



The Honourable Rosalie Silberman Abella

A LIFE OF FIRSTS

A Celebration of a Remarkable Career and Legacy

In Person in Ottawa and Online
(Live Streaming)
May 12–13, 2022

Justice Abella was appointed to the Supreme Court of Canada in 2004, the first Jewish woman appointed to Canada’s top court. Her remarkable life has been a series of firsts. Born in a displaced persons camp in Stuttgart, Germany, she had a storied career before joining Canada’s top court - as a practicing lawyer, a family court judge (the first pregnant person and first refugee appointed to the judiciary in Canada), law reformer (Chair of the Ontario Law Reform Commission), labour adjudicator (Chair of the Ontario Labour Relations Board), law professor (McGill Faculty of Law), appeal court justice and commission of inquiry head (her 1984 federal Royal Commission on Equality in Employment created the term and concept of “employment equity.”) She was elected to the Royal Society of Canada in 1997, to the American Academy of Arts and Sciences in 2007, and to the American Philosophical Society in 2018 and in 2020, she was awarded the Knight Commander’s Cross of the Order of Merit by the President of Germany. She is a graduate of the Royal Conservatory of Music, has judged the Giller Literary Prize, moderated a Prime Ministerial Leader’s Debate and spellbound audiences around the globe with her oratory. She has left her imprint on the Supreme Court of Canada and on the law in Canada and around the world.

Registration: <https://ciaj-icaj.ca/en/upcoming-programs/justice-rosalie-abella-conference-2022/>

NOTE: *Participants may choose to attend in person at the Delta Hotels Ottawa City Centre or online. The number of participants admitted on site will depend on public health measures. See full note on page 2.*

- Participation in this conference is approved under Section 41 (1) of the Judges Act.

CO-CHAIRS

Stephen Bindman
Visiting Fellow and Part-Time Professor
uOttawa Faculty of Law

Gerald Chan
Partner
Stockwoods LLP

Vanessa MacDonnell
Associate Professor, uOttawa Faculty of Law
Co-Director, uOttawa Public Law Centre



The Advocates' Society
La Société des plaideurs

SCHEDULE ACCORDING TO DIFFERENT TIME ZONES IN CANADA

PDT: 6 am–1:30 pm **MDT:** 7 am–2:30 pm **MST:** 8 am–3:30 pm **CDT:** 8 am–3:30 pm **EDT:** 9 am–4:30 pm
ADT: 10 am–5:30 pm **NDT:** 10:30 am–6:00 pm

IMPORTANT NOTE: Participants may choose to attend in person at the Delta Hotels Ottawa City Centre or online (live streaming). The number of participants admitted on site will depend on public health measures. If in-person attendance is limited, priority will be given to the first registrants. The program is set on Eastern Time.

CONFERENCE & BANQUET

Delta Hotels by Marriott Ottawa City Centre

101 Lyon Street North
Ottawa, ON K1R 5T9

WELCOME RECEPTION

National Gallery of Canada

380 Sussex Drive
Ottawa, ON K1N 9N4

Thank you to our Conference Partners:



STOCKWOODS
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DAY 1 | WEDNESDAY, MAY 11, 2022 – Eastern Time Zone

6:30 – 8:30 pm **WELCOME RECEPTION & ART EXHIBIT – NATIONAL GALLERY OF CANADA**

DAY 2 | THURSDAY, MAY 12, 2022 – Eastern Time Zone

8:00 – 8:45 am **REGISTRATION AND BREAKFAST – INTERNATIONAL BALLROOM A-B
LOG IN & ONLINE PROGRAM SET UP**

8:45 – 9:30 am **WELCOME REMARKS**

**Program Co-Chairs*

***Stephen Bindman**, Visiting Fellow and Part-Time Professor, Faculty of Law,
University of Ottawa

***Gerald Chan**, Partner, Stockwoods LLP

***Vanessa MacDonnell**, Associate Professor, Faculty of Law, University of Ottawa
and Co-Director of the uOttawa Public Law Centre

Elder Claudette Commanda, Special Advisor to the Dean on Reconciliation,
University of Ottawa

Jacques Frémont, President and Vice-Chancellor, University of Ottawa

Chad Gaffield, President 2017 – 2019, Royal Society of Canada

9:30 – 10:30 am **SESSION ONE | International Impact**

This panel will feature judges and scholars from around the world, speaking to Justice Abella's impact

Panel Chair

Vanessa MacDonnell, Associate Professor, Faculty of Law, University of Ottawa
and Co-Director of the uOttawa Public Law Centre

Speakers

Justice Albie Sachs, Founding Justice of the Constitutional Court of South Africa

Harold Hongju Koh, Sterling Professor of International Law, Yale Law School

Justice Luís Roberto Barroso, Supreme Federal Court of Brazil

Justice Dorit Beinisch, Ninth President of the Supreme Court of Israel

10:30 – 11:00 am **BREAK**

11:00 – 12:15 pm **SESSION TWO | Influences**

This session will explore some of the non-legal influences on Justice Abella's life and career

Panel Chair

Ewa Krajewska, Partner, Henein Hutchison LLP

Speakers

Mary Liston, Associate Professor, Peter A. Allard School of Law, University of
British Columbia

Reading Judges, Reading Law: The Law and Humanities Legacy of Justice Abella

Adrian Fung, Executive & Artistic Director, Music in the Morning
The Creative Edge of Justice Abella

Charles Pachter, Artist
Art and Justice Abella

Bernie Farber, Human Rights Consultant
Judaism and Justice Abella

Jamie Liew, Associate Professor, Director of the Institute of Feminist and Gender
Studies, University of Ottawa

12:15 – 1:45 pm **LUNCH**

1:15 pm **KEYNOTE ADDRESS | The Life and Legacy of Justice Abella**
The Honourable Irwin Cotler, PC , OC, OQ, Founder and Chair, Raoul Wallenberg Centre for Human Rights

1:45 – 3:15 pm **SESSION THREE | Early Career**

This session will discuss Justice Abella's career contributions before she became a Justice of the Supreme Court of Canada

Panel Chair **Marie-Eve Sylvestre**, Dean and Full Professor, Faculty of Law, University of Ottawa

Speakers **Eric Adams**, Vice Dean and Professor, University of Alberta, Faculty of Law
Before the Beginning, After the End: Justice Abella's Overture

Vanessa Gruben, Associate Professor, Faculty of Law, University of Ottawa
The Early Years: Reflections on Justice Abella's Legacy as a Family Court Judge

David Lepofsky, CM, Visiting Professor of Disability Rights and Legal Education, Osgoode Hall Law School, York University
Justice Abella the Law Reformer

Michael Stein, Founder and Executive Director, Harvard Law School Project on Disability

David Baker, Principal, Bakerlaw
Justice Abella and the Championing of the Rights of Persons with Disability

Adelle Blackett, Full Professor & Canada Research Chair (Tier 1) in Transnational Labour Law and Development, Faculty of Law, McGill University
Employment Equity: Looking Back to Move Forward

3:15 – 3:30 pm **BREAK**

3:30 – 4:45 pm **SESSION FOUR | Justice Abella & Women in the Legal Profession**

This session, sponsored by The Advocates' Society, will discuss Justice Abella's trailblazing career and its specific significance for women in the legal profession

Panel Chair **Deborah Palter**, Partner, Thornton Grout Finnigan LLP and President of The Advocates' Society

Speakers **Justice Andromache Karakatsanis**, Supreme Court of Canada

Sana Halwani, Partner, Lenczner Slaght LLP

Justice Freda Steel, Manitoba Court of Appeal

Rosalie Jukier, Full Professor and Associate Dean, Academic, Faculty of Law, McGill University

Linda Rothstein, Partner, Paliare Roland Rosenberg Rothstein LLP

Shantona Chaudhury, Partner, Pape Chaudhury LLP

6:30 – 9:30 pm **BANQUET DINNER**

Master of Ceremonies **Guy Pratte**, Partner, Borden Ladner Gervais LLP (BLG)

DAY 3 | FRIDAY, MAY 13, 2022 – Eastern Time Zone

8:00 – 9:00 am **BREAKFAST – LOG IN & ONLINE PROGRAM SET UP**

9:00 – 9:15 am **Justice Abella by the Numbers**

Speakers **Stephen Bindman**, Visiting Fellow and Part-Time Professor, Faculty of Law,
University of Ottawa

Keenan MacNeal, Student, Common Law program, University of Ottawa

9:15 – 10:35 am **SESSION FIVE | Justice Abella's Jurisprudence – Concurrent Sessions**

FIVE.A | ADMINISTRATIVE LAW - INTERNATIONAL BALLROOM A-B

Panel Chair & Speaker **Julie Baril**, Director of Legal Office, Tribunal administratif du Québec
La spécialisation des tribunaux administratifs : de la reconnaissance à la pratique

Speakers **Geneviève Cartier**, Full Professor, Faculty of Law, Université de Sherbrooke
The Promises and Challenges of Justice Rosalie Abella's Legacy in Administrative Law

Justice Lorne Sossin, Ontario Court of Appeal
Justice Abella's Enduring "Love" for Administrative Law and Administrative Justice

Joëlle Pastora Sala, Lawyer, Public Interest Law Centre
Assessing Justice Abella's Contribution to the Law of Systemic Discrimination in Canada

Paul Daly, University Research Chair in Administrative Law & Governance,
University of Ottawa
The Autonomy of Administration

FIVE.B | HUMAN RIGHTS AND INTERNATIONAL LAW - CAPITALE

Panel Chair **John Packer**, Director of the Human Rights Research and Education Centre,
University of Ottawa

Speakers **Martha Minow**, 300th Anniversary University Professor, Harvard Law School
Equality AND Equity

Fannie Lafontaine, Full Professor, Faculty of Law, Université Laval
La juge Abella et le droit international des droits de la personne en droit canadien

Mona Paré, Full Professor, Faculty of Law, University of Ottawa
Les droits (de la personne) de l'enfant : regard sur les notions de vulnérabilité et d'égalité dans la jurisprudence de la juge Abella

David Gill, Doctoral Student in Law, University of Victoria
Drawing the 'Ambits of Morality': Queering the Age of Consent from R v CM to R v Friesen

Yousuf Aftab, Director, Atelier Aftab
Dignity, Equality, and Innovation: Justice Abella's Legacy for Business & Human Rights

10:35 – 11:00 am **BREAK**

11:00 – 12:20 pm **SESSION SIX | Justice Abella's Jurisprudence – Concurrent Sessions**

SIX.A | CONSTITUTIONAL LAW - INTERNATIONAL BALLROOM A-B

- Panel Chair* **Adam Dodek**, Full Professor, Faculty of Law, University of Ottawa
- Speakers* **Howie Kislowicz**, Associate Professor, Faculty of Law, University of Calgary
Reaching to See Through Another's Eyes: Justice Abella's Religious Freedom Jurisprudence
- Jamie Cameron**, Professor Emerita, Osgoode Hall Law School, York University
Justice Abella's Conception of Freedom under Section 2 of the Charter
- Carissima Mathen**, Full Professor, Faculty of Law, University of Ottawa
The Criminal Law Jurisprudence of Rosalie Abella
- Han-Ru Zhou**, Associate Professor, Université de Montréal
The Various Shapes and Shades of Judicial Review
- Aimée Craft**, Research Chair, Nibi miinawaa aki inaakonigewin: Indigenous Governance in Relationship with Land and Water, University of Ottawa
The Pursuit of Reconciliation: Justice Abella's Contribution to Drawing back the Curtain on Canada's (Hi)storied Relationship with Indigenous Peoples
- Justice Alexander Pless**, Superior Court of Québec
Justice Abella and Constitutional Principle

SIX.B | LABOUR LAW - CAPITALE

- Panel Chair & Speaker* **Colleen Bauman**, Partner, Goldblatt Partners LLP
The Dignity of Work: Recognizing Worker Vulnerability and Inequality of Bargaining Power
- Speakers* **Charles Tremblay-Potvin**, Assistant Professor, Faculty of Law, Université Laval
Les suites de la « Commission Abella » au regard de l'élaboration du concept de « discrimination systémique » en contexte d'emploi
- Robin Basu**, General Counsel, Ontario Ministry of the Attorney General
Constitutionalizing Rationality: Themes in Justice Abella's Charter and Labour Jurisprudence
- Brian Langille**, Professor, Faculty of Law, University of Toronto
Speaking Rationality to Power
- Respondent* **Claire Mumme**, Associate Professor, Faculty of Law, University of Windsor

12:20 – 1:30 pm **LUNCH**

1:30 – 3:00 pm **SESSION SEVEN | Future Directions**

This panel will explore how Justice Abella's jurisprudence will continue to shape Canadian law into the future, identifying possible dissents that could become majorities and the like

Panel Chair **Errol Mendes**, Full Professor, Faculty of Law, University of Ottawa

Speakers **Gerald Chan**, Partner, Stockwoods LLP
Stemming the Tide of Technological Determinism

Andrew Bernstein, Partner, Torys LLP
Justice Abella's Technology Jurisprudence

Karen Eltis, Full Professor, Faculty of Law, University of Ottawa
L'accès à la justice et la dépendance sur l'infrastructure technologique privée en contexte de 'cyber pandémie'

Michael H. Morris, Senior General Counsel, Department of Justice, National Litigation Sector
An Impact That Cannot Be Undone: Justice Abella and Administrative Law

Rosemary Cairns-Way, Full Professor, Faculty of Law, University of Ottawa
Future Directions: The Legacy of Justice Abella's Vision of Equality

Sara Ghebremusse, Assistant Professor, Peter A. Allard School of Law, University of British Columbia
Expanding the Boundaries of International Law in Canada: The Legacy of Justice Rosalie Abella

3:00 – 3:15 pm **BREAK**

3:15 – 4:30 pm **Fireside Chat between Justice Abella and Paul Wells**

Introductions
Justice Colleen Suche, Manitoba Court of Queen's Bench

4:30 – 4:45 pm **CLOSING REMARKS**

Program Co-Chairs **Stephen Bindman**, Visiting Fellow and Part-Time Professor, Faculty of Law, University of Ottawa

Gerald Chan, Partner, Stockwoods LLP

Vanessa MacDonnell, Associate Professor, Faculty of Law, University of Ottawa and Co-Director of the uOttawa Public Law Centre