

# CIAJ ICAJ

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of Justice

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de la justice

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## ANNUAL CONFERENCE

### PRIVACY IN THE AGE OF INFORMATION



October 15 - 17, 2014

The Sheraton Hotel  
Newfoundland

St. John's, Newfoundland & Labrador



# PRIVACY IN THE AGE OF INFORMATION

October 15 – 17, 2014

The Sheraton Hotel Newfoundland  
St. John's (NL)

*(Participation at this conference is approved under Section 41 (1) of the Judges Act according to Resolution 29 of the CJC and is accredited for 12 hours in provinces where CLE requirements for lawyers are mandatory)*

Surname:.....  
First Name:.....  
Title:.....  
Organization:.....  
Address:.....  
.....

Postal Code:..... E-Mail:.....

Telephone:.....Fax:.....

I am fluent in  English  French  both  
(simultaneous translation is provided throughout the conference)

## REGISTRATION FEE

**EARLY BIRD** - Until August 8, 2014

CIAJ members **\$795**  non members **\$895**  
 Students **\$75** (enrolled full-time at Canadian universities)

**REGULAR** - From August 9, 2014

CIAJ members **\$895**  non members **\$995**  
 Students **\$95** (enrolled full-time at Canadian universities)  
(Reception, breaks, luncheons, and conference material provided)

I WILL ATTEND

Wednesday, October 15, Reception  Yes  No

Thursday, October 16, Dinner (\$110 / per person)  Yes  No

I will be accompanied by guest(s)  Yes  No

Name of Guest/s.....

I wish to purchase.....tickets at **\$110** per person

Do you have any dietary restrictions?  Yes  No  
Which? .....

## PAYMENT BY:

Cheque  Invoice  Visa  MasterCard  AmEx

Account No.....Exp. Date.....

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**CANCELLATION FEE:** Requests for reimbursement must be submitted in writing to CIAJ at least 7 days prior to the event. An administrative fee of 10% will be withheld on cancellations submitted within 7 days prior to the event. Except as noted, fees will not be reimbursed. Another participant may be designated as substitute.

**ACCOMMODATION:** A block of rooms has been reserved at The Sheraton Hotel Newfoundland, 115 Cavendish Square, St John's, NL A1C 3K2: 1-709-726-4980, Reservations at 1-888-870-3033 \$199 single or double occupancy (taxes not included). Participants are required to make their own hotel reservations before September 14, 2014 to take advantage of this rate.

## TO REGISTER:

Please complete and return this form together with your payment:

### By mail:

Canadian Institute for the Administration of Justice  
PO Box 6128, Station "Centre Ville"  
3101 chemin de la Tour, Room A-3421  
Montreal, Quebec, H3C 3J7

### By fax :

514-343-6296

### By e-mail :

[ciaj@ciaj-icaj.ca](mailto:ciaj@ciaj-icaj.ca)

The Canadian Institute for the Administration of Justice (CIAJ) promotes excellence and leadership in the administration of justice through knowledge, learning and the exchange of ideas. The CIAJ offers education and research programs and provides a forum for everyone interested in the administration of justice.

## Are you a Member of the Canadian Institute for the Administration of Justice?

### Take out a membership now!

## Membership Categories and Fees

**Individual Member** **\$150**

Individual members active in their profession are entitled to access all the documentation available on CIAJ's website (conference and seminar papers and video-recordings among other benefits). (This membership fee is recoverable by federally-appointed judges under S. 27(1) of the Judges Act. It may also be possible for provincially-appointed judges and others to be reimbursed through professional allowances from their organizations.)

**Retired Person** **\$75**

Members retired from their profession have the same benefits as individual members.

**Student** **\$10**

Members enrolled as full-time students have the same benefits as individual members.

## I wish to join CIAJ

No  Yes (See category checked above)

Payment included with registration fee

Please invoice

I would like information about Institutional Membership

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As an alternative to annual membership dues, you may choose to become a contributor. You will be issued a tax receipt for a charitable donation (Registration number: 10686 1529 RR 0001).

Amount of donation: \$ \_\_\_\_\_

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For more information about CIAJ, how you can serve CIAJ, and members benefits, contact us at [ciaj@ciaj-icaj.ca](mailto:ciaj@ciaj-icaj.ca) or 514-343-6157 or visit our Website at: [www.ciaj-icaj.ca](http://www.ciaj-icaj.ca)

# PRIVACY IN THE AGE OF INFORMATION

Technology has changed the nature and amount of information available, with direct effects on personal privacy. There is a pressing need to examine the ways in which these changes are already affecting the criminal law, civil law, the courts, and administrative tribunals, and to begin to chart a principled path forward with respect to these issues. The changing nature of information, and the attendant effects on privacy, impose new challenges on courts, tribunals, and the administration of justice as a whole. Greater resources and greater capacity are required to manage and work with the increased volume and more technical nature of evidence, not only in document-intensive civil cases but across the full range of civil, criminal, and administrative matters. More importantly, courts and tribunals will be the forums in which the evolving law on information and privacy will be determined. Judges and administrative agency decision-makers will be the actors responsible for ensuring that both the state and private individuals are held appropriately accountable for their use of information, and that privacy interests are articulated and evolve appropriately.

## THE PLANNING COMMITTEE

### Chair:

**The Honourable J. Derek Green, Chief Justice**  
Newfoundland and Labrador, St. John's (NL)

### Associate Dean Michael Deturbide

Shulich School of Law, Dalhousie University, Halifax (NS)

### Judge Colin Flynn

Provincial Court of Newfoundland and Labrador, St. John's (NL)

### Justice Lois Hoegg

Newfoundland and Labrador Court of Appeal, St. John's (NL)

### Mr. Paul McDonald, Partner

Cox & Palmer, St. John's (NL)

### Ms. Beth Symes, LSM, CM

Symes Street & Millard LLP, Toronto (ON)

### Mr. Remzi Cej, Chair

Human Rights Commission of Newfoundland and Labrador, St. John's (NL)

### Justice Alphonsus (Fonse) E. Faour

Supreme Court of Newfoundland and Labrador, St. John's (NL)

### Judge Patrick Healy

Court of Quebec, Montreal (QC)

### Professor Nicolas Lambert

Faculty of Law, University of Moncton, Moncton (NB)

### Deputy Chief Bill Moore

Halifax Regional Police, Halifax (NS)

### Ms. Mandy Woodland

Mandy Woodland Law, St. John's (NL)

## PROGRAM

### WEDNESDAY, OCTOBER 15, 2014

6:00 PM – 8:00 PM **OPENING RECEPTION**  
Government House (50 Military Rd.)

### THURSDAY, OCTOBER 16, 2014

8:00 AM – 8:45 AM **BREAKFAST AND REGISTRATION**

8:45 AM – 9:00 AM **WELCOME REMARKS AND CONFERENCE OVERVIEW**

*Chair* **The Honourable J. Derek Green**,  
Chief Justice of Newfoundland and  
Labrador, St. John's (NL)

9:00 AM – 9:45 AM **KEYNOTE SPEAKER**

**Professor Ronald Deibert**, Munk  
School of Global Affairs, University  
of Toronto, Toronto (ON)

9:45 AM – 10:15 AM **2014 CHARLES D. GONTHIER  
FELLOWSHIP RECIPIENT**

**Professor Elaine Gibson**, Schulich  
School of Law, Dalhousie University,  
Halifax (NS)

10:15 AM – 10:30 AM **BREAK**

10:30 AM – 12:15 PM **PRIVACY OF HEALTH CARE  
INFORMATION**

*Moderator*

**Ms. Mandy Woodland**, Mandy  
Woodland Law, St. John's (NL)

*Panel*

**Ms. Robin Gould-Soil**, Chief Privacy  
Officer, University Health Network,  
Portsmouth, NH (USA)

**Ms. Elizabeth J. McIntyre**, Partner,  
Cavalluzzo Shilton McIntyre Cornish  
LLP, Toronto (ON)

**Dr. Daryl Pullman**, Professor of  
Medical Ethics, Division of Community  
Health and Humanities, Faculty of  
Medicine, Memorial University of  
Newfoundland, St. John's (NL)

12:15 PM – 12:30 PM **ANNUAL CIAJ MEMBERS  
MEETING**

12:15 PM – 1:30 PM **LUNCH**

«Competing Forces: Retention and Destruction of Personal  
Health Information in an Electronic World»

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1:30 PM – 3:15 PM **PRIVACY AND TECHNOLOGY**

*Moderator* **Associate Dean Michael Deturbide**,  
Schulich School of Law, Dalhousie  
University, Halifax (NS)

*Panel* **Amanda Coffield** CIPP, CIPP/C, North  
America Privacy Manager, Sales &  
Marketing Privacy Program, Global  
Marketing Operations, Microsoft  
Corporation, Redmond (WA) USA

**Mr. David Fraser**, Partner, McInnes  
Cooper, Halifax (NS)

**Professor Vincent Gautrais**, Director,  
CRDP, Faculty of Law, University of  
Montreal, Montreal (QC)

**Professor Wayne MacKay**, Schulich  
School of Law, Dalhousie University,  
Halifax (NS)

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3:15 PM – 3:30 PM **BREAK**

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3:30 PM – 5:00 PM **PRIVACY IN THE WORKPLACE**

*Moderator* **Mr. Paul McDonald**, Partner, Cox &  
Palmer, St. John's (NL)

*Panel* **Ms. Melanie Bueckert**, Legal Research  
Counsel, Manitoba Court of Appeal,  
Winnipeg (MB)

**Mr. Daniel Michaluk**, Counsel for  
CACE, Partner, Hicks Morley, Toronto  
(ON)

**Ms. Emma Phillips**, Sack Goldblatt  
Mitchell LLP, Toronto (ON)

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6:30 PM – 7:30 PM **RECEPTION**  
at the Sheraton Hotel

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7:30 PM **DINNER**  
at the Sheraton Hotel

*Entertainment* **Kelly Russell**

## FRIDAY, OCTOBER 17, 2014

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8:00 AM – 8:45 AM **BREAKFAST**

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8:45 AM – 10:30 AM **STATE ACCESS TO PRIVATE  
INFORMATION**

*Moderator* **Deputy Chief Bill Moore**, Halifax  
Regional Police, Halifax (NS)

*Panel* **Mr. Joseph J. Arvay, Q.C.**, Partner,  
Farris, Vaughan, Wills & Murphy LLP,  
Vancouver (BC)

**Dr. Shawna Coxon**, Staff  
Sergeant/Detective Sergeant at Toronto  
Police Service, Toronto (ON)

**Dr. Raymond Critch**, Department of  
Philosophy, Memorial University, St.  
John's (NL)

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10:30 AM – 10:45 AM **BREAK**

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10:45 AM – 12:15 PM **BREACH OF PRIVACY AND PRIVATE  
LAW**

*Moderator* **The Honourable Justice Robert  
Sharpe**, Court of Appeal for Ontario,  
Toronto (ON)

*Panel* **The Honourable Justice Russell  
Brown**, Alberta Court of Appeal,  
Edmonton (AB)

**Dr. Alex Cameron**, Partner, Fasken  
Martineau Dumoulin LLP, Toronto (ON)

**Professor Pierre Trudel**, Faculty of Law,  
University of Montreal, Montreal (QC)

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12:15 PM – 1:30 PM **LUNCH**

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1:30 PM – 2:45 PM **CURRENT HOT TOPICS**

*Moderator* **Professor Nicolas Lambert**, Faculty  
of Law, University of Moncton, Moncton  
(NB)

*Panel* **Mr. David Fraser**, Partner, McInnes  
Cooper, Halifax (NS)

**Professor Elaine Gibson**, Schulich  
School of Law, Dalhousie University,  
Halifax (NS)

**Ms. Patricia Kosseim**, General  
Counsel, Legal Services, Policy and  
Parliamentary Affairs, Policy and  
Research, Office of the Privacy  
Commissioner of Canada, Ottawa, ON

**Ms. Micheal Vonn**, Policy Director,  
British Columbia Civil Liberties  
Association, Vancouver (BC)

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2:45 PM – 3:00 PM **BREAK**

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3:00 PM – 4:30 PM **WHAT 'S LEFT OF PRIVACY : THE  
FUTURE OF PRIVACY ?**

*Moderator* **Justice Alphonsus (Fonse) E. Faour**,  
Supreme Court of Newfoundland and  
Labrador, St. John's (NL)

*Panel* **Dr. Chris Hunt**, Faculty of Law,  
Thompson Rivers University, Kamloops  
(BC)

**Dr. Avner Levin**, Director of the Privacy  
and Cyber Crime Institute, Ryerson  
University, Toronto (ON)

**Ms. Jennifer Stoddart**, former Privacy  
Commissioner of Canada, Montreal (QC)

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4:30 PM – 4:45 PM **CLOSING REMARKS**

**PROGRAM SUBJECT TO CHANGE**