title.

Of the latter cases, one will likely examine a years-long Aboriginal rights and title claim involving the Tsilhqot'in People, whose traditional lands encompass the 80,000-square-kilometre Chilcotin Plateau region in British Columbia's central interior, and the province, which

was issuing tree farm licenses in the area. Compiled with the help of Gareth Duncan, a staff lawyer at Environmental-Aboriginal Guardianship through Law and Education (EAGLE), the case reveals how, in British Columbia, Aboriginal title and natural resource law are growing increasingly interwoven.

With this module and others, "we are not only giving a summary, but also background information on policy, the various perspectives of the different players," explains Duncan. "The idea is to pull the experience out of the abstract and delve into how this case actually unfolded."

Hsu hopes that by sifting through the documents, students will gain experience with the subtle conundrums inherent in their chosen profession.

"We're trying to simulate life as a lawyer," says Hsu. "When a partner dumps a pile of papers on an associate and says, 'Here, you figure it out,' we want them to be prepared. We want to make them fight through the statutes and regulations."

The approach has clicked with students wherever it has been introduced. Informal surveys at Stanford Law School—which began working with case studies several years ago—reveal that the whole tenor of the classroom changes when instructors use case studies.

"Class participation was generally about 50 percent greater on those days when we talked about the case studies versus traditional teaching mechanisms," observes Professor Barton "Buzz" Thompson, who oversaw the development of Stanford's collection of case studies.

Ultimately, Hsu expects to make UBC's modules available online for use not only by the school's professors, but by students, non-governmental organizations, and legal practitioners throughout the province and the world at large.

"The law does not exist in an abstract and isolated vacuum," notes Duncan. "It is enmeshed in everything we do, and to try and look at it in an insulated way is a limited exercise. You need to look at where law hits the ground."

One thing is for sure: Once the first students to benefit from Professor Hsu's modules move onwards and upwards, they'll do more than hit the ground. They'll do so running.



Shi-Ling Hsu

DEBORAH WOLFE
CLASS OF 1992

Leader of THE PACK



Deborah Wolfe LL.B., Bestselling Author, Columnist, Award Winning Radio Host and TV Pet Expert Trainer.

Law grads who spent time at UBC Law in the early 1990s may remember a friendly black shepherd dog named Mike frequently camped outside the George F. Curtis Building. Mike often brought his owner, Deborah Wolfe, to campus with him, waiting faithfully for her as she attended her classes.

Today, Wolfe is an award-winning journalist, animal expert, writer, and founder of the world's first "doggie resort," Camp Good Dog. Her books on dog training have sold out of four printings and made numerous top 10 lists. She has worked with animals ranging from hyenas and lions, to cats and dogs, and hosts a regular segment for Global TV called "Doggin it!". To date, she has been featured on the Knowledge Network, BCTV, UTV, WTN, KVOs, CityTV, CBC Radio, and in *Vancouver Magazine*. Wolfe's radio show "The Animal Magnet—Pet Radio" on the Progressive Radio Network is now heard in over 156 countries and she recently published the DVD called *Dog Training That Works*. Through Camp Good Dog and her media work, she is out to prove that all dogs really want to be "good dogs."

Why law school?

Growing up I was presented with the idea that you had three choices: you could be a lawyer, a doctor, or a teacher. Of those three choices, the one that suited me best was law. Like almost everybody in law school, I was good at argument, I was good at debate, and I was outspoken. It seemed like an obvious direction for me to take. My father, Alfred Magerman, QC, was a lawyer who loved the law and used his practice as an opportunity to do social work for his clients. He had an altruistic idea about the practice of law. I believed that I could help people, change the world, work for justice, and improve the lives of powerless people. In particular, I wanted to help women and children who weren't getting a fair shake.

What were your first impressions of UBC Law?

I came from Toronto and one of the first things that impressed me was how incredible the West Coast was. I was astonished that Canada could be this earthy, open, and friendly. It was so different from corporate Toronto! I couldn't get over simple things like men with corporate jobs wearing purple and green. In Toronto, it was grey and black and navy. The West Coast was colourful and exciting, and UBC Law was a part of that. Perched over Wreck Beach, right next to the Anthropology Museum—how could it not be?

What was your most memorable experience at UBC Law?

On my very first day, in my very first class, I remember listening to the comments and questions from the other students, and I felt that for the first time in my life I was in a class full of people who were brilliant, outspoken, engaged and exciting to listen to. I thought, "This is great! These people are talking about ideas and concepts that are fascinating!" The second thing I remember most is my experience with LSLAP (Law Students' Legal Advice Program). People would come in with government papers and documents that they had to respond to that they couldn't read. The simplest skills we had as law students were incredibly valuable—the ability to read a legal document and respond to it in a timely fashion could help someone immensely. I'd only had a few months of schooling and already I was making a huge difference. The third most memorable thing about law school was the Tea Cup Rugby Tournament. It was women's law against women's medical school. I don't know if there were two of us who had played rugby before—but it was such a riot! All the men were cheering us on, it was a packed field and we had a great time. There were lasting friendships created between the women.

What was it like when you came to the end of your law school experience?

During law school, I had a number of different jobs. I was waitressing, working in a courier company, and also taking care of people's animals, doing pet-sitting, and dog-walking on the side. There was so much demand that when I went to article, I had to stop taking care of people's animals. All of a sudden, all my time was spoken for, and I really missed that work.

I was articling in a firm that I thought was a good match—they were doing criminal and family law, and at the time, it was hard to find a firm that did both. It turned out not to be the greatest place for me... It was an extreme environment that was very different from my father's practice, and I really didn't like working there. One day, I was stuck in traffic behind someone driving an SUV that said "Cheryl's Pet Taxi" and it was full of dogs. I thought, "It must be nice... too bad." Then I thought, "Well, why the hell not?" From then on everything shifted. At the time, I taught Synagogue Sunday School—I continued with that, but left law and started up my pet business again. That was 1995, and by 1996, I had a book publishing contract, a Canadian tour, and my new career was launched!

How did you transition back into working with animals, and when did you first get the idea to write a book?

I called my old customers and told them I was pet-sitting again. At that time, the business was called Perfect Pet Care and I was slowly building it. Prior to going to law school, I had worked in many ways with animals, including as a vet assistant. After deciding to go back to working with animals, I took lots of courses and retrained.

During that first year, a customer approached me—she was going on vacation for three months and had someone to house-sit and pet-sit her puppy, but in case something went wrong she wanted me to be the "back-up plan." As a business person you never want to be the back-up plan, but she was extremely nice and the dog was an adorable puppy, so I said yes. Sure enough, as soon as she left, the house-sitter called me in a panic. The dog was destroying everything, the house was a mess, and she didn't know what to do. She couldn't afford to pay me but asked if I could help, and I agreed to come over and give her one free lesson. So I sat down with this woman and started writing notes and explaining how to train the dog. Part of

“I knew from my time training dogs in the city that dogs want a vacation where they can be dogs, with other dogs, outside. They like to run and wrestle, chase and play, and explore different terrains.”

the way through, she said, “If I get you a publishing contract, will you take this dog for three months?” I asked if she was kidding—I didn’t have a book. “This is a book,” she said, pointing at the notes I had been writing. We set up a meeting with her publisher and I had the weekend to basically fake it and make it look like I had written a book on dog training! And that’s what I did—I wrote sample chapters and outlines. They not only bought that book, they bought another book as well! She was right—it was all there. For a year I had been giving people print-outs from my computer, and those became the chapters of my book. The following September, I was on CKNW and was picked up by *The Province*. Everything just snowballed from there.

Tell us about Camp Good Dog.

Camp Good Dog was the first dog camp, and it was revolutionary. People thought I was nuts to be using a dog kennel concept without the cages and runs and dogs stored away, lonely and unhappy, running and barking, and hating their neighbours. At conventional kennels, dogs can become depressed and learn bad habits like peeing inside and fence running. My customers were begging me to take their dogs overnight so they wouldn’t have to go “to doggie jail” or “doggie hospital.” I knew from my time training dogs in the city that dogs want a vacation where they can be dogs, with other dogs, outside. They like to run and wrestle, chase and play, and explore different terrains. At Camp Good Dog, we have five fully fenced acres with a gigantic spring-fed pond for swimming, meadows, trails, grasslands and woods plus a heated indoor kennel with private, semi-private, and group areas for dogs to sleep and cuddle.

Has your legal education been applicable in your current profession?

When I do live TV or radio, it is very fast-paced and I don’t always know what to expect. I have to be ready to answer fast and accurately, and reach audiences. That kind of pressure is something I definitely experienced at law school, as well as how to hone your verbal skills in order to respond to an onslaught of questions. I never regretted going to law school even though I didn’t end up practising. I loved law school.

I enjoyed it far more than practising and found it mentally exciting and stimulating—like my media work now. Law school also gave me letters (LL.B.) beside my name and that helped ensure that I was taken seriously no matter what I did or where I went whether it be CKNW, Global TV, Raincoast Books et cetera. It says to the world that I am a serious person who does professional work. I took the courses and training that I needed to fully understand the animal mind, but it’s the LL.B. that I put on my business card.

What are your thoughts on the treatment and protection of animals in the Canadian legal system?

In the media, you’ll hear about operations at which they find 400 puppies or 200 kittens, and 80 have to be put down—I have been there on those days and it is scary. Police bylaw enforcement, conservation people, the SPCA, and people like me are there because we are experts on how to actually grab the animals. When you go into a place like that, you’ll see animals in 3 or 4 feet of feces, missing limbs and eyes, literally cannibalizing each other because they have no food. It is gruesome and alarming, and you know that the culprit will only get their hand slapped. Then you read that they were doing it years ago, and this is the third offense. Or that they were told they couldn’t own animals in Alberta, so they moved to BC. That is the kind of thing that gets people—myself included—so outraged. I want to be able to take these people and give them some kind of offender mark that stays with them for the rest of their lives that says, “You cannot own pets.” Not after one year, five years—never. There needs to be some kind of comprehensive system that everyone understands, and that is enforceable everywhere. It is hard on your heart, but I get so much from animals in my life. How could I hang up and say “no” when they ask me to come out and do an assessment? It is what I owe the animals.

What do you think about breed specific legislation? Are some breeds “born bad?”

I don't believe in specific breed legislation for a number of reasons. The majority of the dogs who would be targeted by this kind of legislation are actually the “good guys.” The people who register and license their dogs and actually own up to the fact that they have a Pit Bull or a Rottweiler—those are the ones who are going to be restricted. All the people with crossbreeds and who don't register their dogs—including the “bad guys”—are the ones who are going to get away with it. There are far more Pit Bull crosses than purebred Pit Bulls. Targeting a specific breed doesn't eliminate the problem. If you do single out a breed, the people who want to own dangerous dogs will just pick a new breed. I think the legislation does a lot more harm than good, because dogs get dumped and it's only the good ones that become homeless. It causes a lot of pain and I don't think it makes anyone any safer.

Is there any good news in terms of legislation to protect animals from cruelty and abuse?

There is the totally shocking and innovative move by the New Brunswick Veterinary Association to stop all unnecessary cosmetic surgeries, with the particular aim at stopping ear cropping and tail-docking in dogs. Cat declawing is also being discussed. I'm so relieved! It's hard to know where this will lead because the clubs, show rings, and public tastes have not caught up. A breeder in New Brunswick will likely travel to another province to get these vet procedures done rather than risk having their stock not be show quality... but it's a wonderful step in my opinion, and it's long overdue.

“I think the legislation does a lot more harm than good, because dogs get dumped and it's only the good ones that become homeless. It causes a lot of pain and I don't think it makes anyone any safer.”

Will the show ring ever accept a Rottweiler with a long, floppy tail or a Great Dane with dangly ears? Yes, because in the US, the UK, and in some parts of Europe, they do. Must a poodle have its tail docked? No. My red poodle, Raspberry, does not, and for me, the fact that clinics elsewhere continue to perform these painful and unnecessary surgeries is ethically suspect. In fact, the purebred world has long allowed breed standards that contribute to poor health and physical weakness. For example, the only bulldogs that win in the ring have a huge head and a tiny pelvis. This ratio makes it almost impossible for bulldogs to have pups naturally. I see veterinary condemnation of certain practices, such as cosmetic surgery, as leading the way to standards for each breed which make it healthier, stronger, and better able to enjoy its life and serve its original purpose—which is what the breed clubs were created for in the first place.

Is there a message you are trying to convey with the work that you do?

Animals help us on such a deep level. They do everything from helping blind people, to sniffing for bombs, to finding cancer in humans. But there are also the simple things. For instance, a kid comes home from school to an empty house. He opens the door and it doesn't matter if he feels like a loser in his own life—it doesn't matter if he has no friends, if he failed a test, if he didn't make the team. Because when he walks in, his dog adores him. The dog offers love, consistency, affection, and reliability. When I come home, I am lucky if my husband Rick, my two kids, and I greet each other with hugs and kisses and warm embraces. Most of the time, we are too busy. But my dog—there is never a time when I walk through the door and he doesn't drop everything to celebrate. We need animals to bring us back to that level of celebrating everything in the here and now. That is what they do for us. ●

For free pet advice, to listen to Wolfe's online radio show, to find out more about sending your dog to Camp Good Dog, or to purchase a copy of *Dog Training That Works*, visit www.campgooddog.com.

Report *on Giving*

.....

As Acting Director of Development I am delighted to be involved with UBC Faculty of Law's fundraising efforts toward a new home. Over the year, I have enjoyed getting to know many of UBC's proud alumni and the firms and organizations in which they are enjoying productive careers.



SUE KENNEDY

The Faculty of Law development program has experienced another year of unprecedented success. Almost \$12 million was raised in the last fiscal year (April 2007–March 2008) with proceeds directed toward a number of Faculty initiatives.

Fundraising highlights from the last fiscal year include:

- \$1 million donation from Borden Ladner Gervais LLP and the Ladner family for the Faculty's building project.
- \$1 million donation from Richards Buell Sutton LLP for the Faculty's building project.
- \$1 million donation from Davis LLP and Irwin Davis for the Faculty's building project.
- \$6 million as a matching grant from the Law Foundation to encourage donations to the Faculty of Law building project. The Law Foundation has committed a total of \$12 million to the building project.
- \$550,000 raised for student aid, of which \$223,000 was endowed.

- \$116,000 secured in affiliations for the National Centre for Business Law.
- \$103,000 raised for the Okanagan Bar Association Entrance Scholarship in Law.
- \$25,000 raised in memory of Chancellor Allan McEachern.

So far this fiscal year, we're pleased to announce two more major donations to the Faculty – \$600,000 from Clark Wilson LLP toward the building project; and \$1 million from Fasken Martineau that supports both the building project and the National Centre for Business Law (NCBL). The gift to the NCBL represents the Centre's first Platinum Affiliation.

Other exciting news includes the establishment of three new entrance awards. We are also pleased to be able to share details about the first class to collectively raise over \$125,000 in support of the UBC Law building project. Check out the next few pages for more details on these gifts.

A handwritten signature in black ink that reads "S. Kennedy".

SUE KENNEDY

Acting Director of Development

Lead Building Project Donors

\$12 MILLION

The Law Foundation of
British Columbia



\$1 MILLION

Borden Ladner Gervais LLP and
the Ladner family
Davis LLP and Irwin Davis
Farris, Vaughan,
Wills & Murphy LLP
Richards Buell Sutton LLP



BORDEN
LADNER
GERVAIS

DAVIS | LEGAL ADVISORS
LLP SINCE 1892

FARRIS

FARRIS, VAUGHAN, WILLS & MURPHY LLP
Barristers & Solicitors



richards buell sutton LLP
Barristers and Solicitors

\$750,000 OR MORE

Fasken Martineau



\$500,000 OR MORE

Anonymous (2)

Clark Wilson LLP



\$250,000 OR MORE

Anonymous

McCarthy Tétrault LLP

Taylor Jordan Chafetz and
the Lysyk family

\$100,000 OR MORE

Thorsteinssons LLP

Roper Greyell

UBC Law Class of 1968

UBC Faculty of Law Receives a \$1 Million Gift from Fasken Martineau

On September 23, 2008, William Westeringh, Managing Partner, Fasken Martineau, joined students, staff, and faculty in celebration of the firm's \$1 million gift to the Faculty of Law. The donation will be used for both the National Centre for Business Law and the Faculty of Law building project. UBC Faculty of Law is proud to welcome Fasken Martineau to a select group of law firms that have taken a leadership role in this transformative campaign.



New Awards to Benefit and Reward UBC Law Students

The Faculty of Law is delighted that the following eight new awards were approved by the University Senate during 2007/08:

- Annual Review of Insolvency Law Prize
- Judith A. Mauro Bowers, QC Prize in Appellate Advocacy
- Arthur Close, QC Prize in Advanced Legal Research
- Lorraine Douglass Prize in Real Estate Law
- Law Alumni Association Entrance Scholarship
- Okanagan Bar Endowed Entrance Award in Law
- Pro Bono Law of BC Award
- Strother Family Entrance Scholarship in Law

We would like to thank everyone who was involved in the establishment of these awards.

Dean Mary Anne Bobinski, William Westeringh, Managing Partner, Fasken Martineau, and Law Students' Society President Kelsey Thompson at the announcement of Fasken Martineau's \$1 million gift.

Can You Create a Legacy at UBC?

From UBC's first-ever bequest—a remarkably generous \$12,000 was willed to the University in 1928—a great many donors have left compounding gifts to benefit UBC students, researchers, and the society we serve.

By helping your clients achieve their philanthropic goals, you are playing a significant role in helping the University prepare students to become global citizens and conduct leading research that will enrich the lives of the people of British Columbia, Canada, and the world.

We're here to assist you and your clients plan for the future. Perhaps you require information about establishing a scholarship or bursary. Or you may be considering the best ways to structure a charitable gift to maximize the tax

benefits for your client. Possibly you require a sample will clause for a client who wishes to create a legacy of learning at UBC.

UBC Gift & Estate Planning has significant experience with the structuring of charitable bequests, gifts of property, charitable trusts, gifts of publicly traded securities, and other planned gifts. We're here to help. For further information, please call the UBC Law Development Office at 604-822-0123.

Spotlight on Entrance Awards

Thanks to the vision and commitment of our alumni, the Faculty is pleased to offer three new entrance awards this year. Entrance awards are a key tool in recruiting the best and brightest students to UBC.

STROTHER FAMILY ENTRANCE SCHOLARSHIP IN LAW

This \$12,000 award is the Faculty's largest entrance award and the first that is renewable. As long as the recipients stay in the top 10 percent of their class, they are eligible for the award each of the three years they are pursuing a UBC Law Degree.

Rob Strother created this award out of a desire to pay back the generosity that allowed him to attend and succeed in law school. "In creating the scholarship, I wanted to say thank you to my consultant, Professor Robin Elliot and in a small way, replicate the similar scholarship that I received that was instrumental in financing my legal education. I hope that this award will encourage others to fund additional renewable entrance scholarships for UBC Law School."

LAW ALUMNI ASSOCIATION ENTRANCE SCHOLARSHIP

The UBC Law Alumni Association has created an entrance award valued at \$2,500. This scholarship is made possible by the successful events organized by the Law Alumni Association. Mr. Justice Jon Sigurdson, President of the UBC Law Alumni Association remarks that, "This scholarship enhances the Law School's continuing efforts to attract the best students in Canada. The support of UBC Law Alumni at our functions will make

more scholarships of this type available in the future." For more information on the most recent UBC Law Alumni events, check out the *Alma Matters* section of this magazine (page 38).

OKANAGAN BAR ENDOWED ENTRANCE AWARD IN LAW

Thanks to the generosity of the UBC Law Alumni Association and the legal community in the Okanagan, the Faculty of Law has been able to establish the Okanagan Bar Endowed Entrance Award in Law. This award will provide an entrance award for students who graduate from UBCO and have been accepted into the UBC Faculty of Law. The award would not have been possible without the work of **Walley Lightbody, QC** ('59) who was responsible both for securing a grant from the Law Foundation of British Columbia that matched up to \$50,000 in donations to this new endowment and for leading the special appeal that raised more than \$53,000.



The Class of 1968 Does it Again!

In the fall 2006 issue of the *UBC Law Alumni Magazine*, we reported on the difference that the Class of 1968 has made to the Faculty through the Class of 1968 Scholar Fund as well as their plans to create the Class of 1968 Bursary to support UBC Law students while honouring the members of the class who had passed away.

Now, this close-knit and generous class has come together to support the Faculty's building project. Their collective donation of \$125,000 will be recognized by naming a study room in the new building after their class.

'68

Faculty MATTERS

New Faculty

UBC Law welcomes **Emma Cunliffe** to the Faculty as assistant professor. After receiving her LL.B. with honours from the University of Melbourne in 2000, she practised for several years at Deacons, a major Asia-Pacific law firm. Professor Cunliffe's areas of expertise include evidence and criminal law, legal methodologies, jurisprudence, and socio-legal theory. Her research explores the relationships between medical, legal, and popular knowledge. Professor Cunliffe is an editorial board member of the *Australian Feminist Law Journal*.

Books, Articles, Seminars, and Symposia

Faculty members have been active teaching, writing books, attending symposia and conferences, giving guest lectures, hosting seminars and discussions with the legal community, as well as applying for grants and awards to pursue their research interests. Here are some of the exciting projects that faculty members have been engaged in recently.

NEW BOOKS, CHAPTERS, AND REVIEWS

Mary Anne Bobinski, with David Orentlicher & Mark A. Hall, *Bioethics and Public Health Law*, 2d ed. (New York: Aspen Publishing, 2008) 687 pp.; with Mark A. Hall & David Orentlicher, *The Law of Health Care Finance and Regulation*, 2d ed. (New York: Aspen Publishing, 2008) 617 pp.; with Mark A. Hall & David Orentlicher, *Medical Liability and Treatment Relationships*, 2d ed. (New York: Aspen Publishing, 2008) 539 pp.; with Mark A. Hall & David Orentlicher, *Health Care Law and Ethics*, 7th ed. (New York: Aspen Publishers, 2007) 1408 pp.

Susan B. Boyd, "Is Equality Enough? Fathers' Rights and Women's Rights Advocacy" in R. Hunter and M. Drakopoulos, eds., *Rethinking Equality Projects in Law: Feminist Challenges* (Oxford: Hart, 2008); Onati International Series in Law and Society.

Christine Boyle, "A Principled Approach to Relevance: The Cheshire Cat in Canada" in P. Roberts and M. Redmayne, eds., *Innovations in Evidence and Proof* (Oxford: Hart, 2007).

Catherine Dauvergne, *Making People Illegal: What Globalization Means for Migration and Law* (Cambridge: Cambridge University Press, 2008) 216 pp.

Ronald Davis, *Democratizing Pension Funds: Corporate Governance and Accountability* (Vancouver: UBC Press, 2008) 244 pp.; with Robert Yalden, Paul D. Paton, Mark Gillen, Janis Sarra & Mary Condon, *Business Organizations: Principles, Policies, and Practice* (Toronto: Emond Montgomery Publications, 2008) 1234 pp.

Elizabeth Edinger, "Transportation and Communication" and "Taxation and Spending Powers" in L. I. Rotman, B. P. Elman & G. L. Gall, eds., *Constitutional Law: Cases, Commentary and Principles* (Toronto: Carswell, July 2008); "Conflict of Laws in Estate Administration" in *British Columbia Probate and Estate Administration Practice Manual*, 2nd Edition, loose-leaf (Vancouver: Continuing Legal Education Society of British Columbia, 2007) 21.1-21.51; "Back to the future with interjurisdictional immunity: *Canadian Western Bank v. Alberta*; *British Columbia v. Lafarge Canada Ltd.*" (2008) 66 *Advocate* 553-566.

Cristie Ford, "New Governance, Compliance, and Principles-Based Securities Regulation" (2008) 45:1 *American Business Law Journal* 1-60; with David Hess "Corporate Corruption and Reform Undertakings: A New Approach to an Old Problem" (forthcoming) *Cornell International Law Journal*; "Remedies: Dogs and Tails" in L. Sossin and C. Flood, eds., *Administrative Law in Context* (Toronto: Emond Montgomery Publications Inc., 2008, 45-76); "How Should We Teach Securities Regulation in a Fast-Moving World?" (Review of: Johnston & Rockwell, *Canadian Securities Regulation*, 4th Edition and Gillen, *Securities Regulation in Canada*, 3rd Edition 2007) (2008) 46 *Canadian Journal of Business Law* 470-480.



Emma Cunliffe



Susan B. Boyd

Janis Sarra



Douglas C. Harris, *Landing Native Fisheries: Indian Reserves and Fishing Rights in British Columbia, 1849–1925* (Vancouver: UBC Press, 2008) 256 pp.

Shi-Ling Hsu, "The Identifiability Bias in Environmental Law" (2008) 35:2 *Florida State University Law Review* 433-504.

Michelle LeBaron, "Shapeshifters and Synergy: Toward a Culturally Fluent Approach to Representative Negotiation" in C. Hanycz et al., *The Theory and Practice of Representative Negotiation* (Toronto: Emond Montgomery Publications, 2008) 139-157.

Shigenori Matsui, *Japanese Constitutional Law* (3rd Edition, Tokyo: Yuhikaku, 2007); "Japanese Law Schools Viewed from Abroad" (2008) 80:4 *Houritsu Jihou* 74-78.

Pitman B. Potter, *History in the Making: The Dalai Lama Dialogues in Vancouver 2004* (Vancouver: Institute of Asian Research, 2007); "China's Peripheries: Challenges of Central Governance and Local Autonomy," in D. Lary, ed., *China at the Borders* (Vancouver: UBC Press, 2007); "China and the International Legal System: Challenges of Participation," (2007) 191 *The China Quarterly* 699-715; "Selective Adaptation and Institutional Capacity: Approaches to Understanding Reception of International Law under Conditions of Globalization," 66 *Legal Sociology* (Japan) (2007).

Janis Sarra, with Robert Yalden, Paul D. Paton, Mark Gillen, Ronald Davis & Mary Condon, *Business Organizations: Principles, Policies, and Practice* (Toronto: Emond Montgomery Publications, 2008) 1234 pp.

Guest Lectures, Panelists, Presentations, Conferences, Workshops

Natasha Affolder presented "The Private Life of Environmental Treaties" at the American Society of International Law's Annual Meeting in Washington, DC, April 2008; chaired a panel on Regulatory and Community Challenges in Wind Energy at the Wind Energy Symposium (co-hosted by the National Centre for Business Law and Fraser Milner Casgrain LLP); chaired the panel on Synchronizing the Olympic Project and Public Policy Imperatives at the Conference on the Olympic Games and Sustainability in Vancouver, May 2008, (hosted by the National Centre for Business Law); gave a presentation on the implications of environmental treaties for natural resource companies at Natural Resources Canada in Ottawa, June 2008.

Ronald Davis, while a Visiting Fellow at University College London Faculty of Laws, gave a talk entitled "Environmental, Social, and Governance Criteria in Pension Fund Decisions: The Role of Accountability" on October 15, 2008.



Michelle LeBaron

Douglas C. Harris

Cristie Ford presented "Comment, New Developments in Tribunal Reform" at the Future of Administrative Justice Symposium at University of Toronto Faculty of Law, January 2008; "Rules versus Principles-Based Regulation—And Its Impact on Enforcement" at the Advancing the Enforcement Agenda—What is the Solution? Conference, University of Toronto Rotman School of Business, May 2008; "Autopoeisis, New Governance, and Principles-Based Regulation" at the Law & Society Association Annual Meeting in Montreal, May 2008; participated as chair and as a discussant for the panel "Financial and Economic Aspects of Regulation" at the Law & Society Association Annual Meeting in Montreal, May 2008.

Douglas C. Harris presented "Imposing Common Property: Mare Liberum and Public Rights to Fish" at the Colonial Commons Conference, UBC, May 2008; "Aboriginal Title: From *Delgamuukw* to *Tsilhqot'in Nation*" at the Insight Information, Western Canada Aboriginal Law Forum, May 2008; "Landing Native Fisheries" at the Aboriginal Fisheries Secretariat Visions Workshop, April 2008; and "Property, Law, and the Making of False Creek: Strata Title in the City" at the UBC Geography Department Colloquium, April 2008; led "Landscapes of Property in the City" walking tour of False Creek in May as part of "Jane's Walks"—a coordinated series of free neighbourhood walking tours in honour of urban thinker and visionary Jane Jacobs.

Shigenori Matsui presented "Freedom of Political Expression" at the International Conference on the Protection of Constitutional Rights in Modern Democracies: A Comparative Perspective, University of Pescara, December 2007; "The Constitution and Family in Japan" at the 2008 Sho Sato Conference on Japanese Law: Japanese Family Law in Comparative Perspective, University of California, Berkeley, Boalt Hall School of Law, March 2008; "Anti-terrorist Legislation and Civil Liberties in Japan," at the University of Iowa Provost's Forum on International Affairs 2008: Civil Society and Terrorism: the Impact of Counter-terrorism Policy and Law on Civil Society in Comparative Perspective, University of Iowa, April 2008.



Mira Sundara Rajan

Benjamin Perrin gave expert testimony to The Senate Human Rights Committee as part of their review of Bill S-218 (Protection of Victims of Human Trafficking Act); gave a talk on Canada's response to human trafficking as part of the UBC Law & Society Speakers' Series, March 2008.

Claire Young gave expert testimony on tax policy issues to the House of Commons Standing Committee on Finance and the Standing Committee on the Status of Women. She also appeared before The Senate Standing Committee on Cities and a standing committee of the British House of Commons. Also, Claire Young and Susan B. Boyd were delegates to the annual conference of the North American Consortium on Legal Education (NACLE) in Ottawa on October 2-5, 2008.

Grants and Awards

Natasha Affolder received an \$83,129 award from the Social Sciences and Humanities Research Council (SSHRC) for the research project "Contracting for Biodiversity Conservation in Global Mining Projects: Emerging Environmental Law." She also received funding from the Foundation for Legal Research to investigate how Canadian courts are addressing the concept of Sustainable Development in Canadian law.

In addition, Professor Affolder and Mary Condon of Osgoode Hall Law School received a SSHRC International Opportunities Fund grant to support a conference in May 2009 titled "New Governance and the Business Organization."

Susan B. Boyd received a \$20,000 three-year SSHRC Grant for the project "Autonomous Motherhood? A Socio-Legal Investigation" and is joined by UBC Law Assistant Professor Fiona Kelly, one of three co-investigators on the project. Professor Boyd also received a UBC Law Alumni Association Faculty Research Award.

Douglas C. Harris received \$55,775 over three years from SSHRC to support his research project "Property, Law, and the Making of False Creek."

Nikos Harris was the recipient of the 2008 Killam Teaching Excellence Award. Sam DeGroot presented the award on behalf of all UBC Law students at the graduation dinner in March, making special mention of Nikos's engaging, concise, clear, and organized teaching style.

The Maytree Foundation has approved a grant of \$150,000 over three years to **Benjamin Perrin** to undertake a major project dealing with Canada's involvement in human trafficking for sexual exploitation. The project will document the nature and extent of Canada's role in human trafficking, develop policy recommendations, and undertake public awareness strategies.

Pitman Potter received a Faculty Research Award from the UBC Law Alumni Association and was also appointed Chair of the China Policy Research Project for the Canadian International Council.

Other Faculty News

Christine Boyle's term as a member of the UBC Senate comes to an end in 2008, and with it her work as Chair of the Senate Committee on Student Appeals on Academic Discipline.

Cristie Ford joins Professor Mary Condon of Osgoode Hall Law School as co-director of the National Centre for Business Law. Ford recently returned from six months of maternity leave in April 2008. She spent the summer working on an interdisciplinary, empirical research project supported by Capital Markets Initiatives funding from the TMX Group. Along with David Hess of the University of Michigan's Ross School of Business, she is engaged in a cross-border, qualitative research project investigating novel remedies that criminal prosecutors and securities regulators are using to address thorny problems of corporate culture. They presented their results in Vancouver to the TMX Group in September 2008. She is also writing a report for the Ministry of Finance on principles-based securities regulation.

The Canadian Red Cross and UBC Liu Institute for Global Issues launched a research initiative with Assistant Professor **Benjamin Perrin** to commemorate the 60th anniversary of the 1949 Geneva Conventions. In 2008, Perrin's Human Trafficking Working Group will collaborate with the University of Queensland in a partnership that will compare findings and lessons learned about the problem of human trafficking in the two jurisdictions. Perrin was also selected to participate in the Early Career Scholars program at the Peter Wall Institute for Advanced Studies.

Mira Sundara Rajan and **Ljiljana Biukovic** have both been promoted to associate professor.

UBC Law attracts some of the best law students in Canada, many of whom are recognized with academic scholarships, awards, and prizes. In addition, students enjoy a vibrant social network of activities and events.

The following is a sample of the recent accomplishments of some of our students.

Competitive Moots

UBC Law has an excellent competitive moot program with numerous teams participating in competitions at the regional, national, and international levels. Faculty advisors and leading practitioners from the Vancouver area support the students who represent UBC at these competitions.

GALE CUP

The UBC Law team, consisting of **Matthew DeBock**, **Krista Johansen**, **Geoff Rawle**, and **Oliver Pulleyblank** won the Third Place Factum Prize.

CANADIAN CORPORATE SECURITIES MOOT

Michelle Bourbonnais, **Amanda Coen**, **Catherine Hirbour**, **Daniel Katzin**, and **Liz Toews** won the Second Place Factum Writing Award for both facta at the 2008 Canadian Corporate Securities Moot held in Toronto.

WILSON MOOT

The 2008 Wilson Moot team, comprised of **Brenda Belak**, **Stephanie Gutierrez**, **Leneigh Johnston**, **Jennifer O'Leary**, and **Aileen Smith** won first place at this year's competition. In addition, **Brenda Belak** and **Aileen Smith** placed fourth and fifth respectively in the Top Oralists rankings.

LASKIN MOOT

Eileen Keast, **Tamara Henderson**, **Doug McLeod**, and **Paige Morrow** represented UBC Law at the 2008 Laskin Moot. The Best Oralist Award went to **Eileen Keast**.

PETER BURNS MOOT, MACINTYRE CUP, SOPINKA CUP

Thomas Moran and **Ashley Syer**, winners of the internal Peter Burns Mock Trial Competition, placed first in

the Western Canada Criminal Trial Mooting Competition (also known as the MacIntyre Cup). This qualified them for the Sopinka Cup Mock Trial Competition in Ottawa, where they placed second. **Ashley Syer** won the prize for Best Cross-Examination.

ABORIGINAL RIGHTS MOOT (KAWASKIMHON)

Ian Ashley, **Billie Attig**, and **Jeff Langlois** took part in the 2008 Kawaskimhon ("Speaking with Knowledge") Aboriginal Rights Moot. The team performed exceptionally in this non-competitive exercise in consensus building.

OXFORD INTERNATIONAL INTELLECTUAL PROPERTY MOOT

UBC Law students **Matthew Canzer** and **Sarah Ng** were the only North American team to compete in this moot held at Oxford University. They advanced to the final round against National University of Singapore.

First Nations Legal Studies Program Silent Auction

In celebration of National Aboriginal Day 2008, the Department of Justice (DOJ) Aboriginal Law Section and the UBC First Nations Law Students Association held a silent auction fundraiser to help endow the Aboriginal Law Student Scholarship Trust. The event was a tremendous success, raising over \$2,000 toward this new scholarship initiative.

Message from Kelsey Thompson

LSS President

It has been another busy year for UBC Law students. In January, 2008, the LSS launched the first annual Jason Poon Cup Challenge. Five students camped out in the law building for five days, vying for prizes in a series of competitions. The LSS also held a successful semi-formal medicine/law school mixer. **Brittany Skinner** and **Matt Brandon** were hilariously victorious at the Guile Debate finals and the annual Law Revue was a success, with a cast of comedic law students and even the dean taking part! Finally, the legendary Trike Race once again wrapped up the year. Is there a better way to end the school term than pelting your classmates with water balloons?

Law Students' Legal Advice Program (LSLAP)

A new executive has been in place since January 2008. **Bob Kucheran**, **Genevieve Chang**, **Crystal Maltesen**, **Angela Podgorski**, and **Daniel Winks** have taken on the responsibility of ensuring LSLAP's continued success by drafting and implementing a new set of bylaws, as well as the design and implementation of a new file-tracking system.

Congratulations to **Matthew Canzer** for winning the Brian Higgins Award for outstanding



The 2008 Wilson Moot team



Ashley Syer, UBC team sponsor
Jim MacIntyre, and Thomas Moran

service within LSLAP over his three-year law school career; **Ashley Syer** for winning the Stanton Award; and **Preston Parsons, Anthony Lagamaat, Aaron Burns, and Rochelle Pauls** for winning the Jim Pozer Award.

Launched this spring, LSLAP's summer program has been a great success thanks to its clinicians, executive, and the generous support of the Law Foundation of British Columbia and HRSDC.

Law Society First Vice-President Gordon Turriff, gold medallist Ashleigh Keall, and Dean Mary Anne Bobinski



Brian Dennehy

Bijan Ahmadian, Nestor Korchinsky Student Leadership Award recipient

Individual Awards and Accomplishments

LAW SOCIETY GOLD MEDAL

UBC Law graduate **Ashleigh Keall** received a 2008 Law Society Gold Medal Award as recognition for maintaining the highest cumulative grade point average over the three years of her LL.B. program at UBC Law. Law Society First Vice-President Gordon Turriff presented Ashleigh with her award at a special ceremony held after convocation in May 2008.

NESTOR KORCHINSKY STUDENT LEADERSHIP AWARD

Bijan Ahmadian was chosen from among 15 nominees to receive the 2008 Nestor Korchinsky Student Leadership Award at the 6th annual Student Leadership Conference. This award is presented to accomplished student leaders who have distinguished themselves through their achievements, service, and contributions to the common good at UBC.

RAYMOND G. HERBERT AWARD

Jennifer Lau and **Tariq Ahmed** were co-winners of the Raymond G. Herbert Award for 2008. This award goes to the student adjudged by a committee of fellow law students to be the best all-around graduating student in a given year.

As a co-founder of Outlaws, Jennifer Lau worked diligently to promote a queer-positive learning environment at the law school through a variety of initiatives including the 2007 conference "Standard Margins: Contemporary Issues in Canadian Law and Sexuality." Jennifer also received the 2006 Jim Pozer Award and contributed to the Law Students' Society as executive director of communications.

Tariq Ahmed's contributions to law school and UBC as a whole are both impressive and diverse. Holding positions on the UBC Senate, the UBC Alma Mater Society, and as the Law Students' Society Academic Issues Caucus director, he has demonstrated leadership and dedication to the UBC community.

BORDEN LADNER GERVAIS LLP RESEARCH FELLOWSHIP RECIPIENTS

Thea Hoogstraten and **Jacqueline Kotyk** are the 2008 recipients of the Borden Ladner Gervais Fellowship. The fellowship funds two students to work with members of the Faculty for four months over the summer.

Thea Hoogstraten received her BA in History in 2006 from the University of Winnipeg. She received the gold medal for the highest standing in History and received the Dean's LL.B. Entrance Scholarship on entering the first-year class at UBC Law. Thea worked with Associate Professor Janine Benedet on her



BLG fellowship recipients Thea Hoogstraten and Jacqueline Kotyk

project entitled "Rewriting the Law of Criminal Prostitution: An Abolitionist Code."

Jacqueline Kotyk graduated from the University of Manitoba in 2007 with a Bachelor of Environmental Science (honours) with a concentration in the science of biodiversity and conservation. She received the University Gold Medal and completed an honours thesis. Jacqueline worked with Assistant Professor Natasha Affolder, studying contracting for biodiversity conservation in global mining projects.

MARLEE G. KLINE ESSAY PRIZE

Andrea Mosher and **Aileen Smith** were the 2008 co-winners of the Marlee G. Kline Essay Prize. The prize is awarded for the best submitted legal essay exploring intersectional feminist analysis. Andrea's paper was

entitled "Parenting by Specific Performance: Legal Parentage by Intent and Contract in Same-Sex-headed Families." Aileen submitted the essay entitled "Sex Inequality in a Colonial Landscape: The Intersecting Oppressions of Aboriginal Women."

AURIOL GURNER YOUNG

Ashleigh Keall and **Brittany Skinner** were selected to share the second Auriol Gurner Young Memorial Award in recognition of their feminist contributions at law school and the community at large. The Steering Committee of the Centre for Feminist Legal Studies adjudicates the award.

Graduate Student Updates

TRUDEAU SCHOLARSHIP

Doctoral candidate **Shauna Labman** was the recipient of a 2008 Trudeau Scholarship awarded by the Trudeau Foundation. Up to 15 Trudeau Scholarships are awarded each year to support research of compelling present-day concern, touching upon one or more of the four themes of the Foundation (human rights and social justice, responsible citizenship, Canada and the world, and humans and their natural environment). Her research explores the intersection of rights, responsibility, and obligation in the absence of a legal scheme for refugee resettlement.

SSHRC AWARD WINNERS

Cindy Baldassi
Patricia Cochran
Ibironke Odumosu

UNIVERSITY GRADUATE FELLOWSHIP AWARD WINNERS

Ireh Iyioha
Jalia Kangave
Gerardo Munarriz
Kurt Mundorff
Claudia Oboniye
Pooja Parmar
Robert Russo

CORDULA AND GUNTER PAETZOLD FELLOWSHIP

Husam Hawa
Don McIntyre

GRADUATE STUDENT PUBLICATIONS

Susan B. Boyd and **Cindy L. Baldassi**, "Marriage or Naught? Marriage and Unmarried Cohabitation in Canada" in *Caring and Sharing*, Anne Bottomley & Simone Wong, eds. (Oxford: Hart Publishing, forthcoming 2008).

Augusto Lima, "A Brazilian Perspective on Jurisprudence: Miguel Reale's Tridimensional Theory of Law" (2008) 10 in *Oregon Review of International Law* (forthcoming).

Pooja Parmar, "Revisiting the Human Right to Water" *Australian Feminist Law Journal* (forthcoming); "Prairiecall: The vulnerabilities of outsourced work on America's near-shore;" Co-author Ruth Buchanan, *Journal of Architectural and Planning Research* (forthcoming).

Richard Frimpong Oppong, "Roman Dutch Law Meets the Common Law on Jurisdiction in International Matters" (2008) 4, *Journal of Private International Law* (forthcoming); "A Decade of Private International Law in African Courts 1997-2007 (Part I)" in Petar Sarcevic, Paul Volken and Andrea Bonomi eds., (2007) IX *Yearbook of Private International Law* (Sellier European Law Publishers, 2007), 223-255; "Integration Through Law: An Examination of the Jurisprudence of Regional Economic Integration Judicial Bodies in Africa," in Trudi Hartzenberg eds., *WTO Dispute Settlement: An African Perspective* (Cameron May, 2008) 319-340. [First published in (2007) 7 *Monitoring Regional Integration in Southern Africa Yearbook* 203-227]; "Private International Law in Africa: The Past, Present and Future" (2007) 55 *American Journal of Comparative Law* 677-719; "Mere Presence and International Competence in Private International Law" (2007) 3 *Journal of Private International Law* 321-332.

W. Wesley Pue and **Robert Russo**, "The Problem of Official Discretion in Anti-terrorism Law: A Comment on *R. v. Khawaja*" (2008) 24 *Windsor Review of Legal and Social Issues* 57-72.

Guan Wenwei, "Development Deficit and Modern Law's Myth of Origin" (2008) 8:1 *Global Jurist* (Advances), Article 2. Available at www.bepress.com/gj/vol8/iss1/art2.

Ireh Iyioha, "A Different Picture through the Looking-Glass: Equality, Liberalism and the Question of Fairness in Canadian Immigration Health Policy" *Georgetown Immigration Law Journal* (forthcoming 2008); "Healthcare Systems Regulation and Traditional Medical Practice: A Comparative Analysis of Models" (2008) 6:1 *ICFAI Journal of Health Care Law*, 6:1; "Informed Choice in Alternative Medicine: Expanding the Doctrine Beyond Conventional Alternative Therapies" in N. Sudarshan, *Consent and Law—Problems and Perspectives*, 246 p. (ICFAI Press, 2008—forthcoming)—reprint.



Trudeau Scholar Shauna Labman

AWARDS AND DISTINCTIONS

The Right Honourable Kim Campbell, PC CC QC ('83) was appointed a **Companion of the Order of Canada**, the country's highest civilian honour, in recognition of her service to Canada and humanity on the national and international stage.

On June 26, Sitting Lieutenant Governor, His Honour The Honourable Steven L. Point, Xwe Li qwel tel ('85), received the **Order of British Columbia**, the province's highest form of recognition, in gratitude for his exceptional service to the province and its many communities.

The Honourable Thomas Berger, OC OBC QC ('56), one of Canada's pre-eminent legal figures and human rights champions, was awarded an honorary **Doctor of Laws** at UBC's spring congregation. Berger has worked for more than 40 years to affirm Aboriginal rights.

Former BC Premier Mike Harcourt ('68) accepted an honorary **Doctor of Laws** for his vision and research on sustainable development and his exemplary public service. Harcourt received the UBC Alumni **Award of Distinction** on November 13.

Jim Taylor, QC ('68) received the **Blythe Eagles Volunteer Leadership Award** at the Alumni Achievement Awards in November for his extraordinary leadership in support of alumni and the University community.

The Honourable Frank Iacobucci ('62) received an honorary **Doctor of Laws** from McMaster University in Hamilton. He accepted an honorary degree from UBC in 2007.

RECENT APPOINTMENTS

The Faculty would like to congratulate the following alumni on their much deserved appointments:

BRITISH COLUMBIA COURT OF APPEAL

The Honourable
Daphne M. Smith

SUPREME COURT OF BRITISH COLUMBIA

The Honourable
Paul W. Walker
The Honourable
D. Jane Dardi
The Honourable
Kathleen M. Ker
The Honourable
John E. D. Savage

PROVINCIAL COURT OF BRITISH COLUMBIA

The Honourable
Calvin Andrew Struyk
The Honourable
Russell MacKay

QUEENS BENCH OF ALBERTA

The Honourable
Keith D. Yamauchi

QUEEN'S COUNSEL

Trevor Armstrong
David Birnie
Douglas B. Buchanan
David Chesman
Megan Ellis
Wendy Harris
John S. Harvey
Larry R. Jackie
Lawrence Kahn
L. Neil Matheson
Howard Mickelson
E. Jane Milton
Paul Mitchell
Teresa Mitchell-Banks
Maria A. Morellato
Catherine Murray
John D. Rogers
Mitchell R. Taylor
Frits E. Verhoeven
Kenneth S. Westlake

The Right Honourable Kim Campbell, PC CC QC



Mike Harcourt



2008 & 2009 EVENTS

2008 KELOWNA ALUMNI EVENT

UBC Law alumni in the Okanagan were invited to a special event on September 8 at the Kelowna Golf and Country Club. Dean Mary Anne Bobinski and UBC Okanagan Dean of Arts and Science Dr. Bernie Bauer were on hand to share the exciting new developments at UBC Law and UBC Okanagan. UBC Board of Governors member Theresa Arsenault ('81) emceed the event and guests were invited to view the models and designs for the new law building. Regional events were also planned for Victoria, Toronto, Calgary, and Hong Kong this fall.

DISTINGUISHED SPEAKERS LUNCH

On **December 1, 2008**, the UBC Law Alumni Association hosted its Annual Distinguished

Speakers Lunch. This year, the Association was delighted to welcome guest speaker Henry Champ, renowned veteran CBC Washington reporter. Most recently, Champ has been a leading Canadian voice on coverage of the war on terrorism, the war in Iraq, and the growing concerns over the Canada-US relationship. This year, he spoke on the topic "The US Presidential Election: What Happened?" Previous Law Alumni Association Distinguished Speakers include Chief Justice Beverley McLachlin, UBC President Stephen J. Toope, and Brian Burke, General Manager of the Stanley Cup-winning Anaheim Ducks. For more information visit <http://www.law.ubc.ca/alumni>.

The **Class of 1978** celebrated its 30th anniversary on **October 18** at Sage Bistro (the

old Faculty Club) on campus, and the **Class of 1982** held a reunion at the Vancouver Club on **October 17**.

The tight-knit **Class of 1966** has held annual June reunions for the past few years. For their next event on June 19, 2009, at the Terminal City Club in Vancouver, they hope to see all of their classmates out for a large celebration.

Members of the **Class of 1969**: save the date for your 40th reunion! Plan to spend the weekend of **June 11-13, 2009**, in Kelowna catching up with classmates.

For details or to plan a reunion for your class, please call the Faculty's Alumni Coordinator at 604-827-3612.

UBC LAW CAREER SERVICES

The Career Services Office serves UBC Law Alumni too! We circulate postings for law firms and organizations interested in hiring UBC Alumni as associates or in other legal roles. To be added to the alumni employment email list or to post a job, please contact Director of Career Services, Kerry Parker Smith at parkersmith@law.ubc.ca or call 604-827-5052 or Associate Director, Pamela Cyr at 604-827-3604.



Theresa Arsenault ('81), Rendina Hamilton, QC, OBC ('56), and Meg Shaw, QC ('88) in Kelowna



Dean Mary Anne Bobinski and Ross Langford ('89) at the Kelowna reception



Paul Mitchell, QC ('89) and Gordon Clark ('67) at the Kelowna reception

REUNION REPORTS

The **Class of 1958** held its 50th reunion dinner on June 27 at the Terminal City Club in Vancouver with 21 graduates in attendance. Apart from reminiscing and renewing acquaintances, the highlight of the evening was an address by **Senator Jack Austin**.

Other special guests included retired **Professor Charles Bourne** and his wife Barbara.

The Honourable Michael Puhach, former class president and chairman of the reunion organizing committee, and

former dean **Joost Blom, QC**, were instrumental in establishing a commemorative bursary fund in 2003 by the **Class of '58**. A number of attendees pledged additional contributions in response, following an address and challenge from Mr. Puhach. A moment of silence was held in the memory of the 26 class members who had passed away. It was noted that, of the remaining 46 members of the class, contact has been lost with three of them, and a number of members were unable to attend due to ill health.

Celebrating 40 years since their graduation from law school, the **Class of 1968** held a dinner at the University Golf Course on September 26, 2008. Dean Mary Anne Bobinski and the Class of 1968 Alumni Scholar Award recipient **Professor Douglas Harris** were grateful for the opportunity to thank the class for their remarkable contributions to the Faculty, the community, and the legal profession. UBC Law has been through many changes over the past four decades

and the Class of '68 has played an important role in its continued success.

The **Class of 1973** celebrated their 35th reunion on June 14, as more than 90 classmates and guests attended a reception at the law school and dinner at Sage Bistro. Special guests included former Faculty members **Bill Black, Charles B. Bourne, Peter Burns, Jim MacIntyre, Dalton Larson, and Al Soroka**.

'58

UBC Law's Class of 1958 celebrated their 50th reunion at the Terminal City Club

Herbert Loomer, Lorne Topham, Evelyn Loomer, Natalie Austin and The Hon. Jack Austin at the Class of '58 reunion

The Hon. Michael Puhach, Robin Brammall, and Patrick Bush at the Class of '58 reunion



Jim Taylor, QC, and Dean Mary Anne Bobinski

1968 Gold Medalist Army Abramson and his wife Carole

Steve Gill and Jane Hungerford at the 1968 reunion

'68

The reception featured a slideshow of photographs taken by **Trevor Todd** and **Bob Metzger** between 1970 and 1973, as well as original class photographs of those in attendance. The last graduating class to occupy the old buildings and "temporary huts," attendees received a preview of the designs for the new law building. After words of welcome from Dean Bobinski, Robin Elliot, and piper Grant Burnyeat led the class to Sage Bistro for dinner and speeches by

Ken Affleck, Judith Clark, Gerry Ghikas, Jon Sigurdson, and Al Hamilton.

Photo plaques commemorating the first Trike Race and the G-14 Hut were presented to Dean Bobinski by Bob Metzger. Thanks to the Organizing Committee: Ken Affleck, Robert D. J. Brown, Nils Daugulis, Frank Dorchester, Robin Elliot, Ross Ellison, Gerry Ghikas, Alan J. Hamilton, Jon Sigurdson, Lynn Smith, and James Vilvang.

The **Class of 1983** held their 25th reunion at the Vancouver Lawn Tennis & Badminton Club on September 27.

On May 2, 2008, the **Class of 1988** met at the Vancouver Club to celebrate their 20th reunion. The event was a resounding success with a total of 103 guests in attendance. Classmates came from around the world, including Diane Donnelly from New Zealand and John Wasty from Bermuda.

After a great dinner, the Famous Players Band entertained the

class and the dance floor was hopping! Special thanks to the corporate sponsors of the event, BC Notaries, Dundee Wealth Management, and the Counsel Network. Their contributions helped establish a bursary to support upcoming young lawyers attending UBC. The Vince Bjorndahl Class of 1988 Bursary is named in memory of the Gold Medalist who passed away. To find out more about contributing to the bursary, email Catherine A. Sas, QC at casas@axionet.com.

'73

Justices Lynn Smith and Jon Sigurdson with Judge Pauline Maughan and Skip McCarthy at the Class of '73 reunion

Chief Bill Wilson, Nils Daugulis, Barry Emes, and Justice Peter Kelleher at the Class of '73 reunion

Dean Mary Anne Bobinski receives a photo plaque from Justice Bob Metzger at the Class of '73 reunion



Diane Donnelly all the way from New Zealand, Bella Martin via Toronto, and Catharine Esson at the Class of '88 reunion

Toasting 20 years at the Class of '88 reunion

Complete reunion reports and additional photos can be found on the UBC Law Alumni website at www.law.ubc.ca/alumni.

'88

On April 30, 2008, over 225 people gathered at the Four Seasons Hotel to celebrate and recognize some of UBC's best and brightest alumni and faculty at the annual UBC Law Alumni Awards dinner.



Guests enjoyed cocktails and conversation alongside the music of Michelle Pockey before moving to the ballroom for the dinner and awards portions of the evening. Mr. Justice Sigurdson, President of the UBC Law Alumni Association, began by welcoming the crowd, thanking everyone for their ongoing support of the law school, and noting the absence of one of the law school's most significant contributors and supporters, the Honourable Allan McEachern. UBC's 16th Chancellor, Mr. McEachern passed away in January 2008.

- 1 **Warren Wilson, QC, recipient of the Alumni Award of Distinction, and presenter Mr. Justice Bruce Cohen**
- 2 **Len Doust, QC, and Sue Paish, QC, recipients of the Alumni Award of Distinction, and Outstanding Young Alumnus recipient John-Paul Boyd**
- 3 **Professor Doug Harris, Mr. Justice Sigurdson, Professor Susan Boyd (recipient of the Research Award), Chris Bettancourt, and Professor Claire Young**

Awards were then presented in three categories: Alumni Award of Distinction, Alumni Award for Research, and Outstanding Young Alumnus.

The Alumni Award of Distinction recognizes the outstanding achievements of a UBC Faculty of Law alumnus or alumna whose endeavours in the practice of law, government service, the judiciary, business, legal academe, community service, or other areas have brought honour to the Faculty. The recipient must have made a significant contribution to his or her field.

This year's recipients were Warren T. Wilson, QC, who was introduced by longtime colleague Mr. Justice Bruce Cohen; Sue Paish, QC, who was introduced by former law partner Gavin Hume, QC; and Leonard T. Doust, QC, who was introduced by his former law partner, Mr. Justice Kenneth Smith.

The Alumni Award for Research recognizes a full-time member of the Faculty of Law at UBC whose research achievements have advanced the Faculty's reputation as a leading research institution. This year's recipients were Professor Susan B. Boyd, who was introduced by former student and UBC Law Alumni Association Board member Kat Kinch; and Dr. Pitman Potter, who was introduced by colleague Jack Austin, QC.

The final award recognized an alumnus or alumna of the Faculty of Law at UBC under 40 years of age whose endeavours in the practice of law, government service, the judiciary, business, legal academe, community service, or other areas are worthy of recognition and have brought honour to the Faculty.

This year's award went to John-Paul Boyd, who was introduced by colleague Phyllis Kenney.

Award recipients, presenters, Dean Bobinski, and Mr. Justice Sigurdson

The UBC Law Alumni Association presented each winner with an original print by acclaimed Nuu-chah-nulth artist Joe David.

Each of the award recipients is well deserving, with accomplishments far too numerous to list here. The UBC Law Alumni Association congratulates each recipient on their achievements, and thanks the members of the bar, judiciary, and law school who helped celebrate this event.

Finally, it's never too early to start thinking about nominations for next year's awards. Visit www.law.ubc.ca for more information about how to nominate someone for the 2009 UBC Law Alumni Awards.



UBC FACULTY OF LAW

Graduate Student Reunion

MAY 20-21, 2009



THE
UNIVERSITY OF
BRITISH
COLUMBIA

Held in conjunction with the annual Law Without Borders graduate student conference.

Join your classmates, current graduate students, and faculty members in a celebration of the Graduate Program at UBC's Faculty of Law:

- Present a paper
- Chair a panel
- Join a roundtable
- Or just come to celebrate the program

For further information and the registration form, visit www.law.ubc.ca/events/2009/may/14th_conf.html or call Joanne Chung at 604-822-6449.

CLASS notes

Keep in touch with your classmates! Send in your updated news either by visiting our website at www.law.ubc.ca/forms/class_notes/notes.html and filling in the online form or by mailing your news to CLASS NOTES, *UBC Law Alumni Magazine*, 1822 East Mall, Vancouver, BC, V6T 1Z1.

Your submission will be included in the next issue of the magazine.

70s

Lyll Knott, QC ('72), a senior partner at Clark Wilson LLP in Vancouver, has been elected to the Board of Directors of SUCCESS. The organization assists new immigrants with settlement; provides counselling and support to families and individuals with personal issues; promotes personal development of children and youth; facilitates social participation of parents and seniors in the community; helps the unemployed in job and career development; facilitates entrepreneurs in business development; delivers education and employment-related training; and promotes social change through community development and advocacy.

Deborah Meredith ('75), law instructor at the Sauder School of Business, ran for the Conservative Party in the federal election in Vancouver Quadra in October of 2008. She lost to the Liberal candidate, but held 36.9 percent of the vote in her riding.

Cheryl Stephens ('77) just published an e-book, *Plain Language Legal Writing*, at LuLu.com that is third in a series. In recent years, she has worked with administrative tribunals, police chiefs, and government on plain language and legal literacy issues. She continues to work on the Multilingual Legal Dictionary, at legalglossary.ca. Her

husband, Librarian Emeritus Allen H. Soroka, just returned from working on a shrimping boat for six weeks. He has returned to his usual activities of chairing mental health panels across the province and doting on their three-year-old grandson.

80s

After obtaining his LL.B. from UBC, **Tony Baker** ('80) moved to Toronto to article at Rosenfeld Schwartz (merged with Goodmans in 1981). Upon his call to the Ontario Bar in 1982, he was appointed director of business affairs at First Choice Pay TV. He later returned to private practice (www.tonybakerlaw.com) and for the past two decades has operated a general solicitor's practice. From 1989 to 1992, he taught Alternative Dispute Resolution as an instructor in the Law Society of Upper Canada's Bar Admission Programme and Lawyer as Negotiator as a special lecturer at Osgoode. From 1994 to 2006, he sat as Deputy Judge in Toronto's Small Claims Court. In 1999, he was appointed to the Toronto Roster—Ontario Mandatory Mediation Programme, and in 2005 he was appointed to the Consent and Capacity Board of Ontario. He also has a Mediation Diploma from the Mediation Academy and an Arbitration Certificate from the Arbitration & Mediation Institute of Ontario. Baker has served as director on the Boards of Visual Arts

Ontario and Classical Cabaret and sat on the Executive Committee of the Ontario Bar Association's Media and Communications section. He is married to the American Artist Barbara Astman and they have two daughters.

Tom Johnston ('82) is in his 26th year of practice in the Okanagan. He is delighted that his daughter Leneigh, who has just finished second year Law at UBC, has landed a summer job with Pushor, Mitchell in Kelowna. According to Tom, Leneigh doesn't want to follow in her father's footsteps, and he is pleased that she is making her own path in Summerland. Tom is also pleased he gets to see Leneigh more often—at least for the summer!

Since graduating, **Cheryl Mitchell** ('87) has worked primarily for the Department of Justice, where she is now a Senior Counsel in its Citizenship, Immigration and Public Safety Section in Vancouver. She is also part of the Department's Supreme Court of Canada Excellency Group, and keeps busy with work and her three children.

90s

Thomas Braun ('91) is moving from corporate law practice to running two start-up companies as president/CEO. One is medtech and the other is greentech. He is also moving his offices to Kerrisdale from downtown.

Cameron Shouldice ('92) submitted this class note: "I have been practicing family law in mid-town Toronto since my call to the Ontario Bar in 1995. Some years ago I was introduced to the collaborative approach to Family Law—a negotiation process that prevents litigation and instead enables spouses who are experiencing the often painful transition of separation and divorce to move forward in their lives in a respectful, dignified and child-focused manner."

Rebecca Darnell ('94) was called to the Bar in BC in 1995. She articulated with the Ministry of Attorney General in Victoria and did a rotation at Legislative Council. After articling, she opened a firm in Langley where she initially practised as a sole practitioner primarily in family law proceedings. That firm has now grown to four lawyers and eight full-time staff. In addition to practising law, Ms. Darnell is active in professional and community affairs. She is a member of the Canadian Bar Association, the Rotary Club, and the Langley Chamber of Commerce, and was President of Langley Community Services Society from 2001 to June of 2008, is President of the Fraser Valley Bar Association, Vice-Chair of the Board of Governors of Kwantlen Polytechnic University, a member of the Women Lawyer's Forum, the New Westminster Family Bar Association. She represents New Westminster County at the Provincial Council of the BC Branch of the Canadian Bar Association. Rebecca is also politically active as a member of



DEBORAH MEREDITH



TONY BAKER



REBECCA DARNELL

the Liberal Party of Canada and President of the Liberal Riding Association in Langley for the BC Liberal Party. A life member of LEAF, she hosted a Person's Day Event in 2005 and 2006 to raise awareness of ongoing women's issues. She also hosts an annual Grand Prix Horse Show at the Thunderbird Show Park in Langley to raise funds for the Langley Community Services Society. In January 2009, she is running for Chair of Kwantlen Polytechnic University Board of Governors (she is currently Vice-Chair).

Mark Kimberley ('96) moved to Australia two years ago with his wife Paula after practising for seven years in Sydney at Marshall Diel & Myers in Bermuda (thanks to Alison Campbell). Mark and Paula have a five-year-old son (Rhys) and an 18-month-old son (Will) who occupy all of their free time. Mark recently joined Henry Davis York in Sydney in its corporate insurance advisory practice.

Ari Taub ('96) lives in Calgary where he operates his own firm, Taub Law office (www.taublaw.ca). He is married with two sets of identical twins: two girls aged seven and two boys aged four. Ari competed at the 2008 Summer Olympics in China in the sport of Greco-roman wrestling. He writes regularly about his Olympic journey at www.aritaub.com, and has been profiled by the *Globe and Mail* and the *Calgary Herald*.

After 10 years of practising law, **Stephanie Chan** ('97) decided to leave law and start a business. She now has an eldercare advisory business, helping families deal with issues concerning aging parents and relatives. Stephanie helps develop solutions and plan for smooth transitions for seniors who are considering moving from home into a seniors' residence.

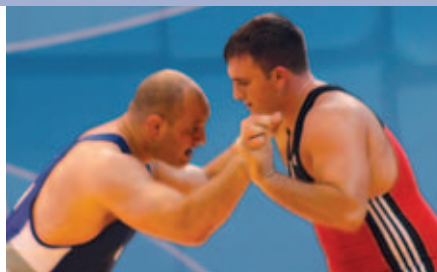
Eric Wilson ('97) was hired as a full-time lecturer in Public International Law at Monash University, Melbourne, Australia, in 2000. In 2006, he was promoted to senior lecturer and recently published his first book, *Savage Republic: De Indis of Hugo Grotius, Republicanism and Dutch Hegemony within the Early Modern World-System (c. 1600-1619)*, available at www.brill.nl.

Michael Bain ('98) has been appointed assistant editor of *The Advocate*, a bi-monthly legal journal. In 2007 his lawyer band, Mr. Fancy Education, took the coveted "L'Expert Cup for Best Band" and his first feature length documentary *Fighting in Sunshine* won the Best Documentary award at the Everglades International Film Festival in South Africa. In 2008, Michael continues with musical performances in Liverpool (at the Cavern) and film festival appearances in Wales and England. He practises employment law in Vancouver at Hamilton Howell.

Heather Innes ('98), husband Lyle, and big sister Ava welcomed baby Henry Paul Markovich on August 9, 2007.

Paul Champ ('99) recently became partner in Raven, Cameron, Ballantyne & Yazbeck LLP, a firm specializing in labour and human rights in Ottawa, Ontario. Married with two small children, Paul still has time to take on pro bono cases for Amnesty International and the BC Civil Liberties Association, including a recent application to extend Charter rights to Canadian military detainees in Afghanistan.

Teresa Tomchak ('99) was called to the Bar in British Columbia in May 2000. She articulated with Farris, Vaughan, Wills & Murphy LLP, where she continues to practise today in the area of corporate commercial



ARI TAUB (LEFT)



NIKKI CHARLTON

litigation. She has been involved with litigation commenced by the province to recover the cost of health care benefits from tobacco manufacturers. Teresa has also been involved as duty counsel in the Civil Chambers Pro Bono Duty Counsel Project and as a mentor in the CBABC Women Lawyers Forum. Since graduating, she has had two sons and after 19 years as a runner recently began competing in triathlons. She has travelled extensively to places such as Bali, Singapore, Australia, Alaska, Hawaii, England, Spain, and Portugal and is looking forward to an upcoming trip to New Zealand.

I also returned to the practice of law this year in order to pay for ponies and such. I'm a corporate/commercial associate in Barrie and, surprisingly, loving every minute of it."

Daryl Brown ('03) is now assisting plaintiffs with all types of personal injury matters with an emphasis on motorcycle-related claims. His passion for motorcycles began as a child and in over 30 years of riding experience, he has travelled more than 500,000 miles throughout Canada, the US, and Europe. Visit www.motorcyclelawyer.ca for more information on his work.

On June 28, 2008, **Nikki Charlton** ('03) wed Vancouver Police Officer Jeb Breckenridge, whom she met in residence at UVic in 1993. The wedding was true law-and-order style and saw the bride and groom walk into the reception to the theme song from *Law and Order*. The wedding took place during a spectacular weekend at the Rockwater Resort on the Sunshine Coast—Halfmoon Bay—and fellow classmate **Heidi Granger** ('03) was a bridesmaid.

Robert Galletti ('04) and **Shannon Salter** ('05) met in law school and were married in Vancouver on June 27, 2008.

Marianne Freiermuth Abt ('04) and family are happy to announce the birth of their third child, Valentin Elijah, on March 25, 2008. Nicolas and Natalie love their baby brother and Marianne and her husband Peter are kept very busy!

2000s

Linda Thomas (2000) has moved from private practice to the Tk'emlups Indian Band (formerly Kamloops) as the Land Claims Program Coordinator/Policy Analyst. In addition to her new position, Linda will continue to work with Prisoner Legal Services and the Secwepemc Community Justice Program.

In November, **Jennifer MacGregor-Greer** ('01) moved from Vancouver to London, England, where she is a corporate associate in the Private Equity group at Freshfields Bruckhaus Deringer. She formerly practised in the area of mergers and acquisitions at Stikeman Elliott LLP.

Andrew Zyp ('02) says: "In early 2008, my wife, Krista LaRiviere, and I added our first child to the family. Chloe Zyp is quite a cute little girl who will likely want a pony one day to ride around our hobby farm.

Lisa Kerr ('05) clerked at the BCCA, and is now an associate at Fasken Martineau in specialty litigation. She does some commercial litigation and some insolvency and restructuring work. This fall, she is attending New York University to pursue an LL.M.; she plans to return to Fasken Martineau in the fall of 2009.

Chad McCarthy ('05) accepted a position as Legal Counsel at Absolute Software Corporation in June 2008. Previously, he practised intellectual property law at Smart & Biggar's Vancouver office.

Having clerked at the Court of Appeal of British Columbia and articulated at Fasken Martineau, **Elin R. S. Sigurdson** ('05) is now practising at Arvay Finlay, where she does a combination of administrative and constitutional law and civil litigation.

Stephen Takahashi ('05) and **Thai MacDonald** ('01) moved to Hong Kong in December 2006 with their son Finley, where they later welcomed twins Laurel and Joseph in May 2007. Stephen continues to work as an Associate at Davis Polk and Wardwell, and Thai has recently accepted the position of Practice Development Lawyer for Dispute Resolution and Corporate Social Responsibility with Freshfields Bruckhaus Deringer.

Chad Anderson ('06) was called to the Bar in British Columbia in September 2007. He articulated with Farris, Vaughan, Wills & Murphy LLP in Vancouver, after which he accepted an Associate position with the firm. As a member of the Corporate Commercial, M&A, Securities and Corporate Finance

practice groups, Chad enjoyed the opportunity to be involved in several very large deals early in his career. During his time at law school, articling, and now as an Associate at Farris, Chad has continued to be an avid hockey player, traveller, and supporter of the arts.

Catherine Galligos ('06) chose not to practise law and is currently working as the Aboriginal Liaison for Plutonic Power Corporation in her home community of Powell River. She has a daughter, Cedar, who is now three, a one-year-old son, Hunter Opanus Conner, and reports she is very happy.

Nicholas Hooge ('06) completed his final term of law school at the Universiteit Maastricht in the Netherlands. He was called to the BC Bar in September 2007 after articling at Farris, Vaughan, Wills & Murphy LLP, where he currently works as an Associate lawyer in the litigation department. Nick works on civil law matters including contract disputes, defamation, municipal liability, and unjust enrichment. He also practises criminal defence for clients seeking assistance through the Salvation Army Pro Bono Law Program. In his spare time, Nick enjoys outdoor activities (particularly snowboarding) and travel.

Matt Low ('06) currently works as Federal Drug Prosecutor in Surrey, BC. He is also a volunteer with the Salvation Army Pro Bono Law Program.

After completing her articles with the Department of Justice, **Laura Track** ('06) accepted a position with the Pivot Legal Society, working primarily on Pivot's housing campaign.

RODERICK WRAY MACDONALD ('50) passed away in West Vancouver on August 21, 2008, surrounded by family. Born in Victoria on August 4, 1921, Rod grew up in Ottawa. During WWII he served as flight lieutenant in the Royal Canadian Air Force (RCAF), flying 63 missions and receiving numerous medals, including the Distinguished Flying Cross. Rod graduated from UBC with a Bachelor of Law in 1950 and went on to practise in Vancouver for over 50 years. He was President of the UBC Alumni Association in 1966, received the Transportation Lawyers Association Lifetime Achievement Award, and held an Honorary Life Membership in the British Columbia Transportation Association. Rod was also an elder at University Hill Church and a director of many organizations, including the Central City Mission.

JUDGE ROBERT W. GREIG ('53) passed away on December 11, 2007, at Saanich Peninsula Hospital Hospice. Bob was born on January 13, 1922, and after serving in the Canadian Navy from 1941 to 1947 he graduated from UBC Law in 1953. He was appointed a magistrate for the Kamloops area in 1968 and became a judge of the Provincial Court of British Columbia in 1972. He retired in 1991, after 23 years on the Bench. Bob leaves behind a wonderful family—his wife of 53 years, Norma, two children who both went on to become lawyers themselves, six grandchildren, and two great grandchildren.

In Memoriam submissions can be emailed to communications@law.ubc.ca.



LISA KERR



JOSEPH AND LAUREL TAKAHASHI

Closing ARGUMENTS!

Writers, inventors, explorers, philosophers—many of the greatest minds of the 20th century offer sage words on humanity's profound connection to the planet.



I am I plus my surroundings; and if I do not preserve the latter, I do not preserve myself.

JOSE ORTEGA Y GASSET (1883-1955)

Spanish philosopher

We are playing Russian roulette with features of the planet's atmosphere that will profoundly impact generations to come. How long are we willing to gamble?

DAVID SUZUKI (1936-)

Canadian scientist, environmentalist, broadcaster

What we human beings are all living now, whether we are volunteers or not, is an extraordinary but exceptionally dangerous adventure. We have a very small number of years left to fail or to succeed in providing a sustainable future to our species.

JACQUES COUSTEAU (1910-1997)

French explorer and marine conservationist

There are no passengers on spaceship earth. We are all crew.

MARSHALL McLuhan (1911-1980)

Canadian educator, philosopher, and scholar

Everything is connected. Connectivity is going to be the key to addressing these issues, like contaminants and climate change. They're not just about contaminants on your plate. They're not just about the ice depleting. They're about the issue of humanity. What we do every day—whether you live in Mexico, the United States, Russia, China ... can have a very negative impact on an entire way of life for an entire people far away from that source.

SHEILA WATT-CLOUTIER (1953-)

Canadian Inuit activist

When one tugs at a single thing in nature, he finds it attached to the rest of the world.

JOHN MUIR (1838-1914)

American essayist, conservationist, and founder of the Sierra Club

And this, our life, exempt from public haunt, finds tongues in trees, books in the running brooks, sermons in stones, and good in everything.

WILLIAM SHAKESPEARE (1564-1616)

English playwright and poet



THE
UNIVERSITY OF
BRITISH
COLUMBIA

UBC | FACULTY OF LAW

The University of British Columbia
1822 East Mall
Vancouver BC V6T 1Z1
Canada

Tel: 604-822-3151
Fax: 604-822-8108
Email: alumnieditor@law.ubc.ca
www.law.ubc.ca



Mixed Sources
Product group from well-managed
forests and other controlled sources
www.fsc.org Cert no. SW-COC-001659
© 1996 Forest Stewardship Council