

LCO / CDO

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**ADVISORY GROUP
A LCO FIRST**

A judge, an academic, a prosecutor, a police chief and an Aboriginal legal clinic representative are among the 14 members of a newly formed Advisory Group established to offer diverse views on the *Provincial Offences Act* project. A first for the LCO, advisory groups are also on deck for other projects. "It's a great opportunity to learn from one another and contribute meaningfully to Ontario's legal landscape," says Oshawa City Solicitor Dave Potts.

Message from the Executive Director

L to R: Kirsten Manley-Casimir, Research Lawyer, LCO; Pauline Shirt, ElderPlains Cree, Red-Tail Hawk Clan; and Patricia Hughes, Executive Director, LCO

You'll find in this issue stories on the LCO's connection with Ontario's law schools and on Julie Lassonde's family law project

consultation successfully co-hosted by Luke's Place in Oshawa.

Every year, I enjoy the hospitality of the Ontario law schools, parties to the LCO's Founding Agreement. Recent visits to Windsor and Western reveal that as faculty members become more familiar with the LCO, we'll be better able to facilitate their involvement in our projects. Once renewed, we'll plan projects on a longer timeline, fitting with faculty members' own research planning. My visit to Western also included a stint as guest lecturer in Professor Ben Hovius' Advanced Family Law class and at Windsor I participated in the 35th Anniversary Celebration of Windsor's Legal Clinic.

Consultation with Aboriginal communities is crucial to our projects if we are to adequately reflect their experiences with the legal system. LCO legal researcher Kirsten Manley-Casimir invited Elder Pauline Shirt, a Plains Cree, Red-Tail Hawk Clan woman, to visit the LCO to help us appreciate the distinctive protocols around speaking with Aboriginal communities. Pauline Shirt's warmth and vitality shone through in her explanation of Aboriginal practices even as she threaded through her talk the impact of Canada's shameful treatment of Aboriginal peoples.

These snapshots confirm again that "connecting" is crucial to how we do our work.

Patricia Hughes

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- **Community groups take lead**
- **Law school ties**
- **On the right track**



Leading by example

Community-inspired focus groups a win-win

When Carol Barkwell and Pam Cross first learned of the LCO’s family law process project, they didn’t wait for the phone to ring. Barkwell, executive director of Luke’s Place, a support and resource centre for abused women and their children in Durham Region’s Family Court System, packed up the non-profit’s latest research documenting the unmet legal needs of abused women and forwarded it to the LCO. In December, LCO research lawyer Julie Lassonde was invited to hear the women’s stories firsthand as part of two focus groups organized by Luke’s Place and involving clients, staff, lawyers and community service providers with the centre’s newly opened pro bono legal clinic.

“Many community groups have reached out to us,” says Lassonde, “but Luke’s Place stood apart in initiating their own discussion and facilitating our connection with users of the legal system.”

It’s a community leadership model that the LCO plans to build on in support of other projects — a strategy legal director Cross wholeheartedly supports. “When the Law Commission speaks out on an issue, what they say is given a lot of weight from those who make changes. If we can influence this by being involved, that’s a good thing.”

Barkwell agrees. “There’s a real need for systemic change in the family law process, so the services we provide are needed less and less.”

The results of the LCO’s province-wide family law consultation, including the Luke’s Place focus groups, are now being compiled in a progress report to be released this spring.

LCO opens door on eHealth debate



Multi-disciplinary participants debate eHealth issues at Osler, Hoskin & Harcourt LLP in Toronto

The LCO and IP Osgoode set the stage, January 28, for a debate that has the potential to affect the lives of every Ontarian. The eHealth Law and Policy Symposium attracted more than 55 lawyers, academics, business leaders and government representatives who agree the success of Ontario’s eHealth strategy is dependent upon a strong legal framework.

“We must start to address the governance question, which involves a web of different issues, including scope, privacy, confidentiality, ethics and intellectual property, to name a few,” says Giuseppina D’Agostino, LCO’s Osgoode Scholar-in-Residence and the symposium’s keynote speaker. With support from the LCO, D’Agostino is identifying a governance model for collecting and sharing electronic information.

“Drawing together many people with different perspectives as a way of collecting data and serving as a sounding board is the smart thing to do,” says Shanon Grauer, a partner at McCarthy Tétrault LLP. “Whatever the final recommendations, I suspect they’ll have quite an impact.”

The results of the symposium will fuel a new discussion paper and eventually a final report to be released in association with the LCO later this year.



Under discussion: students of Prof. Ben Hovius' Advanced Family Law Seminar, Western Law review aspects of the LCO's family law reform project with Patricia Hughes, Executive Director

LCO goes to school

Meetings uncover potential of law school collaborations

If Chris Waters has anything to do with

it, the Law Commission is about to see a surge in prospective research collaborations. The Associate Dean at the University of Windsor's Faculty of Law likes the idea of dovetailing the relevant scholarly inquiries of his colleagues with the LCO's commitment to research dissemination and law reform.

"I see a lot of potential here."

LCO Executive Director Patricia Hughes explored the evolving relationship between the LCO and faculty at its partner law schools as part of a series of campus visits that included the University of Western Ontario.

"The LCO is an important research outreach vehicle," agrees UWO professor Margaret Ann Wilkinson. "Individual scholars can write all kinds of things, but it's very difficult to bring your research to the attention of policymakers. The LCO can do that."

This is exactly the kind of recognition Hughes hopes to achieve as the basis for future collaboration.

The possibilities are boundless, agrees Waters. "The LCO has brought a collaborative spirit to law reform. We're just coming to grips now with the possibilities."



Evaluation results "positive"

The Law Commission should stay its course and continue to take steps to address challenges and opportunities, according to an evaluation led by Toronto's Cathexis Consulting. The six-month long analysis included a review of the organization's activities and interviews with more than 50 LCO Board members, partners, community groups, academics, government representatives and law students. Key findings from the study were presented to the Board of Governors in February.

"It was a positive evaluation of the strides we have made in a short time," says Board member Chris Bredt, representing the Law Society of Upper Canada.

The LCO's leadership, research quality and diversity, and student internships were among the cited strengths. While consultation is critical to the LCO's success, opportunities remain to involve Board members in outreach initiatives and nurture stronger ties with law school and government partners — both areas, says Bredt, in which "work is already underway."

Cathexis' final report, including recommendations, is due for release this spring.

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OSGOODE

OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY

LAW COMMISSION OF ONTARIO

276 York Lanes
York University
4700 Keele Street
Toronto, ON M3J 1P3
Tel: 416-650-8406
Toll Free: 1-866-950-8406
lawcommission@lco-cdo.org
www.lco-cdo.org

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