

January 10, 2022

THE SIX-MINUTE CRIMINAL COURT JUDGE 2022



Chair: **The Honourable Justice Bruce Durno**, *Superior Court of Justice*

January 22, 2022

9:00 a.m. to 1:00 p.m.

CPD = 3 h Substantive + 1 h Professionalism ^P

Law Society of Ontario

SKU CLE22-00103

Agenda

9:00 a.m. – 9:02 a.m.


Welcome and Opening Remarks

The Honourable Justice Bruce Durno
Superior Court of Justice

9:02 a.m. – 9:09 a.m.

**Making and Responding to Ineffective Assistance of
Counsel Allegations (7 min ^P)**

The Honourable Justice David Watt
Court of Appeal for Ontario

- 9:09 a.m. – 9:16 a.m.** **Section 276 (Other Sexual Activity Evidence) Applications**
- The Honourable Justice Michelle Fuerst
Superior Court of Justice
- 9:16 a.m. – 9:23 a.m.** **Third Party Records in the Possession of the Accused and Standing for the Witness’ Counsel**
- The Honourable Justice Anne London-Weinstein
Superior Court of Justice
- 9:23 a.m. – 9:30 a.m.** **Search and Seizure**
- The Honourable Justice Michal Fairburn
Associate Chief Justice
Court of Appeal for Ontario
- 9:30 a.m. – 9:37 a.m.** **How to Argue an Appeal Using an Electronic Record**
- The Honourable Justice Gladys Pardu
Court of Appeal for Ontario
- 9:37 a.m. – 9:43 a.m.** **Question and Answer Session**
- 9:43 a.m. – 9:50 a.m.** **Character Evidence**
- The Honourable Justice David Paciocco
Court of Appeal for Ontario
- 9:50 a.m. – 9:57 a.m.** **Jury Selection after *Chouhan*: *Chouhan*, Procedure and Sub-Conscious Bias (7 min **)
- The Honourable Justice Renee Pomerance
Superior Court of Justice

- 9:57 a.m. – 10:04 a.m.** **Jury Selection after *Chouhan*: The Scope of Challenges for Cause and the Stand Aside Provision**
- The Honourable Justice Michael Code
Superior Court of Justice
- 10:04 a.m. – 10:11 a.m.** **Advocacy Tips for Jury Trials (7 min ^P)**
- The Honourable Justice John McMahon
Superior Court of Justice
- 10:11 a.m. – 10:18 a.m.** **Tips for Jury Trials during the Covid Pandemic**
- The Honourable Justice Jennifer Woollcombe
Superior Court of Justice
- 10:18 a.m. – 10:25 a.m.** **Question and Answer Session**
- 10:25 a.m. – 10:32 a.m.** **Helpful Sentencing Submission for Offenders with Mental Health Issues (7 min ^P)**
- The Honourable Justice Richard Schneider
Ontario Court of Justice, Chair, Ontario Review Board
- 10:32 a.m. – 10:39 a.m.** **Sentencing Under the YCJA: Understanding the Differences between the Youth and Adult Sentencing Regimes**
- The Honourable Justice Andrea Tuck-Jackson
Ontario Court of Justice
- 10:39 a.m. – 10:46 a.m.** ***Downes* Mitigation and *Duncan* Credit Post *Marshall***
- The Honourable Justice Philip Downes, *Ontario Court of Justice*

10:46 a.m. – 10:53 a.m.	Sentencing after <i>Morris</i> The Honourable Justice Nancy Dawson <i>Ontario Court of Justice</i>
10:53 a.m. – 11:00 a.m.	Preparation and Use of Casebooks During Submissions (7min P) The Honourable Justice Joseph Di Luca <i>Superior Court of Justice</i>
11:00 a.m. – 11:07 a.m.	Question and Answer Period
11:07 a.m. – 11:17 a.m.	Break
11:17 a.m. – 11:24 a.m.	Effective Cross-Examination of the Lying Witness (7 min P) The Honourable Justice Rita Maxwell <i>Superior Court of Justice</i>
11:24 a.m. – 11:31 a.m.	Effective Cross-Examination of the Honest Witness (7 min P) The Honourable Justice Iona Jaffe, <i>Ontario Court of Justice</i>
11:31 a.m. – 11:38 a.m.	Cross-Examining on Prior Inconsistent Statements The Honourable Justice Vanessa Christie <i>Superior Court of Justice</i>
11:38 a.m. – 11:45 a.m.	Tips on Appellate Advocacy (7 min P) The Honourable Justice Gillian Roberts <i>Superior Court of Justice</i>

11:45 a.m. – 11:52 a.m.	Good Advocacy on Zoom (7 min^P) The Honourable Justice Mara Greene <i>Ontario Court of Justice</i>
11:52 a.m. – 11:58 a.m.	Question and Answer Period
11:58 a.m. – 12:05 p.m.	Provocation The Honourable Justice Steven Coroza <i>Court of Appeal for Ontario</i>
12:05 p.m. – 12:12 p.m.	Duress The Honourable Justice Nancy Dennison <i>Superior Court of Justice</i>
12:12 p.m. – 12:19 p.m.	Self-Defence The Honourable Justice Moiz Rahman <i>Ontario Court of Justice</i>
12:19 p.m. – 12:26 p.m.	Post-Offence Conduct The Honourable Justice Andras Schreck <i>Superior Court of Justice</i>
12:26 p.m. – 12:33 p.m.	Effective Pre-Trial Conferences The Honourable Justice Vincenzo Rondinelli <i>Ontario Court of Justice</i>
12:33 p.m. – 12:40 p.m.	Question and Answer Period

12:40 p.m. – 12:47 p.m. Document-based Advocacy in a Paperless World

The Honourable Justice Gregory Ellies
Superior Court of Justice (North Bay)

12:47 p.m. – 12:55 p.m. Pre-Trial Incarceration and Bail

The Honourable Justice David E. Harris
Superior Court of Justice

12:55 p.m. – 1:00 p.m. Question and Answer Period

1:00 p.m. Program Ends