LAW: PAST, PRESENT, AND FUTURE

20th Annual UBC Interdisciplinary Legal Studies Graduate Student Conference

7-8 May 2015

Peter A. Allard School of Law
University of British Columbia
Vancouver, BC
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<th>Time</th>
<th>Session</th>
<th>Room</th>
<th>Speaker (Name, Affiliation)</th>
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| 08:15  | WELCOME                                                                 |        | Rosalind M. Campbell, BA, LLB
McDonald & Duncan LLP
Dean Mary Anne Bobinski
Peter A. Allard School of Law |
| 09:00  | KEYNOTE SPEAKER                                                         |        | The Honourable Justice Lynn Smith, QC
Supreme Court of British Columbia (1998-2012)
Dean, UBC Faculty of Law (1991-1997) |
| 10:30  | REFRESHMENT BREAK                                                       |        |                                                                                           |
| 11:00  | PANEL SESSIONS:                                                        | PANEL 1 | SAMUEL BABATUNDE ADENIJI: Legal regime of global climate change and impacts on energy security in Nigeria |
|        | PANEL 2 (ROOM 122) Facts and findings: The search for truth at trial | PANEL 2 | SAPTARISHI BANDOPADHYAY: Plague as the problem, plague as the answer:
Administrative catharsis as disaster management in 1720 Marseille |
|        | PANEL 3 (ROOM 123) Blurring lines: Law in an increasingly interconnected world | PANEL 3 | MEREDITH HAGEL: The cognitive impact of judicial diversity on evolving standards of reasonableness: Or, why the reasonable person looks a lot like the judge on your next case |
|        |                                                                         |        | OLIVIA ADAMSKI: Convertible preferred stock: Testing the legal framework of the U.S. venture capital model in China |
|        |                                                                         |        | ASHLEY BARNES: Mapping continuity and change in the fragmented history of mass claims and international law |
|        |                                                                         |        | DIANA DEMIAN: Narrative ruptures: Trauma and translation in refugee testimonies |
|        |                                                                         |        | SOPHIA HENRICH: War and the environment - the (conceivable) role of past, present and future international humanitarian law |
|        |                                                                         |        | MADHAV MALLYA: Moral damages as counterclaims against multinational corporations – reforming investor state dispute settlement mechanisms |
ecocide

ROBERT SROKA: TIF
for that? Brownfield
remediation financing
in North America and
Calgary’s rivers district

JERRY YULIN ZHANG:
Med-Arb.: How it may
improve efficiency of
arbitration

13:00 - 14:00 LUNCH (Lew Forum)

14:00 - 16:00

PANEL 4 (ROOM 106)
Mighty healthy: The health of
regulations regulating health
Moderator: Matthew Voell
Underhill Gage Litigation
Law Corp.

DENISSE BLANCK:
Genetic technologies as
a key to open two doors:
A legal challenge
LAURA DOWLING:
Healthcare
regionalization legislation
in Canada: An autopsy
TANYA KARWAKI:
From local to global healthcare:
What laws will be part
of a medical tourist’s
luggage when traveling
abroad for healthcare?

PANEL 5 (ROOM 122)
Rise of the machines: Challenges for law in
the electronic age
Moderator: Prof. Graham Reynolds
Allard School of Law

KEN CAVALIER:
Unwarranted searches of social Media: Judicial
oversight in the gathering of electronic evidence in
Canada
OKORO SERGIUS
NNAMDI: Law and ICT: Examining the place of
law on the admissibility of electronically generated
evidence in legal proceedings

PANEL 6 (ROOM 123)
Legal diversity in tax law? Conceptual
anomalies and jurisdictional conflicts in tax law, policy, and
litigation
Moderator: Prof. Wei Cui
Co-Director, Tax LLM
Program, Allard School
of Law

MARY CLARE BAILIE:
The assessment behind the assessment: S. 160 of the ITA and
challenging primary tax liability
BRADLEY BRYAN:
Foundations for first nations taxation:
Investment income exemption under s. 87
of the Indian Act after
Bastien Estate v. Canada
NUHU MUSA IDRIS:
Determination of residency issues
in substantive and
enforcement tax
jurisdiction: A case for
global cooperation
ROBERT SANTIA:
Judicial review in tax
disputes? A consideration of Canada (National
Revenue) v. JP Morgan
Asset Management
(Canada) Inc.
GRACE TU: Is it always
better to go offshore?

Annual UBC Interdisciplinary Legal Studies Graduate Student Conference

18:30 Dinner at Brix Restaurant & Wine Bar
(http://brixvancouver.com)
1138 Homer St, Vancouver, BC V6B 2X6
Phone: 1.604.915.9463
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<th>Time</th>
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<th>Panel 7 (ROOM 106)</th>
<th>Panel 8 (ROOM 122)</th>
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<td>08:30</td>
<td>Breakfast &amp; Registration</td>
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<td>09:15</td>
<td>Keynote Speakers</td>
<td>Zara Suleman, BA, LLB, LLM</td>
<td>Suleman Family Law</td>
<td>Kinwa Bluesky, LLB, LLM</td>
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<td>Suleman Family Law</td>
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<td>PhD Candidate, Peter A. Allard School of Law</td>
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<td>10:15</td>
<td>Refreshment Break</td>
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<td>10:30 - 12:30</td>
<td>Panel Sessions:</td>
<td><strong>PANEL 7 (ROOM 106)</strong> Just causes or just cause: Democracy and dissent in the age of terror</td>
<td><strong>PANEL 8 (ROOM 122)</strong> A day in the life: Laymen, lawyers, and a learned profession learning to change</td>
<td><strong>PANEL 9 (ROOM 123)</strong> Endgame emancipation: The continuing struggle for gender equality</td>
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<td>Moderator: Nicole Barrett Director, Joint International Justice and Human Rights Clinic</td>
<td>Moderator: Henry C. Wood, QC, Beach Avenue Barristers</td>
<td>Moderator: Renee Cochard, Allard School of Law</td>
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<td><strong>BASIL ALEXANDER:</strong> Demonstrations and the law: Recurring patterns and practical implications for social change</td>
<td><strong>JOHN BLISS:</strong> Divided selves: Role distancing among law students and new lawyers</td>
<td><strong>SUSAN BAZILLI:</strong> ‘A fine line: Once more in charge’ - A feminist analysis of men engaged in anti-violence activities</td>
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<td><strong>ELIJAH NIELSON:</strong> Lawyers? Perceptions and familiarity of BSW, MSW, and PhD social work students with the legal community and its resources in a southwestern state</td>
<td><strong>CAITLIN CUTCHEIN:</strong> The history of domestic violence units in U.S. immigration law and why they remain an essential aspect of VAWA adjudications</td>
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<td><strong>MAURICE OGBONNAYA:</strong> Legislative responses to terrorism in Nigeria: Evolving preventive legal framework</td>
<td><strong>QIAN LIU:</strong> The magic of popular culture and its impact on leftover women’s reproductive rights</td>
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<td><strong>SARAH C YERCICH &amp; MELISSA R GREGG:</strong> Myths and realities: Examining contemporary approaches to and perspectives on family law processes and custody/access arrangements</td>
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**DAY 2**
**LAW: PAST, PRESENT, AND FUTURE**
12:30 - 13:30  **LUNCH (Lew Forum)**

13:30 - 15:15

**PANEL 10 (ROOM 106)**  Private rights and public problems: Vexing issues in the resolution of conflict straddling the public/private divide

Moderator: Ljiljana Biuković Associate Dean, Graduate Programs Allard School of Law

**LACHLAN CAUNT:** Butterfly wings & causation things: Proving the true, legal cause of harms in Canadian law (and philosophy, and science)

**ANNA FITZGERALD:** Examining the “class composition problem” and equality in education for children with learning disabilities

**KRISH MAHARAJ:** As it was in the beginning, so will it be in the end: Honesty and good faith in Anglo-Canadian private law

**IRYNA PONOMARENKO:** The unbearable lightness of balancing: Towards a theoretical framework for the doctrinal complexity in proportionality analysis in constitutional adjudication

**PANEL 11 (ROOM 122)**  Ours it is to reason why: Enquiries into the nature of law

Moderator: Prof. Gordon Christie, Allard School of Law

**JASON LESLIE:** The philosopher and the developer: Understanding developments in condominium law through moral theory

**PASCAL LÉVESQUE:** What is left from the Magna Carta today?

**BLAIR A MAJOR:** “Perfect Strangers” – the study of law as religion

**CHRISTOPHER PETERS:** Being and notwithstandingness: A phenomenological essay on legislative ontology

**PANEL 12 (ROOM 123)**  Film screening: Constitute! a documentary by Susan Bazilli and Robert Rooney

2015 marks the 30th anniversary of the protection of equality rights under section 15 of the Canadian Charter of Rights and Freedoms.

In celebration of this important milestone, Susan Bazilli will be screening her documentary, Constitute! Women’s constitutional activism, which profiles the largest social mobilization of women in Canadian history.

Led by the Ad Hoc Committee of Canadian Women and the Constitution, activists from across the country descended on Ottawa on February 14, 1981 to ensure stronger equality provisions in the newly patriated Canadian Charter.
**15:15 - 15:30**  
**REFRESHMENT BREAK**

**15:30 - 17:00**  
**PANEL SESSIONS:**

**PANEL 12 (ROOM 106)**  
**Conflicting claims:**  
When first in time is not best in law  
Moderator: Patricia Barkaskas  
Academic Director  
UBC Indigenous Community  
Legal Clinic

**MALCOLM LAVOIE:**  
Why restrain alienation of indigenous lands?  
Historical, comparative, and theoretical insights from common law countries

**MILLIE NICKASON:**  
The Tsilhqot’in decision: Lock, stock and barrel, plus self-government

**CAMERON PAUL:**  
‘I’m going to call this like it is. Murder, for justice maybe. Murder just the same’: Storytelling and tribal sovereignty in Louise Erdrich’s The Round House

**PANEL 13 (ROOM 123)**  
**Persons vs. The people: State sanctions, sympathy and sinister citizens**  
Moderator: Prof. William Cleary Visiting Scholar  
Allard School of Law

**KAYLA BARKASE:**  
Mandatory minimum sentencing and the principle of proportionality: A case law analysis of s. 95(1)

**SHARON COP:**  
Re-thinking negligence in the criminal Law

**CATHERINE ZANGGER:**  
For better or worse?: Decriminalisation, work conditions, and sex work in Auckland, New Zealand

**17:00 - 17:15**  
**CLOSING REMARKS (Lew Forum)**

**17:15**  
**CLOSING RECEPTION (Terrace Lounge, 4th floor Peter A. Allard School of Law)**

**THE MEMBERS OF THE 2015 CONFERENCE ORGANIZING COMMITTEE ARE:**

Magdalena Wojda (Chair)  
Olivia Adamski  
Renee Cochard  
Bingyu (Gloria) Liu  
Krish Maharaj

*Special thanks to Joanne Chung (Graduate Programme Advisor) for all of her able assistance and invaluable guidance.*
THE 2015 CONFERENCE ORGANIZING COMMITTEE GRATEFULLY ACKNOWLEDGES THE GENEROUS SUPPORT OF OUR SPONSORS:

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Last but not least, our thanks to everyone involved in this year’s conference – volunteers, speakers, moderators, and participants – for making the effort to join us. It is no small feat that you have performed, and we are sincerely grateful that you did.