



## THE SIX-MINUTE CRIMINAL LAWYER 2019

Chairs: **The Honourable Michael Tulloch**, *Court of Appeal for Ontario*

**The Honourable Janet Leiper**, *Superior Court of Justice*

**Robin Flumerfelt**, Counsel, Criminal Law Division,  
*Ministry of the Attorney General*

**April 13, 2019**

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

**CPD Hours = 3 h + 30 m Substantive + 30 m Professionalism **

**Donald Lamont Learning Centre  
Law Society of Ontario  
130 Queen St. W.  
Toronto, ON**

**SKU CLE19-00404**

### **Agenda**





**9:00 a.m. – 9:05 a.m.**

#### **Welcome and Opening Remarks**



The Honourable Michael Tulloch  
*Court of Appeal for Ontario*

The Honourable Janet Leiper  
*Superior Court of Justice*

Robin Flumerfelt, Counsel, Criminal Law Division,  
*Ministry of the Attorney General*

- 9:05 a.m. – 9:13 a.m.**      **Expert Evidence and Bias / Disclosure of Draft Reports:  
*R. v. Natsis***
- Luke Schwalm, Crown Counsel, Crown Law Office -  
Criminal, Criminal Law Division, *Ministry of the Attorney  
General*
- 9:13 a.m. – 9:19 a.m.**      **Defence Issues on Cross-Examination, What the Defence  
Can and Cannot Do (6 min )**
- Brian Greenspan, C.S., LL.D., *Greenspan Humphrey  
Weinstein*
- 9:19 a.m. – 9:25 a.m.**      **Crown Issues on Cross-Examination, What the Crown Can  
and Cannot Do (6 min )**
- Jill Cameron, Crown Counsel, Crown Law Office - Criminal,  
Criminal Law Division, *Ministry of the Attorney General*
- 9:25 a.m. – 9:33 a.m.**      **Disclosure Requests on the Eve of Trial**
- The Honourable Suhail Akhtar, *Superior Court of Justice*
- 9:33 a.m. – 9:43 a.m.**      **Question and Answer Session**
- 9:43 a.m. – 9:51 a.m.**      **Considerations in the Application of s. 278 of the *Criminal  
Code***
- The Honourable Mara Greene, *Ontario Court of Justice*
- 9:51 a.m. – 9:59 a.m.**      **Representation of Third Parties**
- Dawne Way, Barrister and Solicitor

- 9:59 a.m. – 10:07 a.m.**      **Residual Mouth Alcohol and Reasonable and Probable Grounds, *R. v. Notaro***
- Kevin Rawluk, Crown Counsel, Crown Law Office – Criminal, Criminal Law Division, *Ministry of the Attorney General*
- 10:07 a.m. – 10:15 a.m.**      **Update on HIV Prosecutions**
- Daniel Brown, C.S., *Daniel Brown Law LLP*
- 10:15 a.m. – 10:25 a.m.**      **Question and Answer Session**
- 10:25 a.m. – 10:45 a.m.**      **Coffee and Networking Break**
- 10:45 a.m. – 10:53 a.m.**      **The Rule in *Browne v Dunn (R v Vassel)***
- Karen Papadopoulos, Crown Counsel, Crown Law Office - Criminal, Criminal Law Division, *Ministry of the Attorney General*
- 10:53 a.m. – 10:59 a.m.**      **Best Practices for the New Ontario Court of Justice Pretrial (6 min 🕒)**
- The Honourable Rita-Jean Maxwell  
*Ontario Court of Justice*
- 10:59 a.m. – 11:07 a.m.**      **Update on Bill C-75**
- Michael Lacy, *Brauti Thorning Zibarras LLP*
- 11:07 a.m. – 11:15 a.m.**      **Fact or opinion? *R v. Ajise***
- Lisa Dufraimont, Associate Professor,  
Osgoode Hall Law School, *York University*

- 11:15 a.m. – 11:25 a.m.**      **Question and Answer Session**
- 11:25 a.m. – 11:33 a.m.**      **Availability of Certiorari for Interlocutory Rulings:  
*R. v. Awashish***
- Milan Rupic, Crown Counsel, Crown Law Office – Criminal,  
Criminal Law Division, *Ministry of the Attorney General*
- 11:33 a.m. – 11:41 a.m.**      **Immigration Consequences of Criminal Convictions**
- Henry Chang, *Dentons Canada LLP*
- 11:41 a.m. – 11:47 a.m.**      **Top 10 Advocacy Tips (6 min )**
- The Honourable Moiz Rahman  
*Ontario Court of Justice*
- 11:47 a.m. – 11:55 a.m.**      **Sentencing Principles: Top Three Cases of 2018**
- Tanya Kranjc, Assistant Crown Attorney,  
Firearm Bail Initiative Team, Toronto Region,  
*Ministry of the Attorney General*
- 11:55 a.m. – 12:01 p.m.**      **Incivility (6 min )**
- Frank Addario, *Addario Law Group LLP*
- 12:01 p.m. – 12:11 p.m.**      **Question and Answer Session**
- 12:11 p.m. – 12:19 p.m.**      **The Collateral Fact Rule (*R. v. AC*)**
- Lisa Joyal, Crown Counsel, Crown Law Office – Criminal,  
Criminal Law Division, *Ministry of the Attorney General*

<b>12:19 p.m. – 12:27 p.m.</b>	<b>Alpha and Omega: Two Jury Practice Questions</b>  The Honourable Irving Andre, <i>Superior Court of Justice</i>
<b>12:27 p.m. – 12:35 p.m.</b>	<b>Significant Threat Cases - Ontario Review Board</b>  Michael Davies, <i>Davies Barristers</i>
<b>12:35 p.m. – 12:43 p.m.</b>	<b>Impairment by Marijuana</b>  Michelle Johal, Barrister & Solicitor
<b>12:43 p.m. – 12:51 p.m.</b>	<b>Drunkenness as a Defence to Refuse</b>  Carol Shirtliff-Hinds <i>Shirtliff-Hinds Professional Corporation</i>
<b>12:51 p.m. – 1:00 p.m.</b>	<b>Question and Answer Session</b>
<b>1:00 p.m.</b>	<b>Program Ends</b>