Osgoode Professional Development
Proposal for Graduate Diploma in Law
for Law Enforcement Professionals

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Proposal for Graduate Diploma in Law for Law Enforcement Professionals

1. Introduction

1.1 Provide a brief statement of the graduate diploma being proposed, including type, and indicate the parent program and/or unit in which the graduate diploma will be administratively housed.

The proposed Graduate Diploma in Law for Law Enforcement Professionals ("the Diploma") is a Type 3 stand alone diploma, to be housed within Osgoode Hall Law School, delivered by Osgoode Professional Development.

1.2 Comment on the appropriateness and consistency of the graduate diploma name with current usage in the discipline or area of study, as appropriate.

Unique in Canada, the Graduate Diploma in Law for Law Enforcement Professionals is designed specifically for law enforcement professionals in, or aspiring to, senior and/or leadership positions in police or regulatory agencies. Its goal is to provide these professionals with a foundational understanding of the substantive legal issues they encounter in their day-to-day work and the practical impact of these issues. The Diploma name is designed to highlight this focus.

The title “Graduate Diploma” distinguishes this program from the Professional Master of Laws (LLM) programs currently offered by Osgoode Professional Development.

Both the program name -- Graduate Diploma in Law for Law Enforcement Professionals -- and the curriculum’s emphasis on substantive law content, distinguish this program from the Masters, Bachelor of Arts and diploma programs for law enforcement professionals offered by other universities and colleges. A survey of these other offerings (including notes as to how they differ from the Diploma) is attached as Appendix A. Generally, the Diploma can be distinguished from these other programs in three significant ways: 1) it requires an undergraduate degree for admission; 2) the content has been designed and will be delivered at a graduate level; and 3) the curriculum focusses almost exclusively on substantive law.

The vast majority of the current college and university programs for policing professionals are foundations programs designed to provide fundamental skills to students who are seeking entry-level careers in law enforcement. Unlike the Diploma, these programs do not require an undergraduate degree for admission (and therefore are clearly delivered at a college or undergraduate level). Furthermore, most offer little to no substantive law content.

The University of Regina offers a Masters program in Police Studies. This program appears to be one of the only existing Canadian university post-graduate programs designed specifically for law enforcement professionals. Like the Diploma, an undergraduate degree is required for admission to the Masters in Police Studies. However, unlike the Diploma, the University of Regina’s Masters program is largely research focused, with 18 of the 30 required credits dedicated to a thesis. The curriculum does not include any substantive law content.

2. General Objectives of the Graduate Diploma

2.1 Provide a brief description of the general objectives of the graduate diploma.

The overarching objective of the Graduate Diploma in Law for Law Enforcement Professionals is to provide law enforcement and related professionals in, or aspiring to, senior and/or leadership positions with a foundational understanding of the substantive legal issues (as contrasted with the legal procedural issues) they encounter in their day-to-day work and the practical impact of these issues.

We expect that law enforcement professionals are fairly well trained in procedural law, which is the term generally used to describe the set of rules used to enforce the law (such as court procedures, for example).
Substantive law includes the rules that set out rights and responsibilities, such as the rules that establish the criminal offences in the *Criminal Code* and the legal rights and protections afforded by the *Charter of Rights and Freedoms*. Law enforcement professionals will be able to perform more effectively and have access to opportunities for advancement if they better understand the core legal criminal law and related concepts relevant to their work.

The Diploma evolved in part from demand from alumni of Osgoode’s LLM in Criminal Law and Procedure who were working in law enforcement. They identified a need and demand for a graduate level program which would provide students with a grounding in the foundations of substantive criminal law, but which would also have other law-related content that was specific to professionals working in law enforcement. As described in more detail above and in Appendix A, while there are numerous education programs designed to provide current and aspiring law enforcement professionals with training about the key information and processes they need to succeed as front-line officers, there is little to no exposure to substantive law in these existing programs.

Our extensive consultation with the profession (the details of which are set out in Appendix B) confirms that a foundational understanding of the key substantive legal issues is of particular interest and in demand, as very few career law enforcement professionals have had any significant training in this area. The consultation further confirms that there is a strong demand for this type of programming, particularly from those professionals who are seeking to advance into leadership positions within their organizations and that a candidate’s educational achievements, particularly those at a postgraduate level, are and will increasingly continue to be a significant factor in her/his advancement opportunities.

2.2 Describe how the general objectives of the graduate diploma align with University and Faculty missions and academic plans.

The Graduate Diploma in Law for Law Enforcement Professionals will closely align with the University’s Strategic Mandate Agreement and Osgoode Hall Law School’s missions and academic plans in the following ways:

- As a program developed for and taught in part by law enforcement professionals, it will enhance the University’s “linkages with the broader community, both in terms of the teaching and learning process.”
- With its variety of learning formats, the program will support the University’s mandate to create life-long learning opportunities for part-time and mature students.
- As the first, and to date, only program of its kind in Canada, the Graduate Diploma in Law for Law Enforcement Professionals demonstrates York University’s commitment to interdisciplinarity, innovation and leadership.

Osgoode currently delivers a Professional Master of Laws in Criminal Law and Procedure. As discussed in more detail above, we have considerable interest in this program from law enforcement professionals. However, the program is designed for those with a prior law degree and the learning outcomes are at a more legal technical level than would meet the needs of most law enforcement professionals. Although there will be some slight overlap between the programs, the Diploma has been designed by and specifically for law enforcement professionals. Unlike the Professional Master of Laws in Criminal Law, the Diploma curriculum focuses on the discrete substantive legal issues law enforcement professionals encounter in their day-to-day work.

3. Need and Demand

3.1 Comment on similar graduate diplomas offered at York and/or by other Ontario universities, with special attention paid to any innovative and distinguishing aspects of the proposed graduate diploma.
There is no similar graduate diploma offered at York. The Graduate Diploma in Law for Law Enforcement Professionals is, to date, the first and only graduate diploma of its kind in Canada. The program is innovative in that it has been designed in consultation with and will be co-taught by law enforcement professionals; the graduate level curriculum focuses almost exclusively on the substantive law issues confronting policing professionals in their day-to-day work; and it is the only graduate diploma of its kind that almost exclusively targets professionals working in law enforcement and related industries.

It is the expectation that qualified law enforcement professionals will participate in teaching the program. Two of the currently confirmed faculty are experienced law enforcement professionals with extensive teaching experience. Inspector Kevin Cyr, LL.M. (Osgoode) is with the Royal Canadian Mounted Police, Surrey, British Columbia. Detective Kerry Watkins, LL.M. (Osgoode) was employed with the Toronto Police Services for twenty years, including six years as senior faculty with the Toronto Police College. Both Inspector Cyr and Detective Watkins have extensive academic and teaching credentials. For more detail, see the Table of Faculty and faculty CVs in Appendix G.

3.2 Provide brief description of the need and demand for the proposed graduate diploma, focusing as appropriate on student interest, social need, potential employment opportunities for graduates, and/or needs expressed by professional associations, government agencies or policy bodies.

We have consulted extensively with senior law enforcement professionals and various policing services across Canada, including: Toronto Police Services, Ontario Provincial Police, Royal Canadian Mounted Police, Halton Regional Police Service, York Regional Police, Sudbury Police Service, Calgary Police Services, Victoria Police Service, and Delta Police.

We have also consulted with the major police training facilities in Ontario -- the Toronto Police College, the Ontario Police College and the Provincial Police College -- as well as with members of the Ontario Association of Chiefs of Police Education Committee.

Details of our consultation are set out in Appendix B (attached).

As set out in more detail above, our research confirms strong interest in and support for the Graduate Diploma in Law for Law Enforcement Professionals. This research also confirms that post-graduate programs like the Diploma have significant potential to enhance law enforcement professionals’ advancement and mobility opportunities. Education continues to be a key factor in assessing a candidate for promotion. Our research confirms that in their recruitment and promotion assessments, many policing organizations continue to award extra “points” to candidates who have a post-graduate degree. Demand and support for ongoing education, especially post-graduate education, is reflected by the financial and time commitment many Canadian law enforcement agencies offer their employees who seek further education.

Our consultation has confirmed a particular need for post-graduate education in substantive legal issues. According to our research, law enforcement agencies are seeking to advance candidates who possess a sophisticated understanding of the legal issues that inform the day-to-day work of both the management team and the front-line officers they manage. Although the police colleges and some of the college and university programs offer broad survey courses in law, we are not aware of a program like the Diploma, that will offer targeted, substantive law courses delivered at a graduate level, designed by and for law enforcement professionals.

3.3 Comment on the projected in-take into the graduate diploma, including the anticipated implementation date (i.e. year and term of initial in-take) and steady-state enrolment.

The anticipated implementation date for the proposed Diploma is September 2019. The projected in-take is approximately 20 students in each intake and the ongoing enrolment is anticipated to be that same level.

4. Curriculum, Structure and Learning Outcomes
4.1 Describe the graduate diploma requirements and associated learning outcomes, including explicit reference to how the diploma curriculum and structure supports achievement of the learning outcomes. For Type 3 graduate diplomas, explain how the curriculum and learning outcomes are consistent with master’s degree level expectations.

Our consultation and market research informed the overall program objectives, individual learning objectives and the details of the curriculum.

Students must complete 18.0 credits of course work, including 12.0 credits in 3 required courses and then will be able to take 6.0 credits in elective courses. The course list is set out in Appendix E (attached) and also set out below.

The subject matter of the required courses, which includes legal issues related to the Charter, policing vulnerable communities and police oversight and accountability, deals with major pressure points currently facing senior law enforcement professionals. Given the significance of these issues to our targeted student body, and the foundational nature of the law underlying these issues, these 3 courses are all mandatory. Furthermore, a foundational understanding of the rights and freedoms under the Charter - a required course which students will take at the outset of the Diploma - is necessary for students to fully engage in most of the elective options.

The goal with the elective options is to provide students with a range of substantive law topics that arise in policing, some of which may be more critical and relevant, depending upon the students’ prior education and the type of work they perform. The required courses provide students with a foundational understanding of legal issues which they can then apply and expand upon in the various electives.

What distinguishes this program at the graduate level is the promise and expectation that students who complete the Diploma will demonstrate an advanced understanding and analysis of the key substantive legal issues confronting law enforcement professionals. Graduates will have a critical awareness of current legal issues in the profession. They should be able to apply an existing body of knowledge and information they have acquired in class to the critical analyses of a new question or issue in a different setting. The assessment methods include exams, written assignments and presentations, with the expectation that students will have the ability to understand and analyze issues at an advanced level, and will be able to communicate ideas, issues and conclusions clearly.

**Graduate Diploma Requirements:**

1. Students must complete 18.0 credits of course work, including:
   a. 12 credits in 4 required courses:
      i. Policing and the Charter (6.0 credits)
      ii. Policing Vulnerable Communities (3.0 credits)
      iii. Police Oversight and Accountability (3.0 credits)
      iv. Online Legal Research and Writing Tutorial (0 credits)
   b. 6 credits in elective courses. Options include:
      i. Legal Issues Related to Managing Law Enforcement Professionals (3.0 credits)
      ii. Foundations in Evidence for Law Enforcement Professionals (3.0 credits)
      iii. Aboriginal People and the Criminal Justice System (3.0 credits)
      iv. Anti-Terrorism & the Law: Current and Emerging Issues (3.0 credits)
      v. Wrongful Convictions (3.0 credits)
**Learning Outcomes:**

How the Diploma curriculum and structure supports the achievement of the learning outcomes is detailed in Appendix D (attached).

How the curriculum and its associated outcomes are in line with master’s degree level expectations is detailed in a mapping of master degree level expectations against the Graduate Diploma in Law for Law Enforcement program learning outcomes (attached as Appendix C).

The demands of this program require students to continuously self-assess and implement strategies to improve their study and performance. As reflected in the attached summary, the learning outcomes encompass a broad base of competencies and students are expected to demonstrate these competencies throughout and upon completion of the program.

**Graduate Diploma Advisory Board:**

The Diploma curriculum was developed with extensive consultation with senior members of the law enforcement community (see details above and in Appendix B) together with the guidance and input of an expert advisory board. The Diploma Advisory Board members include:

- Professor Margaret E. Beare, Professor, Osgoode Hall Law School
- Professor Benjamin L. Berger, Associate Dean (Students) and Professor, Osgoode Hall Law School
- Inspector Kevin Cyr, LL.M. (Osgoode)
  Royal Canadian Mounted Police, Surrey, British Columbia
- Detective Kerry Watkins, LL.M. (Osgoode)
  Formerly of the Toronto Police Services and Senior Faculty Toronto Police College
  Currently Director, The Interview Group; Professor, Humber College and University Guelph-Humber

4.2 Address how the methods and criteria for assessing student achievement are appropriate and effective relative to the diploma learning outcomes.

The course design of the new courses developed for the proposed Graduate Diploma explicitly links required learning outcomes to curriculum content.

Assessment is designed to demonstrate that graduates have an advanced understanding, awareness and analysis of the key substantive legal issues confronting law enforcement professionals. Similar to the methods of evaluation Osgoode uses in its Master of Laws programs, the Diploma performance assessment will include multiple evaluation methods, including presentations, group work, short research papers and written exams.

The way in which distinct evaluation methods of evaluation contribute to learning outcomes is as follows:

- Participation in class discussion confirms substantive understanding of legal concepts and students’ ability to engage in critical analysis of legal principles
- In-class presentations, group work, and research papers demonstrate substantive understanding of legal concepts, ability to critically analyze specific legal issues, engage in policy discussion either orally or in writing.
- Examinations require students to thoroughly understand all the legal concepts and critical issues in the course and be able to marshal their knowledge to solve fact pattern problems by applying legal rules, as well as engaging in critical legal analysis for theory questions based on the course material. Students must identify the relevant material from their course work, apply the relevant legal rules, and reach the correct legal conclusion or elaborate a well-reasoned and defensible position on critical theory issues.
For complete details of the assessment methods for each course see the New Course Proposals in Appendix F.

4.3 Provide a list of courses that will be offered in support of the graduate diploma. The list of courses must indicate the unit responsible for offering the course (including cross-lists and integrations, as appropriate), the course number, the credit value, the short course description, and whether or not it is an existing or new course. For existing courses, the frequency of offering should be noted. For new courses, full course proposals are required and should be included in the proposal as an appendix. (The list of courses may be organized to reflect the manner in which the courses count towards the program/field requirements, as appropriate; e.g. required versus optional; required from a list of specified courses; specific to certain concentrations, streams or fields within the program, etc.)

The course list is set out in Appendix E (attached). New course proposals are attached as Appendix F.

4.4 Describe the proposed mode(s) of delivery, including how it/they are appropriate to and effective in supporting the diploma learning outcomes.

The Diploma will be delivered in small group seminars, in which students will participate in person or remotely via video conferencing. Osgoode regularly employs this combination of in-person and video conferenced attendance, with much success. Our newly renovated classrooms have even greater technological capacity to implement student and faculty interaction via video conference. Furthermore, many of our faculty have extensive experience teaching in this type of environment, and we train new faculty and provide excellent support to enable them to maximize the learning experience with this type of mixed classroom.

Students are expected to be actively participating in the seminars to maximize their learning experience and participation marks will be included in the assessment. Student lead discussions and marked presentations will also be part of the curriculum. The seminar group sizes (as compared to a traditional lecture), participation and presentation expectations should encourage discussion and further students’ mastery of the course content. Assessed presentations will support the communications-related learning outcomes.

5. Admission Requirements

5.1 For Type 3 graduate diplomas, describe the admission requirements. For all types, address how the admission requirements are appropriately aligned with the diploma learning outcomes.

The Diploma will require an undergraduate bachelor’s degree with a minimum GPA of ‘B’ for admission. This admission requirement reflects the master’s degree level learning outcomes for this program.

Similar to Osgoode’s Professional Master of Laws degrees, it is the expectation that applicants will have five years of related professional experience. As the course content will be focused on substantive legal issues in the policing profession, it is the expectation that applicants will come from a policing background or have professional experience in a related industry. Although the Diploma targets professionals who are currently active in their careers, applicants who are retired and/or seeking to transition into a senior law enforcement role will be considered, provided they satisfy the other admission criteria.

Any applicants not meeting the standard application criteria would require a robust rationale be written to explain the basis for admission.

6. Resources
6.1 **Faculty resources**: Comment on the expertise of the faculty who will actively participate in delivering the graduate diploma, focusing on its current status, as well as any plans in place to provide the resources necessary to implement and/or sustain the graduate diploma. Provide a Table of Faculty, as follows:

A Table of Faculty, together with current CV’s, is attached as Appendix G.

6.2 **Laboratory facilities**: As appropriate, identify major equipment that will be available for use by students engaged in the graduate diploma.

Not applicable.

6.3 **Space**: As appropriate, provide information on the office, laboratory and general research space available that will be available by students engaged in the graduate diploma.

Classroom seminar space will be available to faculty and students both at Osgoode Hall Law School (Keele Campus location) and Osgoode Professional Development’s downtown location. Existing classroom space should meet the needs of the Diploma and there is no expectation that additional space will be required.

Osgoode Professional Development’s existing video conferencing facilities will be utilized and are available at both campuses.

Administrative support for the Diploma will be provided by Osgoode Professional Development’s existing graduate program support team. No additional staff or office space will be required to deliver the program.

7. **Support Statements**

The Support Statements are attached in Appendix H.

- from the relevant Dean(s)/Principal, with respect to the adequacy of existing human (administrative and faculty), physical and financial resources necessary to support the graduate diploma, as well as the commitment to any plans for new/additional resources necessary to implement and/or sustain the graduate diploma
- from the Vice-President Academic and Provost, with respect to the adequacy of existing human (administrative and faculty), physical and financial resources necessary to support the graduate diploma, as well as the commitment to any plans for new/additional resources necessary to implement and/or sustain the graduate diploma
- from the University Librarian confirming the adequacy of library holdings and support
- from the University Registrar confirming the implementation schedule and any administrative arrangements
- from the relevant Faculties/units/programs confirming consultation on/support for the proposed graduate diploma, as appropriate
- from professional associations, government agencies or policy bodies with respect to the need/demand for the proposed graduate diploma, as appropriate
APPENDIX A

Graduate Diploma in Law for Law Enforcement Professionals

Survey of University and College Programs for Law Enforcement Professionals

MASTERS PROGRAMS:

University of Regina: MA in Police Studies
- **Focus:** “The MA in Police Studies offers grounding in theoretical issues and methodological approaches to various aspects of justice including legal, criminal, restorative, and social justice. It is directed to police officers and other professionals associated with Canadian police forces, whether federal or municipal, who wish to research topics relevant to policing and police services.”
- **Admissions Requirements:** 4-year degree or completion of qualifying courses and related work experience
- Majority of course work is a major thesis (18 hours of 30 hours)
- No substantive law content

UNIVERSITY BACHELOR DEGREE PROGRAMS:

Conestoga: Bachelor of Community and Criminal Justice
- **Focus:** “This program, delivered at the honours level, provides students with the skills to analyze the reasons for crime and the various approaches to crime prevention, as well as the means to support healthy and safe communities.”
- **Admission Requirements:** Ontario Secondary School Diploma (OSSD), or equivalent, OR 19 years of age or older
- Curriculum includes two broad survey law courses

Wilfred Laurier University: B.A. in Policing
- 100% online
- **Admission Requirements:** Ontario Secondary School Diploma (OSSD), or equivalent
- **Focus:** Fundamentals for student seeking career as front-line officer
- No substantive law content

Georgian College: Honours Bachelor of Police Studies
- **Focus:** “The Honours Bachelor of Police Studies degree encourages a broadened critical understanding of the nature, role and function of policing.”
- **Admission Requirements**: Ontario Secondary School Diploma (OSSD), or equivalent
- Core courses include two criminal law (introductory and advanced) survey courses

*University Guelph-Humber Bachelor of Applied Arts in Justice and Public Safety*
- **Admission requirements**: College certificate or some university credits plus 3 years related work experience
- No substantive law courses

**UNIVERSITY CERTIFICATE PROGRAMS**

*Dalhousie University: Certificate in Police Leadership*
- **Admission Requirements**: No educational pre-requisites for admission. Some related work experience recommended
- Certificate with Law and Justice concentration includes courses in Legal Issues in Policing (focus is Police Accountability) and Policing and the Law of Human Rights (focus on human rights issues in the workplace)

**COLLEGE GRADUATE CERTIFICATES**

*Conestoga College: Advanced Police Studies*
- 1 year (2 semesters)
- **Admission Requirements**: Degree or 3-year diploma for admission
- **Focus**: "Students graduating from this program will have first-hand knowledge of the day-to-day operations of a police service."
- No substantive law content

*Durham College: Advanced Law Enforcement and Investigations*
- 1 year (2 semesters)
- **Admission Requirements**: Degree or diploma or 2 years related work experience for admission
- **Focus**: "Advanced Law Enforcement and Investigations allows you to combine law enforcement experience with advanced fitness training and conflict management to gain additional professional certifications for a rewarding career in the justice sector."
- No substantive law content

*Fanshawe College: Advanced Police Studies*
- 1 year (2 semesters)
- **Admission Requirements**: Degree or diploma or related work experience for admission
• **Focus:** to provide students with recruitment advantage when seeking law enforcement career opportunities
• No substantive law content

**Mohawk College: Advanced Police Studies**
• 1 year (2 semesters)
• **Admission Requirements:** Degree or diploma or related work experience for admission
• **Focus:** “Complete an intensive graduate program to prepare for a meaningful and challenging career in law enforcement in just 28 weeks.”
• No substantive law content

**Seneca College: Advanced Investigations and Enforcement**
• 1 year (2 semesters)
• **Admission Requirements:** Degree or diploma or related work experience for admission
• **Focus:** “Prepare for a dynamic career in public and private policing and investigations with this two-semester full-time program that was designed in consultation with the private policing and investigations industry.”
• No substantive law content

**SURVEY OF COLLEGE POLICE FOUNDATION PROGRAMS**
Note that this is just a sample. Many colleges not listed here offer similar programs.

**Georgian College: Police Foundations Certificate (2-year diploma)**
• **Admission Requirements:** OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus:** “In this program, students focus on forensic crime scene investigation, interview skills, use of force theory and application, police powers, and crisis intervention techniques. Physical training and career preparation components of the program are designed to prepare students to meet the specific demands of police recruitment processes and a career in the field.”

**Canadian Business College: Police Foundations (2-year diploma)**
• **Admission Requirements:** OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus:** to prepare students for entry level career in policing

**Durham College Police Foundations (2-year diploma)**
• **Admission Requirements:** OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus:** to prepare students for entry level career in policing

**Fanshawe College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing

**Humber College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing

**Seneca College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing

**Algonquin College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing

**Centennial College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing

**Conestogo College Police Foundations (2-year diploma)**
• **Admission Requirements**: OSSD or equivalent; admission options for non-secondary school graduate applicants
• **Focus**: to prepare students for entry level career in policing
APPENDIX B
Proposal for Graduate Diploma in Law for Law Enforcement Professionals

List of Individuals/Organizations Consulted

Sharon Baiden *
Chief Administrative Officer Sudbury Police Service

Detective Sergeant Vern Crowley
Team Lead Ontario Provincial Police Cybercrime Investigations Team

Inspector Kevin Cyr, LL.M.
Royal Canadian Mounted Police, Surrey, British Columbia

Staff Sergeant Don Dalgleish
5 District – B Platoon, York Regional Police

Inspector Kenneth Delaney *
Peel Regional Police

Bruce Herridge *
Director of the Ontario Police College
Former Deputy Chief York Regional Police

A/Staff Sergeant M.D. (Mark) McVicar, B.A., J.D., M.S.S.
Calgary Police Service Legal Counsel

Superintendent Peter Lennox *
Unit Commander Toronto Police College

Deputy Chief Norman Lipinski, J.D., M.B.A.
Delta Police, British Columbia
Former Deputy Chief of Edmonton Police Service
Former Assistant Commissioner in the RCMP

Detective Sergeant Jamie Prosser
Technical Support Branch Ontario Provincial Police and Faculty with the Provincial Police Academy

Chief Murray Rodd *
Peterborough Police Service
Chair of Ontario Association of Chiefs of Police Education Committee
A/Inspector Jeff Sandy *
Halton Regional Police Service
Emergency Services Unit & Training Bureau

Superintendent Jeff Vibert *
Deputy Director Provincial Police Academy

Detective Kerry Watkins
Toronto Police Services
Senior Faculty Toronto Police College

Deputy Chief Colin Watson, LLM candidate
Victoria Police Service

*Member of the Ontario Association of Chiefs of Police Education Committee
## APPENDIX C

Proposal for Graduate Diploma in Law for Law Enforcement Professionals

### Mapping of Master Degree Level Expectations Against Graduate Diploma in Law for Law Enforcement Professionals Program Learning Outcomes

<table>
<thead>
<tr>
<th>Master Degree Level Expectations</th>
<th>Graduate Diploma in Law for Law Enforcement Professionals Learning Outcomes</th>
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<tbody>
<tr>
<td><strong>1. Depth and Breadth of Knowledge</strong></td>
<td><strong>Students who complete the diploma will be able to:</strong></td>
</tr>
<tr>
<td></td>
<td>• critically analyze, the main sources of law, legal principles and rules governing policing in Canada</td>
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<tr>
<td></td>
<td>• articulate alternative legal approaches or frameworks that could and should be considered by policymakers, regulators, judges, stakeholders and others</td>
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<tr>
<td></td>
<td>• assess critically the effectiveness of the law in meeting its objectives and intended purposes</td>
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<td></td>
<td>• articulate clearly the current issues at the forefront of policing in Canada</td>
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<tr>
<td></td>
<td>• compare and contrast the current and emerging legal, social and ethical issues that impact policing</td>
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<tr>
<td></td>
<td>• understand the effects of policing on marginalized and vulnerable communities</td>
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</tbody>
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| 2. Research and Scholarship | • competently employ techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues in policing  
• research legal issues relevant to law enforcement; formulate and write clear and persuasive critiques relating to these issues |
|---|---|
| 3. Level of Application of Knowledge | • effectively apply intellectual, practical and problem solving skills to critically assess and formulate sound solutions to legal problems in policing  
• extrapolate an existing body of knowledge in the critical analysis of a new legal question or of a specific legal problem or issue in a new setting  
• identify, formulate and critically evaluate legal reform proposals  
• apply these skills and knowledge to their day-to-day work, and be able to contribute in a meaningful way to their professional organizations’ ability to identify and create solutions to legal issues that arise |
| 4. Professional Capacity/ Autonomy | • identify and critically analyze his/her own learning and professional objectives and to select an appropriate plan of study  
• competently demonstrate reasoned and autonomous decision making when presented with complex legal, professional and ethical situations  
• act professionally and autonomously in planning, implementing and completing academic work  
• conduct his/herself in a manner consistent with academic integrity and high professional standards  
• articulate clearly the multiplicity of roles and the ethical and/or professional responsibilities one assumes as a member of the law enforcement profession |
| 5. Level of Communication Skills | • effectively formulate and present well-reasoned legal analysis orally and in writing  
|                                 | • present and communicate ideas, issues and conclusions clearly, precisely and persuasively  
|                                 | • be able to apply these communication skills in the workplace, including an ability to communicate about complex legal issues with their peers. |
| 6. Awareness of the Limits of Knowledge | • demonstrate a clear awareness of the complexity, boundaries, limits and evolving nature of the law  
|                                 | • articulate the limits of his/her own knowledge and how this might influence his/her legal analyses, interpretations and conclusions |
APPENDIX D
GRADUATE DIPLOMA IN LAW FOR LAW ENFORCEMENT PROFESSIONALS

CURRICULUM MAP

"I" to indicate students are introduced to the outcome
"R" indicates the outcome is reinforced and students have opportunities to practice
"M" indicates that students have had sufficient practice and can now demonstrate mastery
"A" indicates where evidence might be collected and evaluated for program-level assessment

<table>
<thead>
<tr>
<th>Program Level Learning Objectives</th>
<th>REQUIRED COURSES</th>
<th>CORE/ELECTIVE COURSES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Policing and the Charter</td>
<td>Legal Issues Related to Managing Law Enforcement Professionals</td>
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<td></td>
<td>Policing Vulnerable Communities</td>
<td>Foundations in Evidence for Law Enforcement Professionals</td>
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<td></td>
<td>Police Oversight and Accountability</td>
<td>Aboriginal People and the Criminal Justice System</td>
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<td>Anti-Terrorism &amp; the Law: Current &amp; Emerging Issues</td>
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<td>Wrongful Convictions</td>
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</tbody>
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1. Depth and Breadth of Knowledge

Knowledge of, and the ability to critically analyze the main sources of law, legal principles and rules

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<tr>
<td>An ability to articulate alternative legal approaches or frameworks that could and should be considered by policymakers, regulators, judges, stakeholders and others</td>
<td>R, A</td>
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<tr>
<td>Critical assessment of the effectiveness of the law in meeting its objectives and intended purposes</td>
<td>R</td>
<td>R</td>
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<tr>
<td>Thorough understanding of current issues at the forefront of policing in Canada</td>
<td>R</td>
<td>R, A</td>
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<tr>
<td>Critical awareness of current and emerging legal, social and ethical issues that impact policing</td>
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<td>I</td>
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<tr>
<td>Keen appreciation of effect of policing on marginalized and vulnerable communities</td>
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<td>R, A</td>
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<td>I</td>
<td>R, A</td>
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<tr>
<td>Scholarship</td>
<td>Competently employ techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues in policing</td>
<td>R, A</td>
<td>I, A</td>
<td>I, A</td>
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<td>R, A</td>
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<tr>
<td>3. Level of Application of Knowledge</td>
<td>An ability to apply intellectual, practical and problem solving skills to critically assess and formulate sound solutions to legal problems in policing</td>
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<td>An ability to apply an existing body of knowledge in the critical analysis of a new legal question or of a specific legal problem or issue in a new setting</td>
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<td>An ability to identify, formulate and critically evaluate legal reform proposals</td>
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<td>4. Professional Capacity/ Autonomy</td>
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<td>An ability to address his/her own learning and professional objectives and to select an appropriate plan of study</td>
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<td>Reasoned and autonomous decision making when presented with complex legal, professional and ethical situations</td>
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<td>R</td>
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<tr>
<td>An ability to act professionally and autonomously in planning, implementing and completing academic work</td>
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<td>Behaviour consistent with academic integrity and high professional standards</td>
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<tr>
<td>An ability to articulate the multiplicity of roles and the ethical and/or professional responsibilities one assumes as a</td>
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<td>Member of the Law Enforcement Profession</td>
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</tbody>
</table>

### 5. Level of Communication Skills

- **An ability to effectively formulate and present well-reasoned legal analysis orally and in writing**

- **An ability to present and communicate ideas, issues and conclusions clearly, precisely and persuasively**

### 6. Awareness of the Limits of Knowledge

- **Understanding of the complexity, boundaries, limits and evolving nature of the law**
  - R  I  I  I  R  A  I, A  I  I

- **Awareness of the limits of his/her own knowledge and how this might influence his/her legal analyses, interpretations and conclusions**
  - I  I  I  I  I  I  I  I
APPENDIX E

Proposal for Graduate Diploma in Law for Law Enforcement Professionals

Course List

All courses to be delivered by Osgoode Hall Law School via Osgoode Professional Development.

REQUIRED

Orientation to Graduate Legal Studies: Course #: LAW 6203 (0 credits)
To be offered with each new intake.

Online Legal Research and Writing Tutorial: Course #: LAW 7005 (0 credits)
New
To be offered with each new intake, and every fall and winter term.

The Online Legal Research and Writing Tutorial is an online course that allows students to complete online modules with self-assessment on legal research and writing skills needed for graduate law courses. Live group online tutorials on research and writing topics will be held regularly throughout the term; at these tutorials, students will be able to discuss and ask questions about their current course work projects.

Policing and the Charter: Course #: LAW 6204 (6.0 credits)
New
To be offered with each new intake.

This course examines how the Canadian Charter of Rights and Freedoms influences and limits police powers. It involves an examination of the major decisions of the courts and their legal repercussions in areas especially relevant to law enforcement professionals, including detention and arrest, search and seizure, the exclusionary rule, the presumption of innocence and the right to counsel.

Policing Vulnerable Communities: Course #: LAW 6205 (3.0 credits)
New
To be offered with each new intake.

This course explores the complex challenges law enforcement professionals face policing vulnerable and diverse communities. Topics may include policing Indigenous and racialized communities, people suffering from mental health challenges, those affected by poverty and homelessness, and members of the LGBTQ community.
Police Oversight and Accountability: Course #: LAW 6206 (3.0 credits)
New
To be offered with each new intake.

This course will examine the legal framework and organizations that are responsible for overseeing law enforcement professionals and holding them accountable. The focus will be on how accountability supports effective law enforcement. Students will explore strategies for complying with and navigating the oversight process.

ELECTIVES

Legal Issues Related to Managing Law Enforcement Professionals: Course #: LAW 6207 (3.0 credits)
New
To be offered with each new intake.

This course will examine the key legal issues confronting managers of law enforcement professionals. It will explore current and emerging issues in employment, human rights and labour law, including the role of the union and strategies for managing a unionized workplace.

Foundations in Evidence for Law Enforcement Professionals: Course #: LAW 6208 (3.0 credits)
New
To be offered with each new intake.

This course will examine key legal and ethical issues in evidence. Topics may include privilege, admissibility, disclosure, police testimony, and evidence gathering. The focus will be on how these legal and ethical issues impact law enforcement professionals.

Aboriginal People and the Criminal Justice System: LAW 6879P (3 credits) *
Previously offered in 2015 and anticipated to run again in Winter 2020 or Spring 2021. Will be repeated based upon demand.

The overrepresentation of Aboriginal People in the criminal justice system is one of the clearest markers of what the Supreme Court of Canada has referred to as "a crisis in the Canadian justice system". The course will begin with an examination of Aboriginal concepts of justice before proceeding to a critical analysis of the relationship between Aboriginal people and the Canadian criminal justice system at the stages of policing, arrest, bail, sentancing and parole. Historical, theoretical, policy, empirical, doctrinal and statutory lenses will be employed. Students will examine the process of creating Gladue reports, sentencing circles, Aboriginal courts and the representation of Aboriginal people on jury rolls. The recent expansion of Gladue principles into bail, civil contempt, and extradition hearings will also be considered.

Anti-Terrorism & the Law: Current & Emerging Issues: Law 6724 (3 credits) *
Alternate years. Previously offered summer 2015, summer 2017, and anticipated to run summer 2019. Will be repeated based upon demand.

This course concerns appropriateness of the criminal law as a means by which to manage or control the terrorist threat; and discusses the definition of terrorism, the use of National Security Privilege, as well as the various new terrorism offences.
Wrongful Convictions: LAW 6780 (3 credits) *
Previously offered in 2015 and anticipated to run again in Winter 2020 or Spring 2021. Will be repeated based upon demand.

Over the past two decades the criminal justice systems in the United States, Canada and the United Kingdom have all struggled with the problem of mounting claims of wrongful conviction. This course will explore both the causes of wrongful convictions and the various remedial approaches adopted by different jurisdictions. In particular, we will study the following factors which contribute to wrongful convictions: adversarial excess, police and prosecutorial misconduct, inadequate disclosure, frail identification evidence, false confessions, jailhouse informants, faulty forensic testing and junk science. With respect to remedial options we will explore the operation of s.696.1 of the Criminal Code (ministerial review), the Criminal Case Review Commission (U.K.) and Innocence Protection legislation (U.S.). In addition, this course will examine the findings and recommendations advanced in the growing number of Canadian Commissions of Inquiry designed to explain and analyze the causes of a wrongful conviction in a particular case.

*These courses are part of Osgoode’s LLM in Criminal Law and Procedure. To be eligible for these courses, students must first complete the required courses and obtain department approval.
APPENDIX F

PROPOSAL FOR GRADUATE DIPLOMA IN LAW
FOR LAW ENFORCEMENT PROFESSIONALS

*New Course Proposals*
APPENDIX G

Proposal for Graduate Diploma in Law for Law Enforcement Professionals

TABLE OF FACULTY

Faculty CVs are attached. *Note that we will continue to confirm additional faculty throughout the approval process.*

<table>
<thead>
<tr>
<th>Faculty Member &amp; Rank</th>
<th>Home Unit</th>
<th>Primary Graduate Program</th>
<th>Area(s) of Specialization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Margaret Beare, Professor</td>
<td>Osgoode Hall Law School and York University Faculty of Sociology</td>
<td>LAW</td>
<td>Policing in Canada</td>
</tr>
<tr>
<td>Benjamin L. Berger, Associate Professor and former Associate Dean (Students)</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Criminal Law, Law of Evidence, Constitutional Law and Theory</td>
</tr>
<tr>
<td>Lisa Dufraimont, Associate Professor</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Criminal Law, Law of Evidence</td>
</tr>
<tr>
<td>Faisal Bhabha, Associate Professor</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Human Rights Law, Constitutional Law</td>
</tr>
<tr>
<td>Kevin Cyr, LLM, Adjunct Instructor</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Policing in Canada</td>
</tr>
<tr>
<td>Kerry Watkins, LLM, Adjunct Instructor</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Policing in Canada</td>
</tr>
<tr>
<td>Anil K. S. Kapoor, LLM, Adjunct Instructor</td>
<td>Osgoode Hall Law School</td>
<td>LAW</td>
<td>Criminal Law, Anti-Terrorism, National Security</td>
</tr>
</tbody>
</table>

BEARE, Margaret, E.

PERSONAL

ADDRESS: 250 Major Street, Toronto, M5S 2L6

BUSINESS ADDRESS: Department of Sociology, or Osgoode Hall Law School
          York University,
          4700 Keele Street, Toronto, M3J 1P3

HOME PHONE: 416-926-8984;
OFFICE: 416-736-5907 Osgoode Hall Law School
E-MAIL: mbeare@osgoode.yorku.ca

CITIZENSHIP: Canadian, Born in Markham, Ontario

EDUCATIONAL PREPARATION

Columbia University, New York, UNITED STATES
          Doctor of Philosophy - Sociology, 1987
          “The Selling of the Metropolitan Toronto Police: A Sociological Analysis of Policing
          over Twenty-eight Years” (1957—1984). Supervisors: Professor H. Gans and Professor
          Allan Silver

Cambridge University, Cambridge, ENGLAND
          Diploma in Criminology, 1974
          Major: Criminology
          “Social and Psychological Consequences of Life Within a Total Institution” —
          Supervisor Professor Donald West

University of Guelph, Guelph, Ontario, CANADA
          Masters of Arts, 1971
          Major: Sociology
          “Alienation of Farm Vendors Within Two Areas of Metropolitan Toronto” — Supervisor
          Professor K. Duncan

University of Guelph, Guelph, Ontario, CANADA
          Bachelor of Arts, 1968
          Major: Sociology and English
EMPLOYMENT HISTORY

July 1995 - Professor, York University, Sociology (tenure July 1997: Full Professor status, January 2009); Director of the Nathanson Centre for the Study of Organized Crime and Corruption, Osgoode Hall Law School (1996-2006). Cross-appointed to the Osgoode Hall Law Faculty, July 2002.

Sept 1993-1995 Visiting Associate Professor, Queen's University Department of Sociology, Socio-legal Studies

Feb-Sept 1993 Strategic Advisor, Ministry of the Solicitor General Canada, Transnational Policing Issues


1980 - 1982 Visiting Lecturer in Sociology and Criminology University of Guelph, Ontario, CANADA, N1G 2W1

1980 Columbia University - Summer 1980 Adjunct Department of Sociology, N.Y., N.Y. U.S.A. 10027

1979 - 1980 Montclair State College - lecturer in Sociology and Criminology Upper Montclair, New Jersey, 07043

1975 - 1979 Assistant Professor, Sociology and Criminal Justice, Orange County Community College Middletown, N.Y., U.S.A. 10940 (tenure 1979)

1974 - 1975 Lecturer in Sociology and Criminology Niagara College of Applied Arts and Technology Woodlawn Road, Welland, Ontario, CANADA

1972 - 1973 Assistant (part-time) to the Curator of Anthropology Western Australian Museum, Perth.

1971 - 1973 Senior Tutor in Sociology and Anthropology West Australian Institute of Technology, Perth.

1970 - 1971 Correctional Officer - Vanier Correctional Centre for Women, Brampton, Ontario, CANADA
BEARE RESEARCH CONTRIBUTIONS: 2007-2017—(“R”=Peer refereed)

Books:
R 2017 (forthcoming) Annotated bibliography on Money Laundering, Oxford Press

Book Review:

Chapters:
R. 2017 (forthcoming) “Shadow Boxing against the Crimes of the Powerful”. In Revisiting Crimes of the Powerful ...Harcourt Press
Routledge Press. (pp263-278)

Articles: (since 2008)
R 2013 “Listening-in...to Gang Culture” co-authored with Chris Hogg. Journal of Criminology and Criminal Justice, July. vol. 55, #3.

Reports:
2012 “Ontario Automobile Insurance Anti-Fraud Task Force: Final Report of the Steering Committee”, report to the Ministry of Finance. (Four member Steering Committee chaired by Fred Gorbet)
2010 “Literature Analysis of the Relationship between Legal and Illegal Gaming—Crime”. Prepared for the Ontario Problem Gambling Research Centre.(68 pages)
2010 “Women in Organized Crime”. Prepared for the Department of Public Safety Canada.(60 pages)

Papers Presented (since 2008)
2016 “Shadow Boxing against the Crimes of the Powerful”, Cambridge Conference, September 5th.
2015 “Understanding Corruption, Organized crime and the interweaving of legitimate and Illegitimate Enterprises”, ECPR Standing group on organized Crime (Old and New Forms of Organized and Serious Crime between the Local and the Global), Naples Italy December 1-12th 2015.
2014  “The Tyranny of Intelligence”, Cambridge Conference, September 2nd
2012  The Power of Corruption and the Corruption of Power. Cambridge Conference, September 2nd
PLENARY
2010  “Aboriginal Justice Issues—Trying for New Approaches, While Clinging to the Old: Our Shared Experiences” Alice Springs, Australia. September. PLENARY
2008  “Policing’ Money Laundering and Terrorist Financing in Canada—What Works---What Doesn’t”, CASIS (Canadian Association for Security and Intelligence Studies), Ottawa, October 30, 2008, PANEL
2008  “Police Accountability and Independence—Walking the Line”, ATLAS AGORA (Association of Transnational Law Schools), Toronto, July 8th, 2008 PANEL

PROFESSIONAL CONTRIBUTIONS AND HONOURS (since 2008)
• Invited to chair the opening session of the “Modern Slavery: Forced Labour” workshop, held at RUSI, Whitehall, London UK. September 8th, 2016.
• Invited participant in the FATF Mutual Evaluation of Canada—re: Money Laundering risks in Canada, November 11th, 2015
• Appointed by the Office of the Auditor General to serve as a member of the Advisory Committee for the Audit of International Capacity to Combat Serious and Organized Crime. (2013-2014)
• Invited to give a day-long (5 hour) lecture on Canadian Anti-Smuggling initiatives to a delegation from China. September 11, 2012.
• Appointed to the Global Agenda Council on Organized Crime, of the World Economic Forum for 2011 and 2012 (Abu Dhabi Summit October 2011)
• Appointed to the Steering Committee of the Ontario Auto Insurance Fraud Task Force 2011-2012
• Appointed to serve as a member of the Review Panel for the Premier’s Discovery Awards, (Social Sciences Panel), 2009 and 2010
• Served as consultant to the Flag the Money online training course for the prevention of money laundering (appear in the video) 2011.
• Appointed to the CIBC Advisory Council to the Research Chair on Financial Integrity 2010
• Canadian representative to the International Forum on crime and criminal law in the global Era (China)
• Reviewer for the Social sciences and Humanities applications (one file in 2009 for 2010 awards)
• Programme reviewer for the Waterloo University Legal Studies and Criminology Degree Program plus the Legal Studies and Criminology Option. 2008
• Appointed to the Ontario Attorney General’s Special Advisory Group on Sources of Organized Crime Profits. June 2007

TEACHING AND SUPERVISORY ACTIVITIES

Completed Theses as Supervisor

Keith Joe (MA) 2016
Rodney Rennis (MA) 2016
Elizabeth Kirley (PhD) 2015
Bjarni Sigursteinsson (LLM) 2015
Jillian Rogin (LLM) 2014
Michael Walton Osgoode (LLM) 2013
Stephen Wilks (PhD) 2011
Daniel Alati (PhD) 2010
Jack Tadman (LLM) 2010
Peter LaPrairie 2009 (Supervisor, LLM Major Paper)
Mark Wasyliw (Supervisor, LLM Major Paper)
Tia Dafnos February 2008 (Supervisor Completed MA)
Shane Kelleher, LLM ’00 (1);
Chaparro Quijano, M ’05 (1);
Mark Heeler, PhD '07 (1.5);
Alexandra Orlova, PhD ’04 (1.5),
Savin, LLM ’03 (1)

In-process as member of Supervisory Committee
Michael Larsen PhD

Completed Theses as a member of the Supervisory Committee
Igor Gontcharov PhD 2016
Alan Clarke PhD 2009
Kalyani Munshani (Supervisory Committee member PhD 2009)
Sara Smyth (Examination Committee member PhD 2008)
Christopher Sherrin (Examination Committee member PhD 2008)

National & International External Reviewer
Reviewed two files for promotion (SFU and Memorial)—one for tenure and promotion, and the other for promotion to full professor) 2016.
Ayaz Khan, Department of Sociology, University of Peshawar PhD 2015
Shumaila Kafeel Siddiqui, Wollongong, Australia. PhD 2014
Danielle Murdoch. Simon Fraser PhD 2013

TEACHING
Sociology of Policing—4th year sociology course
Law and Social Change: Policing—Osgoode Hall Law School course
Crime and Deviance AK/SOCI Summer 2011

Journal Editorial Duties:

*Trends in Organized Crime*—Editorial board member
*Global Crime*—Editorial board member
*Police Practice and Research: An International Journal*—reviewer
*Crime, Law and Social Change*—Senior Editor, Kluwer/Springer
RESEARCH FUNDING

2016 SSHRC Collaborative Grant: $19,000. Crimes of the Powerful Conference
2014 Harry Arthur Collaborative Research grant $3000
2014 Osgoode RIF $5000
2014 International travel Grant $1000
2014 York SSHRC Travel grant $749.70
2012 International travel grant $1000
2012 LA&PS $5000 Research Grant, June
2012 SSHRC Research Grant $1500, May
2011 Harry Arthur’ Research Grant, $5000, G20 Project, January
2010 $600 Travel grant

(Three) Canadian Federation for the Humanities and Social Sciences Aid to Scholarly Publications grants:
Money Laundering in Canada: Chasing Dirty and Dangerous Dollars (2007)
Honouring Social Justice; Honouring Dianne Martin. (Granted 2007 for 2008 publishing date)

SSHRC Standard research Grant,
Principal Researcher M.E. Beare
Gang Violence and Guns: Analysis of Gang-related Conversations”
2007-2011. $29,714
Produced a focus group of youth-at-risk in the Malvern area and the analysis of police wire-tapes.
Culminated in a paper submitted for publication: “Listening-in...to Gang Culture” co-edited with Chris Hogg.

Other Research Grants Successfully Acquired
- Sage Publishers, Editor of an Encyclopedia of Transnational Crime and Justice ($5,000)
- 2009. Ontario Problem Gambling Research Centre, $10,000, one year (June 2009 to June 2010)
- 2009. Public Safety Canada, Organized Crime Annotated Bibliography Project. PI was Norm Taylor, researchers included James Sheptycki, Carlo Morselli, myself--and a police officer P-Y Bourduas. $66,750. (March 2009-June 2009.)

UNIVERSITY SERVICE AND ADMINISTRATION DUTIES
- Graduate Committee Sociology on CGS-M/OGS Masters Adjudication Committee 2016…
- Osgoode Professional Development Committee 2015-…
- Executive Committee, Sociology 2014
- Graduate Studies Committee, Osgoode, 2014
- Executive Committee, LAPS 2013-14
- Served as replacement chair Sociology for 4 months 2011
- Chair of the Sociology Department 2007-2010
  - Ongoing duties that combine administrative tasks with media responses and inquiries from the public plus selection of and supervision of the Nathanson Graduate Fellows.
- Member of the Executive Committee—Nathanson Centre 2006-present.
Benjamin L. Berger  
Associate Professor & Associate Dean (Students)  
Osgoode Hall Law School  
York University  
4700 Keele Street  
Toronto, Ontario • Canada • M3J 1P3  
Phone: • Fax: • E-Mail: bberger@osgoode.yorku.ca

Education

Doctor of the Science of Law (J.S.D.)  
Yale University (2008)
- Dissertation: “The Conceits of Culture: Religion and the Constitutional Rule of Law in Canada”
- SSHRC Doctoral Fellow

Master of Laws (LL.M.)  
Yale University (2004)
- Canada-US Fulbright Scholar

Bachelor of Laws (LL.B.)  
University of Victoria (2002)
- Law Society of British Columbia Gold Medalist

Bachelor of Arts with Honours (B.A., Hons.)  
University of Alberta (1999)
- Religious Studies
- First Class Honours
- Governor General’s Academic Medal
- Gold Medal in Arts

Positions Held

- Associate Dean (Students), Osgoode Hall Law School, York University  
  July 1, 2015 – Present

- Associate Professor of Law, Osgoode Hall Law School, York University  
  July 1, 2011 – Present
  - Teaching Subject Areas: Law and Religion, Criminal Law, the Law of Evidence, Constitutional Law and Theory.

- Associate Professor (Status Only), Department for the Study of Religion, University of Toronto  
  Fall 2014 – Present

- Associate Professor of Law, University of Victoria  
  2009 – 2012

- Cross appointment in the Department of Philosophy  
  - Teaching Subject Areas: Criminal Law, Law and Religion, Law of Evidence, Civil Liberties and the Charter, Legal Process  
  - Member of the Faculty of Graduate Studies  
  2010 – 2012

- Assistant Professor of Law, University of Victoria  
  2004 – 2008

- Barrister and Solicitor
  - Bar of British Columbia (currently non-practicing)  
    2010 – Present
  - Bar of Ontario (currently non-practicing)  
    2009 – Present

- Law Clerk to the Rt. Honourable Beverley McLachlin, Chief Justice of Canada  
  2002 – 2003
Research and Teaching Awards and Honours

- CALT-ACPD Prize for Academic Excellence 2015
  - “honours exceptional contribution to research and law teaching by a Canadian law teacher in mid-career.”
- Osgoode Hall Law School Teaching Award 2013
- Canadian Association of Law Teachers Scholarly Paper Award 2010
  - For “The Abiding Presence of Conscience: Criminal Justice Against the Law and the Modern Constitutional Imagination”
- Terry J. Wuester Teaching Award, Faculty of Law, University of Victoria 2011, 2006
- Faculty of Law First Year Class Teaching Award, University of Victoria 2007

Academic Scholarships, Awards, and Honours (Selected)

- SSHRC Doctoral Fellowship 2007 – 2008
- Canada-U.S. Fulbright Scholar (Yale University) 2003 – 2004
- Sir James Lougheed Award of Distinction 2003 – 2004
- Law Foundation of British Columbia Graduate Fellowship 2003 – 2004
- Law Society of British Columbia Scholarship 2003 – 2004
- Law Society of British Columbia Gold Medal (University of Victoria) 2002
- Governor General’s Academic Medal (University of Alberta) 1999
- C.D. Howe Memorial Fellowship (University of Alberta) 1999
- Gold Medal in Arts (University of Alberta) 1999
- Faculty of Arts Outstanding Achievement Medal (University of Alberta) 1999
Editorial Activities

• Editor-in-Chief, Canadian Journal of Law and Society / Revue Canadienne Droit et Société 2014 – Present

• General Editor of Constitutional Systems of the World 2008 – Present
  o Series published by Hart Publishing
  o Edited over 20 volumes

• Advisory Board Member of Ashgate Publishing series on Law and Religion 2014 – Present

• Member of Editorial Board, Review of Constitutional Studies 2013 – Present

• Overseas Reporter, Criminal Law Journal (Australia) 2005 – Present

• Member of Editorial Board, Canadian Journal of Law and Society 2008 – 2014

• Member of Editorial Board, Studies in Religion/Sciences Religieuses 2010 – 2013

• Book Review Editor, Review of Constitutional Studies 2006 – 2013

Fellowships, Institutes, and Visitorships

• Visiting Faculty 2014
  o Berkeley Centre for the Study of Religion
  o UC Berkeley

• Visiting Research Fellow 2013-2014
  o Religion in the Public Sphere Initiative
  o Department of Religious Studies, University of Toronto

• Visiting Scholar 2013-2014
  o Massey College in the University of Toronto

• Visiting Professor May-June 2013
  o Monash University, Prato Program
  o Prato, Italy

• Fellow, SIAS Summer Institutes Summer 2006
  o Topic – The Political: Law, Culture, Theology
  o Berlin Brandenburgische Akademie der Wissenschaften

• Fellow, SIAS Summer Institutes Summer 2005
  o Topic – The Political: Law, Culture, Theology
  o Yale Law School

Research Funding

• SSHRC Insight Grant 2014-2019
- Collaborator
  - “Seeing Crime: Visual Evidence, Victims, and Domestic Violence”
  - $177,254

- SSHRC Insight Development Grant
  - Principal Investigator
  - “Wrestling with Tradition: Community, Authority, and Change in Law and Religion”
  - $75,000

- SSHRC Connection Grant
  - Co-Investigator
  - “Law on the Edge” joint conference of the Canadian Law and Society/Law and Society Association of Australia and New Zealand
  - $50,000

- SSHRC Major Collaborative Research Initiative
  - Co-Investigator
  - “Religious Diversity and Its Limits: Moving Beyond Tolerance and Accommodation”
  - $2.5 Million over 7 years

- SSHRC Small Grants Program (York)
  - Between Free Exercise and Laïcité: Understanding Canadian Secularism
  - December 2011 – December 2012

- BLG Summer Research Program
  - Justice Against the Law: The Exception in the Criminal Law and the Constitutional Imagination
  - Summer 2009

- Law Foundation of British Columbia Research Grant
  - Religious Diversity and the Rule of Law in Canada
  - 2008 – 2010

- SSHRC Internal Research Grant (UVic)
  - Charter Rights, National Security, and the Federal Courts
  - 2005 – 2006

**Publications**
Peer reviewed marked with “R”

**Forthcoming**


Books (Monographs, Casebooks, and Edited Collections)

- Benjamin L. Berger, Emma Cunliffe, and James Stribopoulos, To Ensure that Justice is Done: Essays in Memory of Marc Rosenberg (Toronto: Thomson Reuters, 2017).
  o (Author of chapters 6, 7: character; credibility)
  o (Author of chapters 2, 5, 14, 17, 18, 19: limits of criminal law; actus reus, provocation, self-defence, duress, and necessity)

Edited Journal Issues

- Benjamin L. Berger and Sonia Lawrence (2016) 75 Supreme Court Law Review (2d).
- Benjamin L. Berger, Jamie Cameron, and Sonia Lawrence (2013) 63 Supreme Court Law Review (2d).
- Benjamin L. Berger, Jamie Cameron, and Sonia Lawrence (2012) 58 Supreme Court Law Review (2d).
- Benjamin L. Berger and James Stribopoulos (2012), 57 Supreme Court Law Review (2d).  
Review (2d) 3-9.

Journal Articles


• “A Due Measure of Fear in Criminal Judgment” (2008) 41 Supreme Court Law Review (2d) 161-192.


- “Reading in Colours: Highlighting for Active Reading in Religious Studies.” (2001) 4:1 Teaching Theology and Religion 27-31. (Co-authored with Dr. Stephen Engler)


**Chapters in Books**

- “Risk and the Role of the Judge: Lessons from Bail” in Benjamin L. Berger, Emma Cunliffe, and James Stribopoulos, To Ensure that Justice is Done: Essays in Memory of Marc Rosenberg (Toronto: Thomson Reuters, 2017), 305-326. (with James Stribopoulos).

- “Introduction to the Collection” in Benjamin L. Berger, Emma Cunliffe, and James Stribopoulos, To Ensure that Justice is Done: Essays in Memory of Marc Rosenberg (Toronto: Thomson Reuters, 2017), 1-9 (with Emma Cunliffe and James Stribopoulos).


- Author of Chapter 13: The Law of Privilege
- Author of Chapter 14: Public Interest Immunity


Book Reviews and Review Essays


**Blog Postings**


**Op-Eds**


**Other Publications**


Judicial Consideration of Scholarship

- "Sentencing and the Salience of Pain and Hope" (2015) 70 SCLR (2d).
  - R v Young, 2016 ONCJ 636 at 8.


  - R v Liard, 2013 ONSC 5457 at para 323.

  - R v Jenkins, 2014 ONSC 3223 at para 34.


  - Zhang v Canada (Minister of Citizenship & Immigration), 2012 FC 503 at para 11.


  - R v Villaroman, 2016 SCC 33 at paras 27-29.
  - R v Yeo, 2016 PECA 5 at para 26.
  - R v Griffin, 2008 QCCA 824 at para 149.

  - R v Synkiw, 2010 SKPC 152 at para 55.
  - R v Yeh, 2009 SKCA 112 at para 146.

  - Moore v British Columbia (Ministry of Education), 2008 BCSC 264 at para 111.
Conferences, Workshops, and Colloquia Organized

• Osgoode Colloquium on Law, Religion & Social Thought 2011-Present
  o lrst osgoode.yorku.ca
  o Convenor

• Annual Osgoode Constitutional Cases Conference 2016
  o Co-Chair 2015
    2014
    2013
    2012

• “Symposium in Honour of the Honorable Marc Rosenberg” September 2016
  o Co-Organized with the National Judicial Institute

• “Sites of Memory” September 2016
  o A collaboration between the Religion in the Public Sphere Initiative, University of Toronto, and the Osgoode Colloquium on Law, Religion & Social Thought

• “Religion and Public Authority in Canada” November 2014
  o Co-organized with Professor Richard Moon

• “Canada’s Rights Revolution: A Critical and Comparative Symposium on the Canadian Charter” September 2012
  o Co-organized with Professor Jamie Cameron

• “Criminal Justice and Legal Rights: Reflecting on 30 Years” May 2012
  o Co-chair
  o 15th Annual Constitutional Cases Conference, Osgoode Hall Law School

• Legal Consultation on Ontario Human Rights Commission Creed Policy March 2012
  o Co-organizer
  o Osgoode Hall Law School, in collaboration with the Ontario Human Rights Commission; the York Centre for Public Policy and Law; and the York Centre for Human Rights

Memberships and Offices Held in Professional and Learned Societies

• Law Society of British Columbia 2010 – Present
  o Barrister and Solicitor

• Law Society of Upper Canada 2009 – Present
  o Barrister and Solicitor

• Canadian Association of Law Teachers 2004 – Present
  o Member

• Canadian Law and Society Association 2004 – Present
  o Member
• Osgoode Society for Canadian Legal History 2005 – Present
  o Member
• Canadian Law and Society Association 2009 – 2013
  o Director At Large, Board (2009 – 2010)
  o Vice-President, Board (2010 – 2013)
• Yale Law School Executive Committee 2004 – 2010
  o Member
• Centre for Studies in Religion and Society, University of Victoria 2004 – 2011
  o Member
• Consortium on Democratic Constitutionalism (DEMCON) 2004 – 2011
  o Member
• Society for the Scientific Study of Religion 2010 – 2012
  o Member
• International Association of Constitutional Law 2010 – 2012
  o Member
• Association for the Study of Law, Culture, and the Humanities 2005 – 2010
  o Member
  o SSHRC – External Reviewer for General Research Grant
  • SSHRC – External Reviewer for General Research Grant

Papers, Lectures, and Addresses

• “Assessing Adler: The Weight of Constitutional History and the Future of Religious Freedom” (Invited) October 2017
  o Asper Centre Constitutional Law Symposium for Canada’s Sesquicentennial
  o Toronto, Ontario
• “What Does Religious Freedom Mean in the Canadian Context?” (Invited) October 2017
  o Canadian Institute for the Administration of Justice Annual Conference
  o Montreal, Quebec
• “What Impact does Law have on Religion?” (Invited) October 2017
  o Religion and Diversity Project Team Meeting
  o Ottawa, Ontario
• “Sites of Pluralism: Religious Equality, the Individual and the Group” August 2017
  o American Sociological Association, Annual Meeting
  o Montreal, Quebec
• “Mental Health, Law, and Legal Education” July 2017
  o With Lorne Sossin
° XXXVth International Congress on Law and Mental Health
° Prague, Czechia

• “The Interpretive Burdens of the Past: Text, History and Hermeneutics in Law & Religion” (Invited) June 2017
  o Law and Religion Workshop
  o University of Edinburgh

• “The Trouble with Binary Responsibility” (Invited) May 2017
  o Faculté de droit, Université Laval
  o Vers une Refoerm Leegislative en Droit Criminel: Deuxième Conférence Biennale sure le Droit Pénal

• “Reasonable Doubt and Circumstantial Evidence: R v Villaroman” April 2017
  o The Law Society of Upper Canada
  o The Six-Minute Criminal Lawyer

  o Faculty of Law, University of Ottawa
  o Public Law Group Speakers Series

• “The TRC and Indigenizing the Teaching of Criminal Law” May 2016
  o Canadian Association of Law Teachers Annual Conference
  o University of Calgary

  o Workshop on “The Politics of Religious Freedom at Home and Abroad”
  o Northwestern University, Evanston

• “Varieties of Religion: Perspectives from Multiple Sites” May 2016
  o Religion and Diversity Project Team Meeting
  o Montreal, Quebec

• Discussant (Invited) January 2016
  o Workshop on Religious Education in a Democratic Society
  o McGill University

  o Faculty of Law, Queen’s University
  o Faculty Speaker series

• “The Metastasization of Proportionality in Canadian Constitutional Law” (Invited) July 2015
  o Constitutional Law Conference 2015
  o Centre for Comparative Constitutional Studies
  o University of Melbourne Law School

• “Crises of Secularism, Crises of Constitutionalism?” (Invited) July 2015
  o Faculty Seminar Series
• “Crises of Secularism, Crises of Constitutionalism?” (Invited)  
  o Centre for Comparative Constitutional Studies and the 
    Australian Society of Legal Philosophy 
  o University of Melbourne Law School  
  July 2015

• “Issues in Secularism and the ‘Secular’ State” (Invited)  
  o “Religión en la esfera pública--Ley, derechos y la lucha por 
    el cuerpo” (Religion in the Public Sphere--Law, Rights and 
    the Struggle for the Body) 
  o Hemispheric Institute, NYU 
  o Held in Buenos Aires, Argentina  
  June 2015

• “Crisis of Secularism, Crises of Constitutionalism: Tethered Fates?” (Invited)  
  o Conference on “Constitutionalism in Crisis: Multiple 
    Dimensions” 
  o Halbert Centre for Canadian Studies, The Hebrew University 
    of Jerusalem  
  June 2015

• “Religion, Education, and the ‘Crisis’ in State Neutrality” (Invited)  
  o Faculty of Law, University of Alberta  
  February, 2015

• “Law’s Religion: Religious Difference and the Conceits of Constitutionalism” (Invited)  
  o Department of Political Science Speaker Series on Religion, 
    Law and Politics 
  o Northwestern University  
  February 2015

• “Belonging to Law: Religious Difference, Secularism, and Civic Inclusion” (Invited)  
  o Lansdowne Lecture 
  o University of Victoria  
  December 2014

• “Epistemic Disorder in Contemporary Justice: What we see in 
    the case of R. v. N.S.”  
  o Canadian Association of Law and Society Annual Conference 
  o Winnipeg, MB  
  June 2014

• “Building Negative Capability – The Task of Legal Education?”  
  o Canadian Association of Law Teachers Annual Conference 
  o Winnipeg, MB  
  June 2014

• “Faith in Sovereignty: Religion’s Role in the Politics of Canadian Federalism”  
  o Centralismo o Secessione? Gli Stati decentrati di fronte alla 
    crisi economica 
  o Universita di Bologna, Italy  
  May 2014

• “Secularism, Sovereignty, and Symbols: The Case of Quebec and 
its ‘Charter of Values’” (Invited)  
  o Maurer School of Law  
  April 2014
• “Sovereignty and Secularism/Quandaries of Belonging” (Invited)  
  o Symposium on Religion & Politics – Hemispheric Institute of Performance and Politics  
  o New York University, New York  
  April 2014

• Panel on “Religious Freedom and Religious Interventionism” (Invited)  
  o International Studies Association Annual Meeting  
  o Toronto, Ontario  
  March 2014

• “The Rule of Law and the Unruliness of Religion” (Invited)  
  o Berkeley Center for the Study of Religion  
  o University of California, Berkeley  
  March 2014

• “Religion, Education, and the ‘Crisis’ in State Neutrality” (Invited)  
  o Constitutional Roundtable  
  o Faculty of Law, University of Toronto  
  January 2014

• Religion, Education, and the ‘Crisis’ in State Neutrality” (Invited)  
  o Senior Common Room Series  
  o University College, University of Toronto  
  November 2013

• “Canada’s Evidence Revolution” (Invited, with the Hon. Ian Binnie)  
  o Canadian Institute for the Administration of Justice Annual Meeting  
  o Toronto, ON  
  October 2013

• “Religion, Education, and the ‘Crisis’ in State Neutrality” (Invited)  
  o Religious Freedom and Education: A Pluralism, Religion, and Public Policy Symposium  
  o Faculty of Religious Studies, McGill University  
  October 2013

• “Educating Secularism: The Legal Status of State Education in the Management of Religious Diversity”  
  o 2013 CLSA and LSAANZ Joint Annual Meetings  
  o Faculty of Law, UBC  
  July 2013

• “Mental Disorder and the Instability of Blame in Criminal Law”  
  o 2013 Michel Proulx Memorial Lecture in Criminal Law  
  o Faculty of Law, McGill University  
  April 2013

• “Belonging to Law: Religious Diversity and the Conditions of Civic Inclusion” (Invited)  
  o Invited by the Chaire de recherche du Canada sur les identités juridiques et culturelles nord-américaines et compares  
  o Université de Montréal, Quebec  
  February 2012
• “Belonging to Law: Religious Diversity and the Conditions of Civic Inclusion” October 2012
  o Socio-Legal Studies Lecture Series
  o York University, Toronto, Ontario

• Annual Law and Religion Roundtable (Invited) June 2012
  o Harvard University

• “Religious Legal Pluralism and Democratic Belonging” June 2012
  o International Conference on Law and Society
  o Honolulu, Hawaii

• “Rights, Conscience, and the Project of Justice” (Invited) April 2012
  o Social Justice and Human Rights Workshop, Institute for Christian Studies
  o Toronto, Ontario

• “Belonging to Law: Religious Diversity and the Conditions of Civic Inclusion” (Invited) April 2012
  o Workshop on “Civic Enculturation”
  o Institute for the Study of Culture, Religion, and World Affairs (CURA), Boston University, Boston, Mass

• “Inducing Fundamentalisms: Law as a Cultural Force in the Domain of Religion” (Invited) January 2012
  o Ontario Human Rights Commission Workshop on Creed
  o Toronto, Ontario

• “Competing Constitutional Narratives: The Case of Canada” (Invited) January 2012
  o Conference on Comparative Constitutional Cultures
  o European University Institute, Florence (remotely)

• Roundtable on Collective Rights (Invited) January 2012
  o Faculty of Law, Western University
  o London, ON

• “Trying Religion: Multiculturalism, Religion, and Law in Canada” (Invited) September 2011
  o Association for Canadian Studies and Canadian Ethnic Studies Association Annual Meeting
  o Ottawa, Ontario

• “The Aesthetics of Religious Freedom” (Invited) November 2010
  o Workshop on “Varieties of Religious Establishment”
  o St. Thomas University, Fredericton, N.B.

• “Mental Disorder and the Instability of Blame in the Criminal Law” September 2010
  o Workshop on “Rethinking Criminal Law Theory”
  o Osgoode Hall Law School, Toronto, ON

• “What R. v. Latimer Tells us About our Constitutional Lives” June 2010
  o Canadian Law and Society Association Annual Meeting
  o Concordia University, Montreal, QC
• “Mercy, Conscience, and Constitutionalism: Perspectives from the Criminal Law”
  - Canadian Law and Society Association Mid-Winter Meeting
  - York University, Toronto, ON

• “The Abiding Presence of Conscience: Criminal Justice Against the Law and the Modern Constitutional Imagination”
  - International Workshop on Constitutionalism and the Criminal Law organized by the Faculties of Law at Tel Aviv University and the University of Toronto
  - University of Toronto, Toronto, ON

• “A Symposium on Law and Suffering”
  - Chair and Presenter
  - Faculty of Law, University of Victoria, Victoria, BC

• “The Adjudicative Challenges of Multiculturalism”
  - National Judicial Institute: Joint Court of Queen’s Bench of Manitoba and Court of Queen’s Bench for Saskatchewan Education Seminar
  - Onanole, MB

• “Is Religious Multiculturalism a Noble Lie?”
  - Canadian Law and Society Association Annual Conference
  - Carleton University, Ottawa, Ontario

• “Of Retribution and Restoration: Theories of Punishment at the B.C. Court of Appeal”
  - Canadian Law and Society Association Annual Conference
  - Carleton University, Ottawa, Ontario

• “A More Lasting Comfort? The Politics of Minimum Sentences, the Rule of Law and R. v. Ferguson”
  - 2008 Constitutional Cases Conference
  - Osgoode Hall Law School, Toronto, Ontario

• “Justice Against the Law: Compassion and the Exception in Modern Criminal Law”
  - Annual Meeting of the Association for the Study of Law, Culture and the Humanities
  - Suffolk Law School, Boston, Massachusetts

• “The Cultural Limits of Legal Toleration”
  - Public Lecture for the Centre for Studies in Religion and Society, University of Victoria
  - Victoria, B.C.

• “The Logic of Proportionality Review and the Criminal Law: Institutional and Cultural Perspectives”
  - International Workshop on Constitutionalism and the Criminal Law organized by the Faculties of Law at Tel Aviv University and the University of Toronto
  - Tel Aviv/Dead Sea, Israel

• “The Adjudicative Challenges of Multiculturalism”
  - Tel Aviv/Dead Sea, Israel
  - Toronto, ON

- “The Cultural Limits of Legal Toleration”
  - Canadian Law and Society Association/Law and Society Association General meeting
  - Montreal, QC

- “The Cultural Limits of Legal Toleration”
  - Annual Meeting of the Association for the Study of Law, Culture and the Humanities
  - University of California, Berkeley

- “The Cultural Limits of Legal Toleration”
  - Legal Theory Workshop
  - Faculty of Law, McGill University, Montreal, QC

- Religion Through the Eyes of Canadian Constitutionalism
  - Faculty Workshop
  - School of Law, University College, Dublin, Ireland

- Moral Judgment, Criminal Law, and the Constitutional Protection of Religion
  - Faculty and Public Presentation
  - School of Law, University of Limerick, Ireland

- Moral Judgment, Criminal Law, and the Constitutional Protection of Religion
  - Canadian Junior Scholars’ Conference
  - McGill University, Montreal, Quebec

- Dieu et Mon Droit: A Primer on Religious Conscience and the Rule of Law in Canada
  - National Judicial Institute: Emerging Issues Seminar
  - St. Andrew’s, NB

- Moral Judgment, Religious Freedom, and the Criminal Law
  - National conference on the Charter and Criminal Justice in Canada
  - Osgoode Hall Law School, Toronto, Ontario

- Religion, the Charter and Cross-Cultural Encounter
  - Saskatchewan Institute of Public Policy, “A Living Tree: The Legacy of 1982 in Canada’s Political Evolution”
  - Regina, Saskatchewan

- The Cultural Limits of Legal Tolerance
  - Western Canada Emerging Scholars Incubator Workshop
  - University of British Columbia, Vancouver, BC

- The Cultural Limits of Legal Tolerance
  - After Pluralism: Reimagining Models of Interreligious Engagement
  - University of Toronto
• Law and Religion: Contemporary Issues for Legal Theory in Canada
  - Faculty of Law, University of Alberta
  - Edmonton, Alberta

• On Democratic Norms in the Age of Terrorism and The Ideal of a Common Morality
  - SIAS Institute on "The Political: Law, Culture and Theology"
  - Berlin, Germany

• Law’s Religion: Rendering Culture
  - Law, Religion and Social Change International Conference, ANU
  - Canberra, ACT, Australia

• Equality and the Shape of Constitutions: Perspectives on Legislative Rights from Canada and the US
  - Centre for Comparative Constitutional Studies
  - University of Melbourne, Melbourne, Australia

• Law’s Religion: Culture and Canadian Constitutionalism
  - Annual Meeting of the Association for the Study of Law, Culture and the Humanities
  - Syracuse, NY

• The Cultural Challenge of Religious Freedom: Religious Conscience and Canadian Constitutionalism
  - UVic Dean’s Lecture Series
  - Victoria, B.C.

• Canadian Constitutional Law as Culture
  - SIAS Institute on "The Political: Law, Culture and Theology"
  - Yale University, New Haven CT

• Banished From Liberty’s Temple: Sentencing Objectives and the Historical Construction of the Criminal
  - Canadian Law and Society Association Annual Conference
  - Harrison Hot Springs, BC

• The Cultural Challenge of Canadian Constitutionalism
  - Canadian Association of Law Teachers Annual Conference
  - Vancouver, BC

• Activism, Appointments and Decision-making at the Supreme Court of Canada
  - Probus Club, Victoria, Monthly Meeting
  - Victoria, BC

• Reflections on Modern Constitutions, Emerging Democracies and the Rule of Law
  - World Federalists, Victoria Chapter - General Meeting
  - Victoria, BC

• The Book of Job, Injustice, and the Precariousness of the Criminal Law

November 2006

July 2006

May 2006

May 2006

March 2006

November 2005

July 2005

June 2005

June 2005

June 2005

June 2005

May 2005

April 2005
- Annual Meeting of the Association for the Study of Law, Culture, and the Humanities
  - Austin, TX

- Understanding Law as Culture: Making Room for Meaning in the Public Sphere
  - Conversations on Mars Hill: Lecture Series on the Intersection of Religion and Civil Life
  - Edmonton, AB

Peer Review

- Peer Review of Book Manuscripts
  - Cambridge University Press 2015
  - University of Toronto Press 2015
  - University of Chicago Press 2012
  - Osgoode Society for Canadian Legal History 2010

- Peer Review of Journal Articles
  - Dalhousie Law Journal 2014
  - Election Law Journal 2013
  - Asian Journal of Comparative Law 2013
  - University of Toronto Law Journal 2009, 2012
  - Les Cahiers de Droit 2009
  - New Criminal Law Review 2009
  - University of British Columbia Law Review 2005
  - Saskatchewan Law Review 2005
  - Review of Constitutional Studies 2004
  - Queen’s Law Journal 2004

Professional Service

- Expert Panel on Medical Assistance in Dying, Panel Member
  - Canadian Council of Academies

- National Judicial Institute, Faculty Member
  - Participated in over 40 conferences, including
    - National Criminal Law Conference
    - National Evidence Workshop
    - Newly Federally Appointed Judges Conference
    - National Family Law Seminar
    - National Sentencing Seminar
    - Judges and Jails: The Realities of Incarceration
    - Atlantic Appellate Courts Seminar

December 2004
• Court of Queen’s Bench of Manitoba Education Seminar
• Seminar on the Challenges of the Multicultural Courtroom: Essential Tools for Canadian Judges (National; Manitoba and Saskatchewan)
• Supreme Court of Newfoundland and Labrador Education Seminar
• Court of Appeal of New Brunswick Education Seminar
• Ontario Court of Justice West Regional Seminar
• Ontario Court of Justice East Regional Seminar
• Ontario Court of Justice Toronto Regional Seminar
• Emerging Issues: Judging in the Context of Diverse Faiths and Cultures
• Civil Evidence Technical Exchange: Canada-China Linkages Project

• British Columbia Continuing Legal Education Society Spring 2010
  o Mastering Civil Evidence

• Canadian Association for Provincial Court Judges, Consultant Spring 2006
  o Consultant on Website Project – Religion Chapter

• Pro-Bono Legal Consultation on Cridge Park Homeless Issue 2005 – 2006

Advocacy

• Counsel for the Canadian Civil Liberties Association April 2010
  o Argued before the Supreme Court of Canada in the Matter of R. v. Caron
  o Co-counsel with Joseph J. Arvay, Q.C.

Media Engagement (Since 2011)

• Peter Goffin, ”Court case illustrates issues when vulnerable witnesses can’t testify”, Toronto Star (22 June 2017), online: <www.thestar.com>.


• Sean Fine, ”Supreme Court Rules Police Can Swab a Suspected Rapist Without a Warrant”, Globe and Mail (23 June 2016), online: <www.theglobeandmail.com>.

• Ashley Csanady, ”Is Being a Vegan a Human Right? Advocates Claim Protection Under New Ontario Policy, but that wasn’t the Point”, National Post (5 February 2016), online: <www.nationalpost.com>.

• Samantha Craggs, ”Grieving Family Trying to Ban a ‘Victim Blaming’ Murder Defence”, CBC
News (17 December 2015), online: <www.cbc.ca>.

• Ted Flett, "Are we Doing Enough to Optimize the Student Body's Mental Health?", Canadian Lawyer Mag (30 November 2015), online: <www.canadianlawyermag.com>.


• Sean Fine,"The laws of the land: From C-51 to physician-assisted dying, the new Liberal government wants to shape - and reshape - many of the laws that govern our day-to-day lives", Globe and Mail (24 October 2015), online: <www.theglobeandmail.com>.


• Alyshah Hasham, "Justice is Blind when it comes to Canadian Jury Selection", Toronto Star (5 October 2015), online: <www.thestar.com>.

• Tom Harpur, "Criminal Justice not that Just, or Humane", Barrie Examiner (15 September 2015), online: <www.thebarrieexaminer.com>.

• James Armstrong, "Could Court Decision Barring Prayer from Quebec Council Affect Parliament?", Global News (15 April 2015), online: <www.globalnews.ca>.


• Patrick Cain,"Two Predictions about Friday's Quebec Gun Registry decision", Global News (26 March 2015), online: <www.globalnews.ca>.


• "Harper Wants Life Sentences to be Life", Chronicle – Herald (5 March 2015).


• Christopher Curti, "Ruling Shows 'Fix' was Premature, Legal Experts Say", *The Gazette* (14 November 2014), online: <www.montrealgazette.com>.


• Sue Montgomery, "Proposal may not survive court challenges; Quebec could invoke notwithstanding clause if legislation gets shot down", *The Gazette* (11 September 2013), online: <www.montrealgazette.com>.


Teaching Experience

- **Criminal Law (First Year)** 2004 – Present
  - Lecture and Small Group
  - University of Victoria and Osgoode Hall Law School

- **The Law of Evidence** 2005 – Present
  - Lecture
  - University of Victoria and Osgoode Hall Law School

- **Law & Religion** 2008 – Present
  - Seminar
  - University of Victoria and Osgoode Hall Law School

  - Graduate Seminar
  - Osgoode Hall Law School, Osgoode Professional Development

- **Varieties of the Secular** 2013; 2014
  - Intensive Seminar
  - Monash University, Prato Campus

- **Law in a Global Context** 2011 – 2012
  - Graduate Study Group
  - Osgoode Hall Law School

- **Fundamental Freedoms (with Prof. Jamie Cameron)** 2012
  - Graduate Seminar
  - Osgoode Hall Law School, Osgoode Professional Development

- **Civil Liberties and the Charter** 2006; 2007
  - Seminar
  - University of Victoria

- **The Legal Process** 2004 – 2011
  - Seminar
  - University of Victoria

- **Criminal Law Term (with Prof. Gerry Ferguson)** Spring 2009
  - Intensive Program
  - University of Victoria

- **Civil Liberties and the Charter** 2006 – 2007
  - University of Victoria

Graduate Supervision

(a) Supervisor
• Adelina Iftene, SSHRC Post-Doctoral Researcher 2015-2017
  o "Aging Prisoners in Canadian Penitentiaries: Challenges, Institutional Treatment, and the Law"
  o Tenure-Track Position Secured at Schulich School of Law, Dalhousie University

• Dana Phillips, Ph.D., Law 2016-Present
  o "Evidence for Equality: Fact-finding in Canadian Public Interest Litigation Under s.7 of the Charter"

• Samane Hemat, Ph.D., Law 2014-Present
  o Indigenous Peoples, Religious Freedom Advocacy, and International Economic Development

• Robert Boissoneault, LL.M. 2016-Present
  o Philosophical Justifications for Religious Freedom

• Dana Phillips, LL.M. 2014-2016
  o "Let’s Talk About Sexual Assault: Investigation the Relationship Between Social and Legal Discourses"
  o Winner of the Faculty of Graduate Studies Master’s Thesis Prize

• Jessica McKeachie, LL.M. 2012-2014
  o "Recovering the Promise of Public Truth: Juridification and the Loss of Public Purpose in Public Inquiries"

• Heather Kuiper, LL.M 2012-2013
  o Major Research Paper on Equality and Philosophy of Law

• Jeanette Gevikoglu, LL.M. 2010-2011
  o "Reconciling the Irreconcilable?: Indigenous Identity and the Criminal Justice System"

• Geoffrey Conrad, LL.M. 2010-2011
  o "Exemplars or Exceptions: Imagining Constitutional Courts in a Religiously Diverse Society"
  o Winner of the Governor General’s Silver Medal for best Master’s thesis at the University of Victoria

• Ilona Cairns, LL.M. 2008-2010
  o "Crimes of Equality: The Racial Profiling Paradox of Canada’s ‘War on Terror.’"

(b) Committee Member

• Faisal Kamal, Ph.D., Political Science, University of Toronto 2017-Present
  o "Religious Ontology and Legal Semantics"

• Yael Machtiger, Ph.D., Socio-Legal Studies, York University 2011-2017
  o "Sounds of Silence: A Comparative Socio-Legal Examination of Get (Jewish divorce) Refusal"
• Christopher Sewrattan, LL.M 2015-2016
  o “Lost in translation? The difference between the hearsay rule’s historical rationale and practical application”

• Sarah-Jane Nussbaum, Ph.D., Law 2016-Present
  o Philosophical Approaches to Criminal Law

• Sarah Alghamdi, Ph.D., Law 2015-Present
  o Structural and Substantive Legal Change in Saudi Arabia

• Klodian Rado, Ph.D., Law 2014-Present
  o Judicial Globalization and the Supreme Court of Canada

• Domingo Lovera, Ph.D., Law 2013-Present
  o Protest as Constitutional Interpretation

Administrative Contributions to the Law School

2016-2016
• Associate Dean (Students)
  o Ex-Officio: Academic Policy and Planning Committee; Academic Standing Committee; Admissions Committee; Equality Committee; Faculty Clerkship Advisor; Flex-Time JD Working Group; Standing Committee on Teaching and Learning
• Member of Ad-Hoc Legal Education Working Group
• Director of the Professional LLM in Criminal Law and Procedure

2015-2016
• Associate Dean (Students)
  o ex officio: Academic Policy and Planning Committee; Academic Standing Committee; Admissions Committee; Equality Committee; Standing Committee on Teaching and Learning
• Member of Ad-Hoc Legal Education Working Group
• Director of the Professional LLM in Criminal Law and Procedure

2014-2015
• Chair of Admissions Committee
• Faculty Recruitment Committee
• OHFA Grievance Advisory Committee
• Director of Professional LLM in Criminal Law and Procedure

2012-2013
• Faculty Clerkship Coordinator
• Admissions Committee
• OHFA Bargaining Committee
• Tenure and Promotions Adjudicating Committee
2011-2012
• Faculty Clerkship Coordinator
• Admissions Committee
• Tenure and Promotions Adjudicating Committee

2010-2011 (University of Victoria)
• Co-Director of Legal Process
• Faculty Clerkship Advisor
• Faculty Graduate Studies Advisor
• Admission Committee Member
• J.I.D. Program Committee
• L.R.W. Moot Judge
• Faculty Advisor to Student Group (Law For All)

2009-2010 (University of Victoria)
• Faculty Clerkship Advisor
• Admission Committee Member
• Author of Open Memo for LRW
• Chair – Humanitarian Award Committee
• B.L.L. Program Committee
• Faculty Advisor – Dean’s Advisory Council on Ethnicity and Culture
• Faculty Advisor to Student Group (Law For All)

2007-2008 (University of Victoria)
• Admissions Committee (Fall Only)
• Faculty Advisory Committee (Appointments)
• Faculty Clerkship Advisor
• Faculty Coach of the Gale Moot Team
• Faculty Co-Advisor to the Dean’s Advisory Committee on Ethnicity and Culture
• Faculty Advisor to Student Group (Law for All)

2006-2007 (University of Victoria)
• Faculty of Law Humanitarian Award Committee
• Faculty Clerkship Advisor
• Faculty Coach of the Gale Moot Team
• Faculty Coordinator: ABA Negotiation Competition
• Faculty Advisor to the Dean’s Advisory Committee on Ethnicity and Culture
• Faculty Advisor to Student Group (Law For All)
• Faculty Advisor to Student Group (Criminal Law Club)
2005-2006 (University of Victoria)

- Faculty of Law Curriculum Committee
- Faculty of Law First Year Curriculum Review Working Group
- Faculty of Law Reappointment, Promotion and Tenure Committee
- Faculty Clerkship Advisor
- Faculty Coach of the Gale Moot Team
- Faculty Coordinator: ABA Negotiation Competition
- Faculty Advisor to Student Group (Law For All)
- Faculty Advisor to Student Group (Women and Constitution Building)
- Faculty Advisor to Student Group (Wrongful Convictions)
- Assigned Author for First Year LRW Open Memo

Administrative Contributions to the University

- Senate Committee on Academic Standards (Faculty of Graduate Studies Representative, UVic) 2010 – 2011
- Senate Committee on Academic Standards Percentage Grading Sub-Committee (Faculty of Graduate Studies Representative, UVic) 2010 – 2011
- Religious Studies Major Program Committee (UVic) 2009 – 2011
- Ring Editorial Advisory Board (UVic) 2008 – 2011
- Compensation and Benefits Committee, Faculty Association (UVic) 2008 – 2009
- Program Committee, Centre for Studies and Religion and Society (UVic) 2005 – 2009
- Task Force on Mandatory Retirement, Faculty Association (UVic) Summer 2007
- Director Search Committee, Centre for Studies in Religion and Society (UVic) Summer 2007

Service to the Other Professions

- College of Physicians and Surgeons of Ontario, Discipline Committee April 2012
  - Presentation: A Primer on the Law of Evidence
- Society of Ontario Adjudicators and Regulators 2012-Present (Yearly)
  - Presentation: Principles of Evidence for Administrative Decision-Makers
Volunteer Community Activities

- Ontario Justice Education Network (OJEN) 2012-Present
  - Speaker
- Law in Action within Schools (LAWS) 2012-Present
  - Speaker in High School Classes
- The Walrus Magazine 2010-Present
  - Member of the Educational Review Committee
  - Taught a 6 week community course for community members in Toronto
  - Offered by The Noor Centre, Congregation Emanu-El, and Emanu-El College (UofT)
- Congregation Emanu-El 2009 – 2011
  - Membership Committee Chair and Member of the Board of Directors
- Victoria Restorative Justice Society 2008 – 2011
  - Co-Chair
  - Board Member

Community Presentations

  - Presentation to high school students taking part in Ontario Justice Education Network (OJEN) Summer Law Institute
  - Presentation to high school students taking part in Ontario Justice Education Network (OJEN) Summer Law Institute
- Presenter April 15, 2015
  - METRAC forum on Bill S-7, the “Zero Tolerance for Barbaric Cultural Practices Act”
- “Confounding Secularism” January 30, 2015
  - Presentation at “Reflections on Religion, Equality, and Women’s Rights” Symposium
  - LEAF
- “Storytelling and the Laws of Evidence” December 8, 2014
  - Presentation to Grade 11 English Class on the Laws of Evidence, CW Jefferys Collegiate Institute
  - LAWS Program
- “Secularism and Sovereignty in Canada: Law, Religion, and Politics from the Origins of the Nation to the ‘Charter of Values’” September 20, 2014
o York Circle Presentation for York University

• Distinguished Speakers’ Series panel on the Quebec Charter
  o Osgoode Hall Law School, York University

• “Consent and Disclosure: A Discussion of R. v. Mabior”
  o Presentation organized by Osgoode Hall Law School Legal & Literary Society

• The Law of Search and Seizure in Canada: Foundational Principles and Contemporary Challenges
  o Presentation to Brentwood College School (students in grades 10-12)

• Community Forum on the Tent City Decision
  o Panelist commenting on Victoria v. Adams for audience of local community and university students.

• A Brief Introduction to Law: The Case of Assault and R. v. Bertuzzi
  o Delivered to the Aboriginal Student Mini-University Summer Camp

• Conference on Terrorism and Security Certificates
  o Moderator for UVic International and Human Rights Law Association Event

• Dieu et Mon Droit: A Primer on Religious Conscience and the Rule of Law
  o Delivered to the Victoria Secular Humanist Society

• Due Process in the Canadian Criminal Justice System
  o Delivered to the Deputy Director General and Delegates of the Wuhan Public Security Bureau, People’s Republic of China

• Harm, Morality and the Limits of Criminal Law
  o UVic Speaker’s Bureau
  o Presented to the Inmates of William Head Penitentiary

• The Path to Law School
  o Presented to the Conference of Secondary School Counselors
  o UVic Recruitment Services

• The Cultural Challenge of Religious Freedoms
  o Presented to the Jewish Community Centre of Victoria
  o UVic Speaker’s Bureau

• Due Process in the Canadian Criminal Justice System
  o Delivered to the Deputy Director General and Delegates of the Wuhan Public Security Bureau, People’s Republic of China

• The Cultural Challenge of Religious Freedoms
  o Presented to the Victoria Secular Humanist Association
- **Participant in a "Teach-In" on the Idea of the Passive Citizen** Fall 2005
  - UVic Speaker's Bureau
  - UVic Political Science Students' Association

- **The Rationale and Merits of S.T.V.** Spring 2005
  - Presented to the Community Forum on Electoral Reform arranged by the Environmental Law Club

- **Participant in a "Teach-In" on Terrorism and Civil Liberties** Spring 2005
  - UVic Political Science Students' Association

- **Due Process in the Canadian Criminal Justice System** Fall 2004
  - Delivered to the Deputy Director General and Delegates of the Wuhan Public Security Bureau, People's Republic of China
LISA DUFRAIMONT
Osgoode Hall Law School, York University, 4700 Keele Street, Toronto, Ontario, M3J 1P3
Email: ldufraimont@osgoode.yorku.ca, Telephone: 416.736.5289

ACADEMIC APPOINTMENTS

OSGOODE HALL LAW SCHOOL, YORK UNIVERSITY • ASSOCIATE PROFESSOR, JULY 2015 –
Courses taught: Criminal Law, Evidence

QUEEN’S UNIVERSITY FACULTY OF LAW • ACTING ASSOCIATE DEAN (ACADEMIC), JAN.-JUN. 2015
Courses taught: Criminal Law, Evidence, Advanced Criminal Law
Law Students’ Society Teaching Excellence Award, Fall 2011

EDUCATION

J.S.D. • YALE LAW SCHOOL • 2003 - 2006
Social Sciences and Humanities Research Council of Canada Doctoral Fellowship
Dissertation: The Problem of Jury Error in Canadian Criminal Evidence Law
Committee: Steven Duke (Supervisor), Mirjan Damaška, Kate Stith

LL.M. • YALE LAW SCHOOL • 2002 - 2003
Social Sciences and Humanities Research Council of Canada Doctoral Fellowship

ADMITTED TO THE BAR OF ONTARIO • APRIL 2003
Osgoode Society Prize, for high achievement in the Bar Admission Course
William Belmont Common Prize, for the second highest grade in Criminal Procedure

J.D. WITH HONOURS • UNIVERSITY OF TORONTO FACULTY OF LAW • 1998 - 2001
Honours: Angus MacMurchy Gold Medal, for ranking first in the graduating class
Dean Cecil A. Wright Key, for outstanding extracurricular academic work
Mewett Prize, for graduating with an outstanding record in criminal law
Class of 1967 Prize, for ranking second in third year
Jacob Finkelman Prize, for attaining the highest grade in Labour Law
Fasken Campbell Godfrey Award
Michael John Eccles Prize, for attaining the highest grade in Criminal Law
MacKinnon Scholarship, for scholarship, leadership and athletics

Activities: University of Toronto Faculty of Law Review, Senior Editor, Public Law
McCarthy Tétrault Grand Moot
Working Group on Engendering the Rwanda Criminal Tribunal
Bangkok Legal Aid Clinic Working Group

HONOURS B.ARTSSc. • MCMASTER UNIVERSITY • 1994 - 1998
Bachelor of Arts and Science, combined honours Arts & Science and English, summa cum laude
Honours: Catherine MacNeill Prize, for scholarship and leadership
President’s Official Nominee, Rhodes Scholarship
Canadian Federation of University Women (Hamilton) Scholarship
PROFESSIONAL AND EMPLOYMENT EXPERIENCE

ASSOCIATE EDITOR, CRIMINAL REPORTS • CARSWELL PUBLISHING • 2006 –
Write commentaries and summaries for a leading case reporter in Canadian criminal law

CONTRIBUTOR, CRIMINAL ESSENTIALS ELETTER • NATIONAL JUDICIAL INSTITUTE • 2007 –
Write for monthly judges’ eletter providing a critical review of developments in criminal law

LAW CLERK • COURT OF APPEAL FOR ONTARIO • 2001 - 2002
Law Clerk to the Honourable Justices Marvin Catzman, James Carthy, John Laskin & Marc Rosenberg

RESEARCH ASSISTANT • UNIVERSITY OF TORONTO FACULTY OF LAW • 1999 - 2004
Research Assistant to Professor Martha Shaffer, 1999-2001, 2003-2004
Research Assistant to Professor John Borrows, 2000-2001
Edited the 2002 book, Recovering Canada: The Resurgence of Indigenous Law
Research Assistant to Professor Denise Réaume, 2000
Assisted in creating editorial policy for Canadian Journal of Women and the Law

SUMMER INTERN • NISGA’A LISIMS GOVERNMENT • NEW AYANSH, BC • 2000
Sponsored by the International Human Rights Programme, University of Toronto Faculty of Law
Assisted with the implementation of a modern-day treaty between Canada, British Columbia and the Nisga’a First Nation

FUNDED RESEARCH

CO-INVESTIGATOR, STANDARD RESEARCH GRANT • SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL OF CANADA • 2011-2014
Proof Beyond a Reasonable Doubt: Bridging Psychological and Legal Perspectives
Principal Investigator: Nicholas C.M. Bala
Co-investigators: Kang Lee, Roderick C.L. Lindsay, Victoria Talwar
Value: $190,036

PUBLICATIONS

JOURNAL ARTICLES AND BOOK CHAPTERS

“Justice Marc Rosenberg and the Development of a Principled Approach to Character Evidence” in Benjamin L. Berger, Emma Cunliffe & James Stribopolous, eds., To Ensure that Justice is Done: Essays in Memory of Marc Rosenberg (Toronto: Thomson Reuters, forthcoming in 2017) (20 pages)


“Canada (Attorney General) v. Bedford and the Limits on Substantive Criminal Law under Section 7” (2014) 67 Supreme Court Law Review (2d) 483-503
JOURNAL ARTICLES AND BOOK CHAPTERS, continued


“Realizing the Potential of the Principled Approach to Evidence” (2013) 39 Queen’s Law Journal 11-39


“The Interrogation Trilogy and the Protections for Interrogated Suspects in Canadian Law” (2011) 54 Supreme Court Law Review (2d) 309-334


Recipient, David Watson Memorial Award, given annually to the author of the Queen’s Law Journal article that makes the most significant contribution to legal scholarship


Reprinted in Jamie Cameron & James Stribopoulos, eds., The Charter and Criminal Justice: Twenty-Five Years Later (Markham, Ont.: LexisNexis, 2008) 249


“The Case Against Offence-Based Challenges for Cause in Cases of Violence Against Women and Children” (2000) 44 Criminal Law Quarterly 161

“From Regulation to Recolonization: Justifiable Infringement of Aboriginal Rights at the Supreme Court of Canada” (2000) 58 University of Toronto Faculty of Law Review 1
Recipient of the Cassels Brock & Blackwell Award for an outstanding article in the University of Toronto Faculty of Law Review
BOOKS


(with Ronald J. Delisle), *Canadian Evidence Law in a Nutshell*, 3rd ed. (Toronto: Carswell, 2009)

ANNOTATIONS AND CASE COMMENTS

Annotation to *R. v. Abbey*, (2017) 39 Criminal Reports (7th) 305-306
Annotation to *R. v. Suarez-Noa*, (2017) 39 Criminal Reports (7th) 276-78
Annotation to *R. v. Bradshaw*, (2017) 38 Criminal Reports (7th) 5-6
Annotation to *R. v. Borden*, (2017) 37 Criminal Reports (7th) 432-33
Annotation to *R. v. Khan*, (2017) 37 Criminal Reports (7th) 158-59
Annotation to *R. v. France*, (2017) 36 Criminal Reports (7th) 295-97
Annotation to *R. v. Thomas*, (2017) 36 Criminal Reports (7th) 119-120
Annotation to *R. v. B. (S).*, (2017) 36 Criminal Reports (7th) 28
Annotation to *R. v. B. (H).*, (2017) 34 Criminal Reports (7th) 426-27
Annotation to *R. v. Biggs*, (2017) 34 Criminal Reports (7th) 148
Annotation to *R. v. D. (B).*, (2017) 33 Criminal Reports (7th) 80-81
Annotation to *R. v. Santhosh*, (2017) 32 Criminal Reports (7th) 198-200
Annotation to *R. v. Louangrath*, (2016) 31 Criminal Reports (7th) 183-84
Annotation to *R. v. D. (R.*), (2016) 30 Criminal Reports (7th) 375
Annotation to *R. v. Boone*, (2016) 28 Criminal Reports (7th) 2-3
Annotation to *R. v. Hillis*, (2016) 26 Criminal Reports (7th) 330
Annotation to *R. v. Hemsworth*, (2016) 26 Criminal Reports (7th) 80-81
Annotation to *R. v. Taweel*, (2016) 25 Criminal Reports (7th) 392-393
“M. (M.) v. United States of America and the Continuing Evolution of the Shephard Test” (2016) 25 Criminal Reports (7th) 238-242
Annotation to *R. v. Rhayel*, (2015) 22 Criminal Reports (7th) 80-81
Annotation to *R. v. R. (M.*), (2015) 21 Criminal Reports (7th) 317-318
Annotation to *R. v. Rodgerson*, (2015) 21 Criminal Reports (7th) 2-4
Annotation to *White Burgess Langille Inman v. Abbott and Haliburton Co.*, (2015) 18 Criminal Reports (7th) 312-313
Annotation to *R. v. Orr*, (2015) 18 Criminal Reports (7th) 161-162
Annotation to *R. v. Grant*, (2015) 17 Criminal Reports (7th) 230-231
Annotation to *R. v. M. (T.*), (2015) 16 Criminal Reports (7th) 309
Annotation to *R. v. Singh*, (2015) 16 Criminal Reports (7th) 96-97
Annotation to *R. v. Trifts*, (2015) 15 Criminal Reports (7th) 178-179
Annotation to *R. v. Mack*, (2014) 13 Criminal Reports (7th) 229-231
“R. v. Hart: Standing Up to Mr. Big” (2014) 12 Criminal Reports (7th) 294-297
ANNOTATIONS AND CASE COMMENTS, continued

Annotation to R. v. Legge, (2014) 12 Criminal Reports (7th) 124
Annotation to R. v. S. (W.), (2014) 11 CR (7th) 252-253
Annotation to R. v. Belyk, (2014) 9 Criminal Reports (7th) 401-402
Annotation to R. v. L. (C.A.), (2014) 9 Criminal Reports (7th) 265
Annotation to R. v. Hutchinson, (2014) 8 Criminal Reports (7th) 259
Annotation to R. v. Muller, (2014) 7 Criminal Reports (7th) 406-407

“R. v. Hay: Enhanced Safeguards against Wrongful Convictions in Identification Cases” (2014) 6 Criminal Reports (7th) 246-249
Annotation to R. v. Puddicombe, (2013) 5 Criminal Reports (7th) 33
Annotation to R. v. Huang, (2013) 3 Criminal Reports (7th) 365-66
Annotation to R. v. S. (M.), (2013) 3 Criminal Reports (7th) 215
Annotation to R. v. Berbeck, (2013) 3 Criminal Reports (7th) 198
Annotation to R. v. Youvarajah, (2013) 3 Criminal Reports (7th) 43-44
Annotation to R. v. Welsh, (2013) 2 Criminal Reports (7th) 142-144
Annotation to R. v. Taylor, (2013) 100 Criminal Reports (6th) 319-320
Annotation to R. v. Glessman, (2013) 100 Criminal Reports (6th) 209-211
Annotation to R. v. Jack, (2013) 100 Criminal Reports (6th) 165

Annotation to R. v. S. (N.), (2013) 98 Criminal Reports (6th) 5-6

“R. v. Hart: Building a Screen for Mr. Big Confessions”, Case Comment, (2013) 97 Criminal Reports (6th) 104-110

Annotation to R. v. Aitken, (2012) 92 Criminal Reports (6th) 386-87
Annotation to R. v. Youvarajah, (2012) 90 Criminal Reports (6th) 186-87
Annotation to R. v. Khan, (2012) 89 Criminal Reports (6th) 324
Annotation to R. v. Farrell, (2012) 89 Criminal Reports (6th) 158
Annotation to R. v. J. (C.), (2011) 87 Criminal Reports (6th) 387
Annotation to R. v. Hughes, (2011) 86 Criminal Reports (6th) 354-355
Annotation to R. v. James, (2011) 86 Criminal Reports (6th) 108
Annotation to R. v. M. (T.L.), (2011) 85 Criminal Reports (6th) 171
Annotation to R. v. A. (M.), (2011) 83 Criminal Reports (6th) 140-141

“R. v. Miljevic: Reflections on Faith in the Jury”, Case Comment (2011) 82 Criminal Reports (6th) 8-10
Annotation to R. v. S. (N.), (2011) 80 Criminal Reports (6th) 86-87
“R. v. Henry and the Problem of the Weak Identification Case”, Case Comment (2011) 80 Criminal Reports (6th) 81-83

5
ANNOTATIONS AND CASE COMMENTS, continued

Annotation to R. v. Thiara, (2011) 79 Criminal Reports (6th) 260-261
Annotation to R. v. Wakewich, (2010) 75 Criminal Reports (6th) 347
Annotation to R. v. McLeod, (2010) 73 Criminal Reports (6th) 292
Annotation to R. v. I. (D.), (2010) 73 Criminal Reports (6th) 51
Annotation to R. v. White, (2010) 71 Criminal Reports (6th) 268
Annotation to R. v. Van, (2009) 65 Criminal Reports (6th) 195
Annotation to R. v. Pilon, (2009) 64 Criminal Reports (6th) 358
Annotation to R. v. MacCormack, (2009) 64 Criminal Reports (6th) 138
Annotation to R. v. B. (R.T.), (2009) 63 Criminal Reports (6th) 198
Annotation to R. v. Taylor, (2009) 63 Criminal Reports (6th) 144
Annotation to R. v. S (J.), (2009) 61 Criminal Reports (6th) 284
Annotation to R. v. Assing, (2009) 61 Criminal Reports (6th) 274
Annotation to R. v. Young, (2008) 60 Criminal Reports (6th) 297
Annotation to R. v. Duguay, (2007) 50 Criminal Reports (6th) 380
Annotation to R. v. Post, (2007) 46 Criminal Reports (6th) 346
Annotation to R. v. Osmar, (2007) 44 Criminal Reports (6th) 278
Annotation to R. v. Fatima, (2007) 42 Criminal Reports (6th) 241

INVITED CONFERENCE PAPERS AND PRESENTATIONS

Panel presentation on “Demeanour Evidence” at the conference on Evidence in Criminal Investigations: The Latest Developments in Law and Practice, Osigood Professional Development, 31 March 2017


“Update on Admissibility of Expert Evidence”, paper delivered to the Law Society of Upper Canada’s Six Minute Criminal Lawyer 2016, Toronto, 9 April 2016

“Recent Developments in the Law of Expert Evidence”, keynote address to the Saskatchewan Trial Lawyers’ Association, Fall Conference: Expert Evidence, Regina, 30 October 2015
“Hart and Mack: New Restraints on Mr. Big and a New Approach to Unreliable Prosecution Evidence”, paper delivered at the 2014 Constitutional Cases Conference, Toronto, 10 April 2015

Panel presentation on “‘Mr. Big’ and the Altered Legal Landscape of Confessions”, seminar on The Latest Developments in Detention, Arrest, Interviewing and Interrogation: Law and Practice, Osgoode Professional Development, Toronto, 27 March 2015

Panel presentation on “Ethics in Criminal Law”, CBA Ethics Forum, Canadian Bar Association, Toronto, 2 June 2014

(with Don Stuart) “Key Criminal Cases 2014”, presentation to the Ontario Justice Education Network, Kingston Law Institute, 9 May 2014

“Canada (Attorney General) v. Bedford and the Shifting Limits on Substantive Criminal Law under Section 7”, paper delivered at the 2013 Constitutional Cases Conference, Osgoode Hall Law School, 11 April 2014

Panel chair, “HIV/AIDS Disclosure and Criminalization”, Bodies of Law: Women’s Health and Equality Conference, Feminist Legal Studies Queen’s, Queen’s University Faculty of Law, 2 March 2013

“Realizing the Potential of the Principled Approach to Evidence”, paper delivered at the Annual Conference of the Canadian Institute for the Administration of Justice, Toronto, 10 October 2013

“Realizing the Potential of the Principled Approach to Evidence”, paper delivered at the Symposium Celebrating Contributions of Justice Louise Charron, U. of Ottawa Faculty of Law, 23 March 2013


“R. v. Sinclair, the Interrogation Trilogy, and the Protections for Interrogated Suspects in Canadian Law”, paper delivered at the 2010 Constitutional Cases Conference, Toronto, 15 April 2011

“New Challenges for the Gatekeeper: The Evolving Law on Expert Evidence in Criminal Cases”, paper delivered at the County of Carleton Law Association Criminal Law Conference, Montebello, Quebec, 16 October 2010


Panel presentation on “The Uses and Abuses of Expert Evidence”, Queen’s Law at 50 Reunion to Celebrate Our Criminal Lawyers, Queen’s University Faculty of Law 15 September 2007

JUDICIAL EDUCATION SEMINARS

The National Judicial Institute requires that locations and details of judicial education seminars remain confidential. The presentations listed below were given in various cities in Canada.

Presentation on Evidence of Prior Sexual History, National Judicial Institute education seminar, December 2017

Presentation on Sexual Assault and Social Context, National Judicial Institute education seminar, November 2017

Presentations on Consent in Sexual Assault and Evidence of Prior Sexual History, Ontario Court of Justice education seminar, November 2017

Presentations on Myths and Evidence in Sexual Assault, Consent in Sexual Assault, and Evidence of Prior Sexual History, National Judicial Institute education seminar, October 2017

Presentation on Judicial Notice and facilitation of week-long workshop, National Judicial Institute Evidence Workshop, July 2017

Presentation on Psychology of Evidence in Sexual Assault, National Judicial Institute conference, June 2017

Presentations on Child Witness Credibility and Credibility and Culture, National Judicial Institute education seminar, May 2017

Presentation on Updates in Criminal Law, National Judicial Institute education seminar, December 2016

Presentation on Credibility, Ontario Court of Justice education seminar, October 2016

Presentations on Consent in Sexual Assault, Evidence of Prior Sexual History & Proof Beyond a Reasonable Doubt, National Judicial Institute education seminar, September 2016

Half-day workshop on Evidence, National Judicial Institute education seminar, June 2016

Presentation on Credibility, National Judicial Institute education seminar, April 2016

Presentation on Credibility, National Judicial Institute education seminar, January 2016

Presentation on Upcoming Supreme Court of Canada Cases on Criminal Law, National Judicial Institute education seminar, November 2015

Presentation on Credibility, Ontario judicial National Judicial Institute education seminar, November 2015

Presentation on Updates in Criminal Law, National Judicial Institute education seminar, May 2014

Presentation on Disclosure and Remedies for Lack of Disclosure, National Judicial Institute education seminar, March 2013
Presentation on Expert Evidence, National Judicial Institute education seminar, May 2010

Presentation on Jury Selection and Cultural/Racial/Ethnic Identity, National Judicial Institute education seminar, December 2008

Presentation on Comparative Approaches to Expert Evidence in the Trial Process, National Judicial Institute education seminar, November 2007

Presentation on Updates in Criminal Law, National Judicial Institute education seminar, June 2007


**ACADEMIC SERVICE**

**OSGOODE HALL LAW SCHOOL**

Academic Planning and Policies Committee

Academic Standing Committee

Indigenization Subcommittee

First Year Curriculum Review Working Group

Working Group on the Flex-Time J.D.

Anishinaabe Law Camp Organizing Committee

Legal Education Working Group

**QUEEN’S UNIVERSITY**

Principal’s Advisory Committee for the Faculty of Law

**QUEEN’S UNIVERSITY, FACULTY OF LAW**

Academic Standing and Policies Committee
Adjunct Appointments Committee 2014-2015
Strategic Planning Committee 2013-2014 (Co-chair)
Faculty Appointments Committee 2013-2014
2011-2012
Renewal, Tenure and Promotion Committee 2009-2010
Gale Cup Moot Faculty Advisor 2013-2014 (Co-coach)
2011-2012
2007-2008
2006-2007
Advisory Committee on the First Year Curriculum Winter 2012
Advisory Committee on the Ethics and Professional Responsibility Requirement Fall 2011
Organizer of the Faculty Works-in-Progress Seminar Series 2006-2008

**Scholarly Peer Review**

<table>
<thead>
<tr>
<th>Journal Name</th>
<th>Journal Name</th>
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<tbody>
<tr>
<td>Alberta Law Review</td>
<td>Oxford University Commonwealth Law Journal</td>
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<tr>
<td>Canadian Bar Review</td>
<td>Saskatchewan Law Review</td>
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<tr>
<td>Canadian Journal of Women and the Law</td>
<td>Supreme Court Law Review</td>
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<td>Fernwood Publishing</td>
<td>University of British Columbia Law Review</td>
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<tr>
<td>McGill Law Journal</td>
<td>University of New Brunswick Law Review</td>
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<tr>
<td>McGill-Queen’s University Press</td>
<td>University of Toronto Law Journal</td>
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<tr>
<td>Osgoode Hall Law Journal</td>
<td>Windsor Review of Legal and Social Issues</td>
</tr>
</tbody>
</table>

**Community Service**

**Queen’s Day Care Corporation • Board of Directors • President, 2012 – 2015**
Member at Large, 2011-2012
Preside over volunteer Board of Directors overseeing a not-for-profit organization that provides high quality childcare to children within the Kingston community

**Association for Bahá’í Studies – North America • Executive Committee • 2007 – 2015**
Serve on the volunteer committee that oversees the activities of a membership organization dedicated to the scholarly study of the Bahá’í Faith
Program Co-Chair and Breakout Session Coordinator of the Association for Bahá’í Studies – North America Annual Conference, 2008-2014
Member of the Editorial Committee of the *Journal of Bahá’í Studies*, 2010-2013

**Women’s Legal Education and Action Fund (LEAF) • R. v. D.A.I. Subcommittee • 2011**
Assisted in developing LEAF’s intervener factum and oral submissions for *R. v. D.A.I.*, an appeal at the Supreme Court of Canada on witness competency of adults with mental disabilities
Kevin Cyr
6104 163A Street
Surrey, B.C.
ktcyr@shaw.ca
(604) 970-3405

EDUCATION

Masters of Law (LL.M.), Criminal Law and Procedure
Osgoode Hall Law School, Toronto, Ont. 2011-2013

Certificate of Police Leadership, Service Delivery
Dalhousie University, Halifax, N.S. 2007-2009

Bachelor of Science, Mathematics, First Class Honours
St. Francis Xavier University, Antigonish, N.S 1995-2000

PUBLICATIONS


TEACHING EXPERIENCE

**Canadian Police College**
- Instructor on the *Critical Incident Commander’s Course*, focusing on the legal considerations and use of police paramilitary units for senior police leaders tasked with commanding critical incidents and large scale police responses. Conducted a redesign of the course material. (2015 to present)

- Instructor on the *Initial Critical Incident Response Course* on legal and tactical considerations for patrol supervisors in responding to unfolding critical incidents (2015 to 2016)

**Justice Institute of B.C.**
- Instructor on the *Critical Incident Manager’s Course*, focusing on the legal considerations for police supervisors tasked with responding to critical incidents. (2016 to Present)

**Royal Canadian Mounted Police**
- Master instructor for *Emergency Response Team Chemical Agent Course* for operational Emergency Response Team members and commanders. Designed course content and conducted Train-the-Trainer course. (2015 to 2017)

- Instructor on *Advanced Search Warrant Course* for senior major crime and drug investigators. (2010 to 2014)

- Instructor on *Basic Search Warrant Course* for junior patrol officers and serious crime investigators. Assisted with course material redesign. (2010 to 2014)

- Firearms Instructor for firearms qualifications, remedial training, and advanced Emergency Response Team training. (2002 to 2017)

**Other**


POLICE POSTINGS

OIC, Criminal Operations Secretariat, Inspector
“E” Division Headquarters, Surrey, B.C.  Apr 2017 - Present

NCO i/c Training Section, Sergeant
LMD Emergency Response Team
“E” Division, Lower Mainland District, Surrey, B.C.  July 2014 – Apr 2017

Training Section, Corporal
LMD Emergency Response Team,
“E” Division, Lower Mainland District, Surrey, B.C.  Feb 2014 – July 2014

NCO i/c Crime Reduction Unit, Corporal
Surrey RCMP Detachment, Surrey, B.C.  Jan 2012 – Feb 2014

Serious Crime Investigator, Corporal

Legal Application Support Team, Corporal

Criminal Intelligence Investigator, Corporal
Southeast District RCMP, Kelowna, B.C.  Oct 2008-March 2010

Serious Crime and Drug Investigator, Corporal

General Duty Investigator, Constable
Vernon, B.C. and New Hazelton, B.C.  Feb 2001- Feb. 2005
ANIL K. KAPOOR
Barrister
235 King Street East
Suite 200
Toronto, Ontario
M5A 1J9
(416) 363-2700
akk@kapoorbarristers.com
www.kapoorbarristers.com

LEGAL QUALIFICATIONS & MEMBERSHIPS

Barrister & Solicitor
Member of the Law Society of Upper Canada
(Called to the Bar 1988)

Member of the Criminal Lawyers’ Association

Member of the Metropolitan Toronto Lawyers Association

Director of the Advocates Society – Advocates Society
(2011 – 2014)

Vice President - Osgoode Hall Alumni Association
- Board of Directors

Director WoodGreen Foundation

Director Canadian Civil Liberties Association

Fellow of The International Society of Barristers

Fellow of The International Academy of Trial Lawyers

Fellow of the American College of Trial Lawyers

EDUCATION

1983 - 1986        Osgoode Hall Law School, York University: LLB
1981 - 1983        University of Saskatchewan, Two Years of Bachelor of Arts
                   Program: Major, Political Science, Minor, Economics
1979 - 1980        St. Petrie Skolan, Malmo Sweden

ACADEMIC AWARDS

1983 - 1986        Legal and Literary Society - Honour Award
1984               John J. Robinette Advocacy Award
AWARDS

Canadian Association of South Asian Lawyers (CASAL)
- June 25, 2010 – Award of Excellence
PRACTICE HISTORY

July 2006 – Present
Kapoor Barristers
Sole Practice
Restricted to criminal, quasi-criminal defence litigation (in particular criminal appeals), criminal code prosecutions; professional discipline litigation

June 2010 – Present
Member of Prime Minister’s Advisory Council on National Security

February 2008 - Present
Appointed to Special Advocate Roster by the Minister of Justice (Canada)

2006 May – June 2010
Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 – Commission Counsel

Kapoor & Stribopoulos
Restricted to criminal, quasi-criminal defence litigation (in particular criminal appeals), criminal code prosecutions; professional discipline litigation

2001 – 2003
Department of Justice (Canada)
Federal Agent for Prosecutions (Ad Hoc Criminal Appointment)

1994 – 2005
Law Society of Upper Canada – Referee - Compensation Fund
Adjudicated claims to the Law Society of Upper Canada Compensation Fund

1988 - 1992
Stockwood, Blair, Spies & Ashby
Practice restricted to litigation, particularly in the area of injunctions, professional discipline tribunals, and criminal defence including both trial and appellate appearances.

1986 - 1987
Smith, Lyons, Torrance, Stevenson & Mayer
Articling Student: Included exposure to corporate, real estate, litigation

Summer of 1985
Summer law student
Summer of 1984

Jane-Finch Community Legal Aid Clinic

Summer student

PROFESSIONAL ACTIVITIES & PUBLICATIONS

2017 June
Standing Committee on Public Safety and National Security - Witness

2017 May
Canadian Association for Civil Oversight of Law Enforcement - *Civilian Oversight – Perspectives from the Inside Out* - Presenter

2017 May
Osgoode Hall Law School – 11th National Symposium on Money Laundering and Financial Crimes - *Fintrac Theory and Practice* - Presenter

2017 March
20th Commonwealth Law Conference - *Counter Terrorism, Emergency Laws and Human Rights* (Melbourne, Australia) - Presenter

2017 February
Osgoode Hall 13th Annual Conference on Crown Liability – The Role of Amicus in Public Litigation - Presenter

2017 February
The Advocates Society – Criminal Trial Advocacy – *Trial by Judge and Jury* – Panelist

2016 November / December
Standing Committee on Public Safety and National Security – Witness

2016 October
Government of Canada – National Consultation on National Security – Canadian Civil Liberties Association Representative

2016 October
Law Society of Upper Canada – *Imprisoning the Innocent* - Speaker

2016 February
The Advocates’ Society – *Effective Pre-Trial Preparation* - Speaker

2016 January
Canadian International Law Student’s Conference – *International Intelligence Sharing* – Panelist

2015 November
Canadian Civil Liberties Association – *Rights Watch* - Speaker

2015 October
Ontario Bar Association – 14th Annual Charter Conference: Notable Charter Cases - Panelist

2015 May
Standing Committee on Public Safety and National Security – Witness

2014 November
RCMP E Division – Analytical Workshop – *Intelligence and Criminal Investigations* - Speaker
<table>
<thead>
<tr>
<th>Date</th>
<th>Organization</th>
<th>Event Title</th>
<th>Role</th>
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<tbody>
<tr>
<td>2014 October</td>
<td>The Advocates’ Society – Fall Forum</td>
<td>Mapping Out Your Career Path – Tips and Strategic Considerations – Panelist</td>
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<tr>
<td>2014 September</td>
<td>Canadian Civil Liberties Association -</td>
<td>Imprisoning the Innocent: Bail and Wrongful Convictions in Canada – Moderate</td>
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<tr>
<td>2014 May</td>
<td>The Advocates’ Society –</td>
<td>Effective Pre-Trial Preparation - Speaker</td>
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<tr>
<td>2014 May</td>
<td>The Advocates’ Society –</td>
<td>Practice Management Essentials: Managing Your Way to Trial Success – Panelist</td>
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<td>2014 February</td>
<td>The Commons Institute –</td>
<td>Supreme Court and Constitutional Litigation - Speaker</td>
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<td>2014 February</td>
<td>The Advocates’ Society –</td>
<td>DOJ Appellate Advocacy Training - Speaker</td>
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<td>2014 January</td>
<td>University of Windsor –</td>
<td>Criminal Law and The Charter - Speaker</td>
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<td>2014 January</td>
<td>Federated Press –</td>
<td>Law Enforcement Risk Management – Course Leader</td>
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<tr>
<td>2013 November</td>
<td>University of Windsor –</td>
<td>Justice at Work - Speaker</td>
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<tr>
<td>2013 June</td>
<td>The Commons Institute –</td>
<td>Supreme Court and Constitutional Litigation – The Advocacy Workshop - Faculty</td>
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<td>2013 May</td>
<td>The Advocates’ Society –</td>
<td>Criminal Litigation Skills Program: Criminal Cross-examination College – Speaker</td>
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<tr>
<td>2013 February</td>
<td>National Law University, Delhi –</td>
<td>36th All India Criminology Conference of Indian Society of Criminology - Speaker</td>
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<tr>
<td>2012 May</td>
<td>The Advocates’ Society – Persuasive Oral and Written Advocacy - Working with Exhibits and Delivering Opening Statements</td>
<td>Skills Instructor</td>
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<tr>
<td>2012 May</td>
<td>The Advocates’ Society – Criminal Advocacy Summit</td>
<td>- Speaker</td>
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2012 May  
Osgoode Hall Law School – Osgoode Constitutional Case Conference – Respondent to Keynote

2012 April  
RCMP National Security Criminal Investigations Program – Leadership in Counter Terrorism (LinCT) Program - Speaker

2012 March  
The Advocates’ Society – Advanced Litigation Program: Senior Counsel Forum - Speaker

2011 November  

2011 November  
University of Windsor – Windsor Law’s Justice at Work Public Interest Career Conference - Speaker

2011 November  
Federation of Asian Canadian Lawyers – Annual Fall Conference – Keynote Speaker

2011 October  
Canadian Institute for the Administration of Justice – Terrorism, Law and Democracy: 10 Years after 9/11 - Speaker

2011 October  
Special Advocates Program (SAP) – The Duty of Candour by Ministers in IRPA Proceedings - Speaker

2011 September  
The Canadian Institute – Conducting Regulatory Investigations - Speaker

2011 June  
Ontario Bar Association – Council Debate Theme: “Ethics, Power and Public Participation in the Wikileaks Age” - Speaker

2011 June  
The Canadian Institute – 2nd Annual Conference on the Law of Policing - Speaker

2011 May  
Criminal Lawyers’ Association Newsletter – Columnist – National Security Litigation: When is Half a Loaf Enough?

2011 May  

2011 May  
The Advocates’ Society – Criminal Cross-Examination College - Instructor

2011 May  
Secret Justice Seminar – University of London, United Kingdom - Speaker

2011 April  
The Arts and Humanities Research Council (AHRC) and the Cabinet Office U.K. – Workshop on How Sensitive National Security Information is Handled in Civil Judicial Proceedings – Speaker

2010 November  
The Canadian Institute – Conducting Regulatory Investigations – Speaker

2010 Fall – Present  Adjunct Professor (LLM Program) – Osgoode Hall Law School – Anti-Terrorism and the Criminal Law: Current and Emerging Issues

2010 July  Carleton University – *Canadian Centre of Intelligence and Security Studies: Workshop on the Report of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182* – Speaker

2010 June  The Canadian Institute – *Advanced Evidence Law and Practice Conference* - Speaker

2010 May  Oxford University U.K., St. Anne College – *National Security and Secret Trials* – Speaker

2010 May  Secret Justice Seminar – Role of Special Advocates UK and Canada - London United Kingdom

2010 February  The Advocates’ Society – *Advanced Trial Evidence: Application and Analysis for the Experienced Advocate* - Speaker


2009 February  University of Toronto – Law Union Conference – *Preventative Detention: A Legal, Political and Moral Quandary* - Speaker

2009 February  University of Toronto Bridge Week Seminars – *Public Inquiries and the Criminal Law* - Presenter


2008 November  University of Toronto – Centre for the Legal Profession, Workshop Series – *The Evolving Role of the Government Lawyer*

2008 September  Law Society of Upper Canada – *The Administrative Law Update 2008*

2008 May  Article – *Canada v. Khadr: What was that all about?* – The Court.ca – Osgoode Hall Law School
2008 May
Law Society of Upper Canada – CLE Program – Presenter – *The Six Minute Criminal Defence Lawyer 2008*
Paper: *R. v. Daly*

2008 April
The Advocates’ Society – Co-Chair – Criminal Litigation Skills Certificate Program – *Conduct of the Preliminary Hearing*

2008 March
Speaker - Osgoode Hall Law School Speaker Series “Can There Be National Security & Human Rights”

2008 February

2008 February
University of Toronto Bridge Week Seminars – *Public Inquiries and the Criminal Law* - Presenter

2008 January

2008 January
Legal Aid Ontario – Continuing Legal Education – Panelist – *Criminal Caselaw and Legislative Update*

2007 September
Osgoode Hall Law School – Professional Development Programme – Chair – The National Conference on The Charter and Criminal Justice in Canada – *Search and Seizure*

2007 June
Office of the Chief Coroner - Forensic Pathology Expert Witness Course – Speaker & Panelist – *Court TV Excerpts*

2007 January
The Advocates’ Society – Chair – *“Do a Trial (Criminal)!”*

2006 September
Law Society of Upper Canada – Continuing Legal Education – Speaker - *“Criminal Code Update 2006”*

2006 April
The Advocates’ Society – Criminal Litigation Skills Certificate Program: “*Trying a Sexual Assault Case*”

2006 March
Ontario Bar Association – 8th Annual Central East Advocacy Conference – Preparation for Success – “How to Prepare an Examination in Chief” and “How Much Do You Prepare When Your Client Has No Money”

2006 February

2006 February
Toronto Lawyers Association – Nutshell Programme – “*Criminal Practice: What They Don’t Teach in Law School*”

2005 September – May 2006
Adjunct Professor (LLB Program) – Osgoode Hall Law School – Criminal Evidence

2005 August
National Judicial Institute / Court of Appeal for Ontario – Participant Video – *Frailties in the Criminal Justice System, The Role of Expert Evidence*
2005 June  Office of the Chief Coroner - Forensic Pathology Expert Witness Course – Speaker & Panelist - Examination of Pathologists

2005 February  Ontario Science Centre Public Form – Speaker & Panelist – Who Should Know What is in Your DNA?


2004 November  National Judicial Institute / Ontario Court of Justice – Participant Video Seminar – New Judge’s Orientation Program – Pre-trial Conferences

2004 October  Criminal Lawyer’s Association Fall Conference – Panelist – He Told Him What She said to the Other Guy: The Erosion of the Protection Against Hearsay Evidence. What Can the Defence Do?


2004 October  The Advocates Society – Speaker – Defending a Domestic Assault Case

2004 May  Criminal Lawyer’s Association Spring Conference - Eroding Constitutional Protections: Are Charter Rights Becoming “technicalities”: How to Argue s.8, s.10 (b) and s.11 (b) Applications – Panelist

2003 February  Ontario Bar Association, Constitutional - Civil Liberties & Human Rights, Must Justice Be Seen To Be Done – Panelist - Protecting The Innocent

2002 November  Law Society of Upper Canada – Continuing Legal Education - Chair – Bill C.15: Amendments to the Criminal Code, New Offences, New Criminal Procedures

2002 October  Institute of Law Clerks of Ontario – Continuing Legal Education – Speaker - Search Warrants

2002 October  Queens University – Faculty of Law – Speaker - Careers in Criminal Law


2002 May  Annual General Meeting of the Ontario Conference of Judges – The Long and Winding Road: A Look Back at 20 Years Under the Charter – Court Rules and the Charter


2002 December  Bar Admission Course Instructor - Criminal Law

2001 November  DNA Databank Workshop – CSFS – 48th Annual Meeting Panelist – Legal / Law Enforcement Perspectives on DNA Databanking

2001 September  Criminal Lawyers’ Association Newsletter – Columnist – Around the World – Case Comment on Foreign Judgments


2000 September  Ontario Crown Attorneys’ Association – Fall Education Conference – Collingwood, Ontario – Panelist – Interrogation Within the Bounds of Fairness

2000 August  Federal Department of Justice – Annual Criminal Law Seminar – Panelist – Proving a Wiretap and Conspiracy Case


1999 June  Osgoode Hall Law School – Professional Development Programme - Panelist - Search and Seizure Law In Canada – Attacking the Information to Obtain – Defence Strategies

1999 May - Present  Court of Appeal of Ontario - Pro Bono Duty Counsel Court of Appeal for Ontario (appointed to assist on inmates in person criminal appeals)

1999 - 2005  Quicklaw – Author - Kapoor's Criminal Appeals Review (KCAR) – Monthly Case Comments on Recent Appellate Cases in Criminal Law

1999 Winter  Osgoode Hall Law School – Coach of Arnup Cup Competition

1998 October  Osgoode Hall Law School – Professional Development Programme - Panelist - Symposium on Forensic D.N.A. Evidence

1998 October  Law Society of Upper Canada – Continuing Legal Education – Co-Chair – Search and Seizure

1998 March  Law Society of Upper Canada - Chair of Continuing Legal Education Programme - Criminal Law Update
Article - *Gone Fishin': Access to Third Party Records* paper presented at the Continuing Legal Education Programme - Criminal Law Update

1997

Article - *Blended Conditional Sentences*, ADGN/97 - 2020

1997 August

Federal Department of Justice - Annual Prosecution Seminar - Panelist *Appellate Advocacy; Confidential Informants*

Article - *Going to Bat for the Rat* paper presented at the Federal Department of Justice Criminal Law Seminar

1997

Law Society of Upper Canada - Chair of Continuing Legal Education Programme - Criminal Trial Workshop

Article - *The Use of Experts at Trial* paper presented at Law Society of Upper Canada Continuing Legal Education Programme - Criminal Trial Workshop

1997


1996


1995

Bar Admission Course Instructor - Public Law & Criminal Law

1995 - Present

Guest Judge - Osgoode Hall Law School
Trial Advocacy Workshop (Summer Program for Young Lawyers)

1995 Spring

Guest Participant - *The Charter's Impact on Criminal Justice* - York University Centre For Public Law and Public Policy - Osgoode Hall Law School

1994 - 2005

Appointed by the Law Society of Upper Canada as Referee re hearings for Lawyers Fund for Client Compensation – involves adjudicating claims for compensation by people who allege they were defrauded by their lawyers

1994 - 1999

Faculty - Osgoode Hall Law School
Trial Advocacy Program – Criminal Procedure

1994 Summer

Guest Instructor - Osgoode Hall Law School
Trial Advocacy Workshop (Summer Program For Young Lawyers)

1991 - 1993

Bar Admission Course Instructor
Public law and Legal Research and Writing

1990 - 1999

Judge of Osgoode Hall Law School Mooting Competition

1985 - 1986

Chairman of Osgoode Hall Law School Mooting Society
1983 - 1986  Member of Osgoode Hall Law School Mooting Society - participated in the Osgoode / University of Toronto first year Moot, Niagara Moot, Administrative Law Moot at the Federal Court of Canada

REFERENCES

Available upon request.
Kerry G. Watkins
B.A. (Hons.), M.A., LL.M.

E: kerry@theinterviewgroup.com  B: 647-282-0297

PROFILE

• An internationally recognized subject matter expert in investigative interviewing theory, practice and training.

• An accomplished consultant, teacher and public speaker with exceptional communication skills.

• A multi-published author of investigative texts, papers and articles on interviewing and related investigative topics

• A highly knowledgeable, experienced investigator with a strong record of achievement in conducting and managing complex investigations.

PROFESSIONAL EXPERIENCE

• THE INTERVIEW GROUP INC. - 2017 to present
  Founder/Director. Investigative Interview Training, Consultation & Support.

• HUMBER COLLEGE OF APPLIED ARTS & TECHNOLOGY - 2017 to present
  Professor (Part-time).

• TORONTO POLICE SERVICE - 1987 to 2017
  Lead Instructor Investigative Interviewing - Toronto Police College - 2011 to 2017
  - Course Designer / Subject Matter Expert - All Investigative Interviewing Courses
  - Instructor (Interviewing / Statement Law) - General Investigator / Youth Crime Investigator / Sexual Assault Investigator / Sexual Assault Investigator Update Course / Major Crisis Intervention Team / Public Service Response Team Course / Major Crisis Intervention Team / Traffic Investigator / Domestic Violence Investigations / Elder Abuse
  - Facilitator - Financial Crimes Investigation
Criminal Investigator - 1994 to 2011

- Detective - Professional Standards (Special Task Force) / Fraud Squad (Corporate Crime) / Homicide Squad (Investigative Unit) / Traffic Services (Detective Office)
- Detective Constable - Homicide Squad / Traffic Services (Detective Office) / Coroner’s Task Force (TTC Crash) / Traffic Services (Hit & Run)
- Detective Constable - Fraud Squad (52 Division)
- Constable - Traffic Services Collision Investigations
- Constable - 52 Division

EDUCATION

- Master of Laws Degree (LL.M.) Osgoode Hall Law School - York University - 2016 Specialization - Criminal Law & Procedure
- Teaching Effectiveness Certificate - Humber College Institute - 2011
- Master of Arts Degree (M.A.) - University of Toronto, Centre of Criminology - 1989 Specialization - Criminology
- Bachelor of Arts Degree (B.A.) (Hons.) - University of Toronto - 1985 Specialization - Psychology & Criminology

PROFESSIONAL DEVELOPMENT

Courses & Conferences attended (2010 forward)

- Interviewing Sexual Offenders, University of Maastricht, The Netherlands. (2013)
• Intensive Search Warrant Drafting Course, Osgoode Hall Law School, York University, Toronto. (2013)
  • PEACE Interviewing Model (Serious & Complex Investigations - Certified Tier 1 & 2), Sussex Police. Lewes, England. (2012)
• PEACE Interviewing Model, Introductory, Toronto. Memorial University; Sussex Police, UK. (2012)

Teaching Courses & Conferences Attended (2010 to present)

• Online Instructors Clinic, Humber College. (2016)
• Ontario Association of Police Educators, Ontario Police College. (2011)
• Adult Learning Basics, Toronto Police College. (2011)

Interviewing Courses & Conferences Attended (Pre - 2010)

• Interviewing & Interrogation Course, Toronto Police Service
• Interviewing & Interrogation Course, Ontario Police College
• Reid & Associates, Interviewing & Interrogation, Ontario Police College
• Interviewing & Interrogation Seminar, Toronto, FBI (John Hess)

INVITED TALKS, WORKSHOPS & CORPORATE TRAINING (2013 forward)

• Courtroom Testimony: A Practical Skills Workshop for Police & other Law Enforcement Professionals. Program Chair & Faculty Member. Osgoode Hall Law School, York University. Ongoing Professional Development Program. Toronto. (March, 2018)
• Best Practice in Investigative Interviewing for Special Constables. Toronto Community Housing Corporation. Toronto. (March, 2018)
• Best Practice in Investigative Interviewing for Special Constables. GO Transit. Toronto. (March, 2018)
• Investigative Interviewing for Special Constables. Toronto Transit Commission. Toronto. (January, 2018)


• The Strategic Use of Evidence in Investigative Interviewing. Canadian Association of Special Investigative Units. Annual Conference. Toronto. (September, 2017)


• Best Practices in Investigative Interviewing for Enforcement Officers. GO Transit Enforcement Officer Recruit Training. Toronto. (June, 2017)


• Courtroom Testimony: A Practical Skills Workshop for Police & Law Enforcement Professionals. Program Chair & Faculty Member. Osgoode Hall Law School, York University. Ongoing Professional Development Program. Toronto. (December, 2016)

• Investigative Interviewing for Special Constables. GO Transit, Toronto. (December, 2016)


• Best Practices in Investigative Interviewing. *Sobeys Corporate Investigation Department*. Mississauga. (September, 2016)

• Best Practices in Investigative Interviewing for Insurance Industry Investigations. *Canadian Association of Special Investigative Units. Annual Conference (CASIU)*. Markham. (September, 2016)


• Best Practices in Investigative Interviewing for Financial Services Professionals: The PEACE Model. *Credit Union Central Manitoba*. Winnipeg. (May, 2016)


• Courtroom Testimony: A Practical Skills Workshop for Police & Law Enforcement Professionals. Program Chair. *Osgoode Hall Law School, York University*. Ongoing Professional Development Program. Toronto. (April, 2016)


• The Latest Developments in Canadian Police Questioning Practices. *York University. Psychology & Law Course*. Toronto. (January, 2016)


MODERATED EVENTS


• 18th International Fraud Investigators Conference - Conference Co-Chair, Host, Speaker Development; Toronto Police Service, Fraud Squad, Toronto, Ontario. (2009)

• 17th International Fraud Investigators Conference - Conference Co-Chair, Host, Speaker Development, Toronto Police Service, Fraud Squad, Toronto, Ontario. (2007)

• 16th International Fraud Investigators Conference - Conference Co-Chair, Treasurer, Host, Speaker Development; Toronto Police Service, Fraud Squad, Toronto, Ontario. (2006)

COURSES TAUGHT


• Adjunct Faculty, Program Chair. *Osgoode Hall Law School. York University.* Courtroom Testimony: A Practical Skills Workshop for Police & Law Enforcement Professionals (2016/2018)

**PROFESSIONAL ACCOMPLISHMENTS**

• Chief of Police - Award of Excellence - interview training & course design (2018)
• Chief of Police - Team Commendation - investigative excellence (2014)
• Taught - First PEACE Interview course at Toronto Police Service (2013)
• Introduced - PEACE Interview Model to Toronto Police Service (2013)
• Designed - First PEACE interview course for Toronto Police Service (2013)
• Police Exemplary Service Medal - 20 years continuous service (2007)
• Chief of Police Excellence Award - investigative excellence (2004)
• Chief of Police Letter of Recognition - exceptional investigative skill (1998)
• First in Canada - use DNA to convict driver in hit & run fatality (1994)

**PROFESSIONAL AFFILIATIONS**

• *International Investigative Interviewing Research Group* - Member
• *Canadian Society of Evidence Based Policing* - Member

**PROFESSIONAL PUBLICATIONS**

Recent books

Recent articles


Videos

APPENDIX H

PROPOSAL FOR GRADUATE DIPLOMA IN LAW
FOR LAW ENFORCEMENT PROFESSIONALS

Letters of Support
April 25, 2018

Lisa Philipps  
Interim Vice-President Academic & Provost  
York University  
4700 Keele Street  
North York, ON M3J 1P3

Dear Lisa,

Re: Proposal for Graduate Diploma in Law for Law Enforcement Professionals

It gives me great pleasure to offer my enthusiastic support for the proposal for a new Graduate Diploma in Law for Law Enforcement Professionals.

As the first, and to date, only program of its kind in Canada, the Graduate Diploma in Law for Law Enforcement Professionals demonstrates Osgoode and York University’s commitment to interdisciplinarity, innovation and leadership. The initiative is fully aligned with the strategic goals of Osgoode Hall Law School and Osgoode Professional Development in terms of community engagement.

The proposal also closely aligns with the University’s Strategic Mandate Agreement. As a program developed for and taught in part by law enforcement professionals, it will enhance the University’s “linkages with the broader community, both in terms of the teaching and learning process.” With its variety of learning formats, the program will support the University’s mandate to create life-long learning opportunities for part-time and mature students.

As we anticipate that this program will be revenue generating, the operating and delivery costs are built into the delivery model. As such, we do not anticipate any negative impact on financial resources.

With regard to the program’s impact on administrative resources, the proposed Diploma will be supported with the existing administrative staff for Osgoode’s LLM programs. Faculty will include some of the same Osgoode faculty who currently teach in Osgoode’s LLM in Criminal Law. We will also be drawing on instructors who teach in some of our non-degree offerings directed at law enforcement professionals and other adjunct professors with experience in the specific course offerings.
In conclusion, I am pleased to offer my strong support for the proposed Graduate Diploma in Law for Law Enforcement Professionals.

Sincerely,

[Signature]

Lorne Sossin
Dean, Osgoode Hall Law School

cc. V. Watkins, Assistant Dean & Executive Director, OsgoodePD
    A. Hurst, Program Lawyer, OsgoodePD
May 4, 2018

Professor Kim Michasiw  
Chair, Academic Standards, Curriculum and Pedagogy Committee  
York University  
4700 Keele Street  
Toronto, ON M3J 1P3

Dear Professor Michasiw

Re: Proposal for Graduate Diploma in Law for Law Enforcement Professionals

It gives me great pleasure to offer my enthusiastic support for the proposal for a new Graduate Diploma in Law for Law Enforcement Professionals.

As the first, and to date, only program of its kind in Canada, the Graduate Diploma in Law for Law Enforcement Professionals demonstrates Osgoode and York University’s commitment to interdisciplinarity, innovation and leadership. The initiative is fully aligned with the strategic goals of Osgoode Hall Law School and Osgoode Professional Development in terms of community engagement.

The proposal also closely aligns with the University’s Strategic Mandate Agreement. As a program developed for and taught in part by law enforcement professionals, it will enhance the University’s “linkages with the broader community, both in terms of the teaching and learning process.” With its variety of learning formats, the program will support the University’s mandate to create life-long learning opportunities for part-time and mature students.

I understand that the expectation is that this program will be revenue generating; the operating and delivery costs are built into the delivery model. As such, we do not anticipate any negative impact on financial resources.

With regard to the program’s impact on administrative resources, I understand that the proposed Diploma will be supported with the existing administrative staff for Osgoode’s LLM programs. Faculty will include some of the same Osgoode faculty who currently teach in Osgoode’s LLM in Criminal Law, as well as instructors who teach in some of OsgoodePD’s non-degree offerings directed at law enforcement professionals.
In conclusion, I am pleased to offer my strong support for the proposed Graduate Diploma in Law for Law Enforcement Professionals.

Sincerely,

Lisa Philipps
Interim Vice-President Academic & Provost

Cc: Mary Condon, Interim Dean, Osgoode Hall Law School
May 1, 2018.

Meghan Thomas
Director, Professional Graduate and International Programs
Osgoode Professional Development
1 Dundas Street West, 26th Floor
Toronto ON Canada M5G 1Z3

Dear Meghan,

Re: Proposal for Graduate Diploma in Law for Law Enforcement Professionals

I am writing to inform you that the Law Library can support the proposed courses for the Graduate Diploma in Law for Law Enforcement Professionals with its collection which includes print and electronic books, print and electronic journals and various electronic databases. All required readings will be acquired by the library and made available for students use. Library electronic resources can be accessed 24 X 7 from campus and remotely. The library’s collection will continue to be updated to support research in this subject area.

Sincerely,

Yemisi Dina
Interim Chief Law Librarian
Monday, April 30, 2018

To Academic Standards, Curriculum and Pedagogy Committee:

Re: Proposal for Graduate Diploma in Law for Law Enforcement Professionals

I am supportive of the proposed stand-alone Graduate Diploma for Law Enforcement Professionals delivered by Osgoode Professional Development within Osgoode Hall Law School.

With minor details to be addressed in collaboration with the program, I confirm that the implementation of the proposed requirements has been reviewed and are within capacity.

Regards,

Carol Altilia, University Registrar