

LIAISON

LAW COMMISSION OF ONTARIO

Message from the Executive Director



In the last few months I've been pleased to have participated on behalf of the LCO in several access to justice initiatives — bright spots in this too long, too cold, too snowy winter.

At the end of January, the LCO joined 100 other invited organizations and individuals from across the country and beyond who met at the National

Action Committee symposium, where we spent a day-and-a-half exploring NAC's Roadmap to Change. Here the emphasis was on the established legal institutions needing to implement new collaborative ways of realizing their mandates.

The Connecting Ottawa conference in early March was a different kind of animal — participants heard directly from workers in intermediary organizations, those linking lawyers and others with the people who need their services. I was invited to talk about how we dealt with this issue in our family law report. The day before, Professor David Wiseman provided the chance to talk about approaches to A2J in yet another context when he brought some of us presenting at the Connecting Ottawa conference to the University of Ottawa Law Faculty to speak to students from several classes.

On an equally important note, I can report that all the LCO's reports and other releases are now available on the AJEFO's Jurisource web portal, making our French-language versions more readily accessible.

Enjoy spring and the coming summer, everyone! ing from you!

Patricia Hughes

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IN BRIEF

Summer Students in the House

A senior editor at thecourt.ca, a specialist in social assistance legislation, an Ontario Human Rights Commission researcher and an economics scholar are among the law students completing summer work terms at the LCO. Welcome to Danielle Cornacchia and Peter Spiro of Osgoode Hall Law School, Western Law's Teri Muszak and Maria Nunez of Queen's Law.

Call nets Wide Variety of Proposals

Some 50 submissions addressing everything from defamation law to redefining parentage were received in the LCO's call for project proposals, which closed March 21. The proposals are now under review; the selection committee's recommendations will be considered by the Board of Governors at its June meeting.

Legal Capacity Project for Discussion

The LCO has released four research papers commissioned last year to support the project on legal capacity, decision-making and guardianship. A discussion paper on the project will be available this spring. 🏠

New Osgoode Scholar Selected for 2014-2015 Year

Regulatory Change expert Gus Van Harten will succeed Sean Rehaag as the LCO's Osgoode Scholar-in-Residence for a six-month term beginning in January 2015.

MAG Counsel to be Announced

The Ministry of the Attorney General is expected to announce this spring the 2014 LCO Counsel-in-Residence, who succeeds current Counsel Judy Mungovan.



See this?
Read more at www.lco-cdo.org

LCO credited for proposed workplace legislation

Vulnerable workers report helps inform Bill 146

The LCO's report on vulnerable workers and precarious work made headlines for the second time in 2013 when former Labour Minister Yasir Naqvi unveiled in December sweeping new Ontario legislation that proposes to strengthen workplace protections. Naqvi credited the LCO's report with helping to inform the changes set out in Bill 146, *Stronger Workplaces for a Stronger Economy Act, 2014*.

"The impact of this report can't be overstated," says LCO Executive Director Patricia Hughes, who spoke at the Minister's announcement in Toronto. "We're a law reform agency. It's a major sign of success when our recommendations might actually inform new legislation in the province."

Released in April 2013, the report's 47 recommendations include a comprehensive provincial strategy to support vulnerable workers and a review of the exemptions within the *Employment Standards Act*. Naqvi first acknowledged the LCO's proposed changes in July when he announced the government's review of the \$10.25 minimum wage.



Standing Senate committee invites LCO input

A project exploring options for RDSP reform earned the LCO an appearance before the federal government's 12-member Standing Senate Committee on Banking, Trade and Commerce in February. Research Lawyer Sarah Mason-Case and Board member Adam Dodek presented the LCO's discussion paper on issues of capacity and access to the RDSP as part of a day-long legal panel in Ottawa.

"We were asked to present the options we're considering for reform in Ontario," explains Mason-Case.

The LCO's research was highlighted in the Senate committee's report, released in March. Unlike the LCO study targeting long-term alternatives for Ontarians, the Senate report addresses the various challenges facing RDSP-eligible Canadians.

"We'll take the Senate committee's findings into account when we make our recommendations," says Mason-Case. The LCO's final report is expected for release in June.

Staying connected with project advisors

Having spent half her career practicing the law and the other half researching and writing about it, Jasminka Kalajdzic understands the value of divergent viewpoints. Now a University of Windsor law professor, the former litigator is sharing her perspectives as a member of the LCO's class actions project advisory group.

"Practitioners have much to contribute because they see how the law plays out on the ground," Kalajdzic says of the 15-member advisory group, which also includes representatives from the plaintiff and defence bars, a major professional services firm, government, the judiciary, the Class Proceedings Fund, as well as other academics. "I consider the policy questions generated by our class action regime and look at what is happening in other jurisdictions."

Advisory groups are an important part of most LCO projects, says Executive Director Patricia Hughes. "Volunteers help us ensure we have the expertise available to make well-founded recommendations."



Justice Stephen Goudge lauds impact

Appeal court judge retires from bench and board

Five years after joining the LCO's Board of Governors, Justice Stephen Goudge is hard pressed to name a project that hasn't had a role in creating a more inclusive and accessible justice system.

"The LCO has an enormously important role as a progressive force in the justice system," says the Ontario Court of Appeal judge. "Through sound research and good communication, it contributes to the conversation about how to make pieces of the justice system more accommodating."

As he prepares to retire from the bench and his role as the LCO's judiciary representative, Goudge describes how the LCO has "necessarily grown into the role that it's now able to play."

As an independent law reform agency, "the LCO is not beholden to anybody. That's an enormous strength," he says, adding this piece of advice for the Board going forward: "The LCO must continue to make shrewd decisions about projects. You can't do everything everyone would like you to do."

The LCO also thanks departing Board members Adam Dodek and Nathalie Des Rosiers and welcomes Sonia Ouellet. Says Board Chair Bruce Elman: "The different perspectives of Justice Goudge, Professor Dodek and [UOttawa] Dean Des Rosiers have enriched our Board discussions."



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