



Dean's Forum moves ahead with key recommendations

By Sarah Trefiak

Since 2013, the Dean's Forum on Dispute Resolution and Access to Justice has been on a mission to research, consult and discuss solutions to access to justice barriers in Saskatchewan. Now, some of those solutions are becoming one step closer to reality.

Following the last Dean's Forum in 2015, the Saskatchewan Access to Justice working group and the position of an access to justice co-ordinator were established. Both initiatives were encouraged by the Dean's Forum participants and Justice Thomas Cromwell in the *National Action Committee Report on Access to Justice in Civil and Family Matters (2013)*.

Brea Lowenberger was hired as the access to justice co-ordinator for the Saskatchewan Access to Justice working group on Oct. 1, 2015, with support from the Law Foundation of Saskatchewan and the College of Law. Since that time, she has been supporting the creation of the working group and the

implementation of and evolution of Dean's Forum topics. She has also spent considerable time connecting with justice community stakeholders, students and faculty, and the community at large on initiatives that promote justice reform and access to justice.

"It is exciting to start to bring this position and the working group 'to life,'" Lowenberger said. "It is a privilege to collaborate with the various stakeholders, and to now be called upon by stakeholders to assist with implementing new initiatives, which will help reduce barriers to access to justice for Saskatchewan residents."

When Lowenberger reflects on the amount of work she has done so far, and the incredible amount of work there is to do, she is encouraged by the collaborative approach and commitment of stakeholders to the topic, indicating "the structure that has been built with the Dean's Forum is commended and admired by other jurisdictions, and we have a real opportunity to continue to be champions of change in Saskatchewan."

The working group consists of a broad range of approximately 20 individuals, including participants from the public, government, the bench, the bar, academia, the legal profession and related service providers interested in furthering access to justice initiatives in Saskatchewan. Their first meeting was held on Jan. 5, 2016 and they plan to meet twice per year.

While the working group and access to justice co-ordinator position were being created, students at the College of Law were also carrying out research through Professor Sarah Buhler's access to justice seminar and intensive clinical law seminar classes.

Together, each of these projects created a strong platform for the most recent (and fourth annual) meeting of the Dean's Forum on Dispute Resolution and Access to Justice held at the College of Law on Feb. 29, 2016.

The day began with students enrolled in the Dean's Forum course presenting their research findings to the forum, which included more than two dozen justice system stakeholders from across the province. In the afternoon, participants broke out in smaller groups to engage in an in-depth discussion on the topics presented.

Two major themes emerged from the day's discussions. First, the forum participants recognized and embraced the idea of "Putting the Public First" through innovative and creative practices. There was great interest in ongoing research in this area that might focus on developing a provincial strategy for public engagement with the justice system based on existing best practices. The importance of services and programming that are accessible and consider the needs of the public, reciprocal learning, increased data collection, and the need for reconciliation between the justice system and Aboriginal communities, were also recognized.

The second theme emerging from the day was "Addressing Access to Justice in the Saskatchewan Court of Queen's Bench." Participants discussed the possibility of earlier and more active judicial intervention, further engaging lawyers in utilizing the simplified rules of court, streamlining matters early in the court process through triage or otherwise, and ways of gathering statistical



Front row (l to r): Dean's Forum Instructor and Access to Justice Coordinator Brea Lowenberger, Janelle Souter, Julia Quigley, College of Law Interim Dean Beth Bilson, Kelsey Corrigan. Back row (l to r): Lorne Fagnan, Graham Sharpe, Saskatchewan Deputy Minister of Justice and Attorney General Kevin Fenwick, Sarah Nordin.



data about matters in the Court of Queen's Bench.

Throughout the day, participants expressed overwhelming support for endeavours aimed at collecting and analyzing data about current access to justice practices, as well as measuring the success of future initiatives.

"There is so much work yet to be done" said Beth Bilson, interim dean of the College of Law. "While the creation of the access to justice co-ordinator position has given the forum a tremendous boost, the creation of an access to justice research centre is the next step."

And that next step is closer to becoming reality.

Lowenberger has supported the development of a centre steering committee at the College of Law whose members are collectively putting together a proposal for an access to justice research centre that would be housed at the College of Law and be used as a neutral site to gather and analyze data that could help in implementing further access to justice initiatives.

The College of Law is considering various options for funding the creation of the centre and the proposal for the centre still needs to be presented to a number of committees, including University Council, but if approved, it would provide a unique opportunity to continue the work of the Dean's Forum through concentrated faculty and graduate student research efforts.



The Hon. Chief Judge Plemel (left) speaks with the Hon. Justice Barrington-Foote during the Dean's Forum meeting.



The Hon. Ralph Goodale, PC, was the keynote speaker for the event.

Conference spotlight on human rights

On Feb. 26, Anne-Marie Cotter, the H. Robert Arscott Law Foundation of Saskatchewan Chair, hosted the International Human Rights Law Conference. The event was attended by roughly 100 people, including Chief Justice Plemel of the Provincial Court of Saskatchewan and Chief Judge Arnot of the Saskatchewan Human Rights Commission.

The conference centered around four panels of leading experts in the field of human rights discussing cutting-edge issues.

The first panel looked at the concept of human rights in general, from the perspective of three international human rights organizations. Guest speakers were: Alex Neve, secretary general of Amnesty International Canada; Marvin M. Bernstein, chief policy advisor at UNICEF Canada; and Anderson Joyce, a retired lawyer discussing his experience with Cuso International in Myanmar.

The second panel was part of the Mckercher Lecture Series and looked at the human rights area of disability law and the sub-areas

of special education law and disability law as it related to employment issues and the ability or inability to work. Guest speakers included Sonja Kerr, national director of impact litigation for Cuddy Law Firm and Anne-Marie Cotter, Law Foundation of Saskatchewan chair.

The college was delighted to welcome the Honourable Ralph Goodale, PC, as the keynote speaker. During his address, Goodale discussed his role as Minister of Public Safety and Emergency Preparedness as it relates to human rights law and answered questions from the audience.

During the first afternoon session, panelists looked at the timely issues of race relations in the United States and the refugee crisis in Europe. Anthony Moore, a barrister from Dublin, spoke via satellite on the migrant crisis in Europe, as well as his experience representing clients in the superior courts in Ireland and in the Court of Justice of the European Union. Professor Josephine Ross from the Howard University School of Law, explored the tension between the way constitutional rights appear in court decisions and how they play out in the streets, in particular the connection between stop-and-frisk and other pressing criminal