



THE SIX-MINUTE CRIMINAL LAWYER 2018

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

Robin Flumerfelt, *Ministry of the Attorney General*

Janet Leiper, C.S., Barrister & Solicitor

April 14, 2018

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 CLE18-00403



Agenda

9:00 a.m. – 9:05 a.m.

Welcome and Opening Remarks

The Honourable Michael Tulloch
Court of Appeal for Ontario

Robin Flumerfelt, *Ministry of the Attorney General*

Janet Leiper, C.S., Barrister & Solicitor

9:05 a.m. – 9:13 a.m.	Bail Pending Appeal Alan Gold, C.S., <i>Alan D. Gold Professional Corporation</i>
9:13 a.m. – 9:21 a.m.	Other Developments in Bail, including Crown Policies – R. v. Antic Amber Pashuk, <i>Public Prosecution Service of Canada</i>
9:21 a.m. – 9:29 a.m.	Discretionary Publication Bans in Criminal Matters The Honourable Ian Nordheimer <i>Court of Appeal for Ontario</i>
9:29 a.m. – 9:37 a.m.	Informer Privilege – R. v. Durham Regional Crime Stoppers Inc. Mabel Lai, Crown Counsel, Crown Law Office – Criminal, Criminal Division, <i>Ministry of the Attorney General</i>
9:37 a.m. – 9:45 a.m.	Question and Answer Session
9:45 a.m. – 9:53 a.m.	The Importance of Understanding Treaties in the Criminal Law Context  Lou Strezos, Barrister & Solicitor
9:53 a.m. – 10:01 a.m.	Relationship of <i>Criminal Code</i> to Integrity in Government – R. v. Carson Roger Shallow, Crown Counsel, Crown Law Office – Criminal, Criminal Division, <i>Ministry of the Attorney General</i>

10:01 a.m. – 10:09 a.m.	Update on Investigative Detention The Honourable James Stribopoulos <i>Ontario Court of Justice</i>
10:09 a.m. – 10:17 a.m.	Guilty Pleas – When are they Vulnerable to Appeal? Gillian Roberts, Crown Law Office – Criminal <i>Ministry of the Attorney General</i>
10:17 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. – 10:52 a.m.	Border Searches and the Duty of Confidentiality  Robin Parker, Barrister & Solicitor
10:52 a.m. – 11:00 a.m.	Reasonable Expectation of Privacy post-<i>Spencer</i>, <i>Marakah/Jones</i> David Schermbrucker, <i>Atlantic Regional Office</i> <i>Department of Justice</i>
11:00 a.m. – 11:08 p.m.	When can Judges fix things? <i>Functus officio v. nunc pro tunc</i> The Honourable Steve Coroza, <i>Superior Court of Justice</i>
11:07 a.m. – 11:15 p.m.	Can Crown rely on Evidentiary Presumptions where no Reasonable Grounds for Breath Demand - <i>R v. Alex</i> James Palangio, <i>Crown Law Office – Criminal</i> <i>Ministry of the Attorney General</i>

11:15 a.m. – 11:25 a.m.	Question and Answer Session
11:25 a.m. – 11:33 p.m.	Parity in Sentencing - <i>R v. O’Loughlin, R v. Innis</i> Alana Page, Barrister & Solicitor
11:33 a.m. – 11:41 p.m.	Mr. Big - Is it still a Legitimate Technique after <i>Hart</i>? Joan Barrett, Crown Law Office – Criminal <i>Ministry of the Attorney General</i>
11:41 a.m. – 11:48 p.m.	Civility in the Profession  The Honourable Nyron Dwyer, <i>Ontario Court of Justice</i>
11:48 a.m. – 11:56 p.m.	Role of Confessions Rule in Charter <i>voir dres</i> - <i>R v. Paterson</i> Carol Shirtliff-Hinds, <i>Shirtliff-Hinds Professional Corporation</i>
11:56 a.m. – 12:04 p.m.	What are the Limits on Crown Advocacy?  Howard Leibovich, Director, Crown Law Office – Criminal <i>Ministry of the Attorney General</i>
12:04 p.m. – 12:13 p.m.	Question and Answer Session
12:13 p.m. – 12:21 p.m.	Should Client Speak to Police upon Arrest? James Lockyer, <i>Lockyer Campbell Posner LLP</i>

12:21 p.m. – 12:29 p.m.	Dangers of Admitting Digital Records into Evidence The Honourable Peter Bawden, <i>Superior Court of Justice</i>
12:29 p.m. – 12:37 p.m.	Hearsay and the Use of Prior Consistent Statements – <i>R. v. Khan</i> Nader Hasan, <i>Stockwoods LLP</i>
12:45 p.m. – 12:53 p.m.	Threshold Reliability of Hearsay Statements – <i>R. v. Bradshaw</i> Brian Greenspan, C.S., <i>Greenspan Humphrey Weinstein LLP</i>
12:53 a.m. – 1:00 p.m.	Question and Answer Session
1:00 p.m.	Program Ends