

LORNE M. SOSSIN

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ACADEMIC POSITIONS

- DEAN AND PROFESSOR (2010-)
Osgoode Hall Law School, York University
- PROFESSOR (2007-2010)
ASSOCIATE PROFESSOR (2002-2007)
ASSISTANT PROFESSOR (2002)
Faculty of Law, University of Toronto
- ASSISTANT PROFESSOR
Osgoode Hall Law School (1999-2001)
Department of Political Science, York University (1997- 2001)
- ADJUNCT PROFESSOR
University of Toronto, Faculty of Law (1996-98, 2000-2001), Osgoode Hall Law School (1997-1999), University of Toronto, Department of Political Science (1996-99)
- ASSISTANT PROFESSOR
Department of Political Science, University of Toronto (1995-96)
- ASSOCIATE IN LAW
Columbia University, School of Law (1993-95)

ACADEMIC ADMINISTRATIVE POSITIONS

- DEAN, Osgoode Hall Law School, York University
- ACADEMIC DIRECTOR, Centre for the Legal Profession, Faculty of Law, University of Toronto (2008-2010) (www.clp.utoronto.ca)
- ACTING DEAN, Faculty of Law, University of Toronto (2005); ASSOCIATE DEAN, Faculty of Law, University of Toronto (2004-2007)

COURSES TAUGHT (LAW)

Administrative Law; Advanced Public Law; Canadian Federalism; Civil Procedure; Constitutional Law; Social Justice, Human Rights & Jewish Law; Law and the Policy Process; Legal Ethics; Legal Process; Legal Process, Professionalism & Ethics; Public Law, Social Regulation and Poverty; Public Law in Comparative Perspective

COURSES TAUGHT (POLITICAL SCIENCE)

Canadian Constitutional Law; Canadian Public Administration; Canadian Political Economy; Comparative Political Economy; Democratic Administration; Judicial Administration; Public Law

ACADMIC COMMITTEES AND SERVICE

External

- Social Sciences and Humanities Research Council (SSHRC) Adjudication Committee: Law, Criminology and Socio-Legal Studies (2009-2010)
- Canadian Association of Law Teachers, National Executive (2003-2006)

University of Toronto (2002-2010)

- Senior Chair, Governing Council Academic Appeals Committee (2006-2010)
- Alternate Chair, Graduate Academic Appeals Board (2006-2010)
- Manuscript Review Committee, University of Toronto Press (2007-2010)
- University of Toronto Academic Board (2006-2008)
- University of Toronto Connaught Foundation, Social Science Review Panel (Member 2003-2004, Chair 2004-2006)

Faculty of Law, University of Toronto (2002-2010)

- Academic Standing Committee (Chair, 2007-2010)
- Mooting & Advocacy Committee (Chair, 2009-2010)
- Appointments Committee (2005-2010)
- Course Assignments Committee (2005 -2010)
- PTR Committee (2005-2010)
- Curriculum Committee (2003-2010)
- Pedagogy Working Group (Chair, 2006-2008)
- Co-Director, Combined JD/MSW Degree Program (2004-2005)
- Accessibility Committee (Chair 2004-2007, Co-Chair, Accessibility and Diversity Committee 2008-2009)
- Capstone Committee (Co-Chair, 2004-2005),

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- Ad-Hoc Committee on Appeals Policy (Chair, 2004-2005)
- Information Committee (Chair, 2003-2004, Member 2004 -2007)
- Student Affairs Committee (Member, 2004-2007)
- Asper Centre for Constitutional Rights, Advisory Committee (Member, 2008-)
- Downtown Legal Services Task Force (Chair, 2006-2007)

York University (1997-2001)

- Academic Planning & Policy Committee (Member 1999-2000, Chair, 2000-2001),
- Senate (Member, 2000-2001)
- Centre for Refugee Studies, Education Coordinator (1999-2001)

Osgoode Hall Law School (1997-2001)

- Part-Time LL.M. in Administrative Law, Osgoode Hall Law School, York University (Co-Director 2000-2006)
- Academic Standing and Petitions Committee (1999-2001)
- Graduate Studies Committee (1999-2001)
- Osgoode Hall Faculty Association Executive (elected) (1999-2001)
- Osgoode Hall Law Journal Advisory Board Member, 1999-2001

Department of Political Science (York) (1997-2001)

- Coordinator, Public Policy and Administration Program (1998-2000)
- Coordinator, Diploma in Democratic Administration (1998-2001)
- Promotion & Tenure Committee (1999-2001)

LEGAL & CONSULTING PRACTICE

- VICE CHAIR, Health Profession Appeal & Review Board (OIC Appointment) (2006 -)
- MEMBER, Health Services Appeal & Review Board (OIC Appointment 2009 -)
- CLOSED MEETING INVESTIGATOR, City of Toronto (statutory officer with powers to investigate complaints arising out of closed meetings held by City Council) (2007 -)

- INTERIM INTEGRITY COMMISSIONER, City of Toronto (statutory officer with powers to investigate and advise on all matters arising from Code of Conduct for members of City Council and members of City agencies, boards and commissions) (2008- 2009)
- VISITING SCHOLAR, Borden Ladner Gervais (2005-2007)
- RESEARCH DIRECTOR, Law Society of Upper Canada, Task Force on the Rule of Law and the Independence of the Bar (2005-2006) (coordinated and edited papers published as *Protecting the Public: The Report of the Law Society of Upper Canada's Task Force on the Rule of Law and the Independence of the Bar* (Toronto: Irwin, 2007)
- LEGAL ADVISOR & RESEARCHER FOR VARIOUS PUBLIC AND PRIVATE ENTITIES INCLUDING Department of Justice (Canada), Privy Council Office (Canada), Ministry of Citizenship & Immigration (Canada), Canadian Judicial Council, Ontario Energy Board, Ontario Securities Commission, Chief Forensic Pathologist for Ontario, Law Society of Upper Canada
- ASSOCIATE (PUBLIC LAW & COMMERCIAL LITIGATION)
Borden & Elliot, now Borden Ladner Gervais, LLP (1995-97)
- LAW CLERK
Chief Justice Antonio Lamer, Supreme Court of Canada (1992-93)

EDUCATION

- J.S.D. Columbia University, School of Law, 1999
- LL.M. Columbia University, School of Law, 1995
- Ph.D. University of Toronto, Political Science, 1993
- LL.B. Osgoode Hall Law School, York University, 1992
- M.A. University of Exeter (England), 1986
- B.A. McGill University, 1985

PROFESSIONAL QUALIFICATIONS

- Call to the Bar of Ontario (1996)

EXTERNAL BOARDS & COMMITTEES

- Canadian Institute for the Administration of Justice (2011-)
- Law Commission of Ontario (2010-)

- Chief Justice of Ontario Advisory Committee on Professionalism (2009 - 2011)
- Ontario Civil Justice Needs Assessment, Steering Committee (2009-2011)
- Premier’s Advisory Committee on Administrative Justice Reform (2008-2009)
- National Judicial Institute, Board Member (2007-)
- *Legal Ethics*, Editorial Board Member (2008-)
- Pro Bono Law Ontario, Board Member (2006 -2009), Vice-Chair (2007–2009)
- Law Foundation of Ontario, Trustee (2004 - 2010)
Class Proceedings Committee, Member (2007 - 2010)
- Law Society of Upper Canada, Tribunals Composition Task Force, Member (2005-2006)
- Canadian Organization for Development through Education (CODE) Foundation, Board Member (2005 - 2010)
- Canadian Institute for the Administration of Justice, Administrative Tribunals Committee, Executive Member (2003 - 2008)
- Ontario Justice Education Network, Board Member (2004-2009)
- Ontario Government, Democratic Renewal Advisory Board, Member (2004-2005)
- Income Security Advocacy Centre, Board Member (2003-2006)
- Regulatory Boards and Administrative Law Litigation Editorial Board Member (2000-)
- Ontario Bar Association – Administrative Law Section, Executive Member (1999-2008)

SELECTED VISITING FELLOWSHIPS, AWARDS & HONOURS

- 2010 SOAR Medal for Excellence in Administrative Justice
- 2010 Krinock Lecture
- 2010 Hail & Farewell Address, Convocation, University of Toronto, Faculty of Law
- 2009 Ontario Confederation of Universities Faculty Associations (OCUFA) Excellence in Teaching Award
- 2008 Rand Memorial Lecturer, University of New Brunswick
- 2008 Parsons Visitor, University of Sydney, Australia
- 2007 Visiting Professor, University of Haifa, Israel
- 2005 Hail & Farewell Address, Convocation, University of Toronto, Faculty of Law
- 2004 Alan Mewett Teaching Award, University of Toronto, Faculty of Law
- 2004 Hail and Farewell Address, Convocation, University of Toronto, Faculty of Law
- 2003 J.E. Hodgetts Award, Institute of Public Administration in Canada for English language article published in *Journal Canadian Public Administration*
- 2003 Alan Mewett Teaching Award, University of Toronto, Faculty of Law

DOCTORAL SUPERVISIONS

- Richard Haigh (Law – U of T) (2008 -) (Freedom of Conscience in Public Law)
- Susan Gratton (Law – U of T) (2010) (Admin Law Accountability & Social Welfare)
- Natalia Loukecheva (Law – U of T) (2004) (Institutions of Self-Government) (co-supervisor with Patrick Macklem)
- Jennifer Schulz (Law -U of T) (2005) (Popular Culture and Dispute Resolution)
- Heather McLeod-Kilmurray (Law - U of T) (2007) (Civil Procedure and Environmental Ethics)
- Gerald Heckman (Law - Osgoode) (2007) (International Administrative Law Norms)
- Charles Smith (Political Science – York) (2009) (Political Economy of Ontario Labour Relations Board)

SELECTED ACADEMIC GRANTS

- SSHRC Standard Research Grant (2009-2011) \$46,000.00 “Aboriginal Self-Government and the Reinvention of Canadian Administrative Law”
- CIHR Grant (2008-2009) \$15,000.00 “The Impact of Adjudicative Boards in the Health System”
- SSHRC Standard Research Grant (2004-2007) \$63,000.00 “Discretionary Justice, Public Trust and Social Welfare”
- SSHRC Standard Research Grant (2000-2003) \$56,000.00 (“Law of Public Administration in an Era of Restructuring”)
- Summer Research Assistant Fellowship “International Human Rights and Administrative Discretion” (2007) “Soft Law, Policy Guidelines and Discretionary Authority” (2002) \$7,500.00
- U. of T. Connaught New Faculty Matching Grant for “The Law of Legislative Action in Canada” (2002-2004)- \$10,000.00
- Law Commission of Canada, Legal Dimensions Grant (2000), \$3000.00 (“Law and Intimacy in the Bureaucrat-Citizen Relationship”)
- United Nations Office for Project Services: Contract, for Human Development Training Project, (2000) \$29,000 (with Professors Albo, Mukherjee-Reed and Kapoor)
- Social Science & Humanities Research Council Doctoral Fellowship (1994-95), \$12,000.00
- Canada-U.S. Fulbright Fellowship (1993-94), \$20,000.00

SELECTED PUBLICATIONS

Books & Dissertations

- *Middle Income Access to Justice* (Toronto: University of Toronto Press) (2012) (co-edited with Tony Duggan and Michael Trebilcock)
- *Administrative Law in Context* 2nd ed. (Toronto: Emond Montgomery, 2012) (co-edited with Colleen Flood) (first edition was in 2008)
- *Boundaries of Judicial Review: The Law of Justiciability in Canada, 2nd edition* (Toronto: Carswell, 2012) (first edition was in 1999)
- *The Future of Judicial Independence* (Toronto: Irwin Law, 2010) (co-edited with Adam Dodek)
- *Civil Litigation* (Toronto: Irwin, 2010) (co-authored with Janet Walker)
- *Parliament in Crisis* (Toronto: University of Toronto Press, 2009) (co-edited with Peter Russell)
- *Civil Litigation in Canada: Cases and Materials* 7th ed. (Toronto: Emond Montgomery, 2009) (ed. J. Walker) (one of several contributing editors) (updating contribution from *Civil Litigation in Canada: Cases and Materials* 7th ed. (Toronto: Emond Montgomery, 2005))
- *Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation* (Toronto: University of Toronto Press, 2006) (co-edited with Sujit Choudhry and Jean-Francois Gaudreault-Desbiens)
- *Access to Care, Access to Justice: The Legal Debate on Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (co-edited with Colleen Flood and Kent Roach)
- *Public Law* (Toronto: Carswell, 2002) (co-authored with Michael J. Bryant)
- *Barristers and Solicitors in Practice* (Toronto: Butterworths, looseleaf service 2001-2007) (co-general editor) (with Ken Lysyk 2001-2003, with Jeffrey Hoskins 2004-2007)
- *Salvaging the Welfare State: From Bureaucratic Engagement to Judicial Review* (J.S.D. Dissertation, Columbia University, 1999)
- *Revenue, Legitimacy & Ideology: The Politics of Canadian Tax Administration* (Ph.D.

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Dissertation, University of Toronto, 1993)

Articles & Book Chapters

- “Indigenous Self-Government and the Future of Administrative Law” (2012) 45 UBC L. Rev. 595-630
- “Administrative Justice and Innovation: Beyond the Adversarial/Inquisitorial Dichotomy” in L. Jacobs & S. Bagley (eds.), *The Nature of Inquisitorial Processes in Administrative Regimes: Global Perspectives* (Surrey: Ashgate, 2012) (with Samantha Green) (forthcoming)
- “Mootness, Ripeness and the Evolution of Justiciability” in T. Archibald & R. Echlin, *Annual Review of Civil Litigation 2012* (Toronto: Carswell, 2012), pp.66-104
- Administrative Justice & Adjudicative Ethics in Canada (2012) 25 C.J.A.L.P. 131-45
- “Ontario's Administrative Tribunal Clusters: A Glass Half-Full or Half-Empty for Administrative Justice” (2012) 12 Oxford Commonwealth Law Journal (with Jamie Baxter) (forthcoming)
- “In Search of Aboriginal Administrative Law” in Flood and Sossin, eds., *Administrative Law in Context 2nd* ed. (Toronto: Emond Montgomery, 2012) (with Janna Promislow) (forthcoming)
- “Should Legal Services be Unbundled?” in M. Trebilcock, A. Duggan & L.Sossin (eds.), *Middle Income Access to Justice* (Toronto: University of Toronto Press, 2012) (with Samreen Beg)
- “The Politics of Transparency and Independence before Administrative Boards” (2012) 75 Sask. L. Rev. 13-54 (with Charles Smith)
- “The Future of Administrative Law and Good Governance in Nigeria” (Abuja: Nigerian Institute for Advanced Legal Studies, 2011)

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- “Judges, Recusal and Bias” in H.P. Lee (ed.), *Judiciaries in Comparative Perspective* (Cambridge: Cambridge University Press, 2011)
- “International Civil Service Ethics, Professionalism and the Rule of Law” in Vesselin Popovski, ed., *Ethical Supports For Strengthening The International Rule of Law* (New York: UNU Press, 2012) (with Vasuda Sinha) (forthcoming)
- “Revisiting Class Actions Against the Crown: Balancing Public and Private Legal Accountability for Government Action” in J. Kalajdzic (ed.), *Accessing Justice* (Toronto: LexisNexis, 2011), pp.31-48
- “Reflections on the U.K. Tribunal Reform: A Canadian Perspective” (2011) 24 C.J.A.L.P. 17
- “The Puzzle of Independence for Administrative Bodies in the Common Law World: A Canadian Perspective” in *Comparative Administrative Law* (Susan Rose Ackerman and Peter Lindseth, eds.) (Edward Elgar Publishing, 2010) pp. 205-224; and “The Puzzle of Independence for Administrative Bodies” (2008) 26 National Journal of Constitutional Law 1-23
- “The Unfinished Project of *Roncarelli*: Justiciability, Discretion and the Limits of the Rule of Law” (2010) 55 McGill L.J., 661-688
- “Evaluating the Impact of Remedial Authority: Adjudicative Tribunals in the Health Sector” in K. Roach & R. Sharpe (eds.), *Taking Remedies Seriously* (Montreal: CIAJ, 2009) pp.521-548 (with Steven Hoffman)
- “Access to Justice and Beyond” (2010) 60 University of Toronto Law Journal (with Kent Roach) 373-396
- “The Elusive Search for Accountability: Evaluating Adjudicative Tribunals” (2010) 28 Windsor Yearbook of Access to Justice (with Steven Hoffman) 343-360
- “In Search of Coherence: The Charter and Administrative Law under the McLachlin Court” in A. Dodek and D. Wright (eds.), *Public Law at the McLachlin Court: The First Decade* (Toronto: Irwin, 2011) (with Susan Gratton), pp.145-64

- “The Promise of Procedural Justice” in A. Dodek and D. Wright (eds.), *Public Law at the McLachlin Court: The First Decade* (Toronto: Irwin, 2011), pp.55-76
- “The Duty to Consult and Accommodate: Procedural Justice as Aboriginal Rights” (2010) 23 *Canadian Journal of Administrative Law & Practice* 93-113
- Between the Judiciary and the Executive: The Elusive Search for a Credible and Effective Dispute Resolution Mechanism in A. Dodek and L. Sossin (eds.), *The Future of Judicial Independence* (Toronto: Irwin Law, 2010) pp. 63-96
- “Brief Introduction of the Puzzle of Discretion, A” (2009) 24 *Can JL & Soc* 301 (with Anna Pratt)
- Should Canada Have A Representative Supreme Court? SC Working Paper (2009) No. 7 Special Series on the Federal Dimensions of Reforming the Supreme Court of Canada (Institute of Intergovernmental Relations, School of Policy Studies, Queen’s University) <http://www.queensu.ca/iigr/working/SCC/SCCpapers/SossinFINAL.pdf>
- “Is Discretion the Last Refuge of Scoundrels? A Comment on *Criminal Lawyers’ Assn v. Ontario*” (2009) *Criminal Law Quarterly* (with Lisa Austin)
- The Ambivalence of Administrative Justice in Canada: Does Canada Need a Fourth Branch?” in *Lamer: The Sacred Fire*, eds. D. Jutras and A. Dodek (2009) 46 *Supreme Court Law Review* 51-75
- “God at Work: Religion in the Workplace and the Limits of Pluralism in Canada” (2009) 30 *Comparative Labour Law & Policy Journal* 485-506
- “When Silence Isn’t Golden: Constitutional Conventions, Constitutional Culture and the Governor General” in P. Russell and L. Sossin (eds.), *Parliament in Crisis* (Toronto: University of Toronto Press, 2009) 91-104
- “Professionalism and *Pro Bono*” in K. Tranter (ed.), *Re-Affirming Legal Ethics* (London: Routledge-Cavendish, 2009)

- “The Future of Administrative Justice” (2008) 21 *Canadian Journal of Administrative Law & Practice* 192-222 (co-edited as part of the Administrative Law Working Group)
- “Judicial Appointment, Democratic Aspiration and the Culture of Accountability” (2008) 58 *University of New Brunswick Law Journal* 11-43
- “The Public Interest, Professionalism, and *Pro Bono Publico*” (2008) 46 *Osgoode Hall Law Journal* 131-57
- “Bureaucratic Independence” in C. Dunn (ed.), *Oxford Handbook of Public Administration*, 2nd ed. (Toronto: Oxford, 2008)
- “Contextual Snakes and Ladders: Iacobucci’s Legacy and the Standard of Review in Administrative Law” (2007) *University of Toronto Law Journal* 581-606 (with Colleen Flood)
- “I Can See Clearly Now: Videoconference Hearings and the Legal Limit on how Tribunals Allocate Resources” (2007) *Windsor Yearbook of Access to Justice* 247-272 (with Zimra Yetnikoff)
- “Access to Administrative Justice” in Flood and Sossin, eds., *Administrative Law in Context* (Toronto: Emond Montgomery, 2008), 391-411
- “Tribunals, Fairness and Guidelines” in Laverne A. Jacobs & Anne L. Mactavish., eds., *Dialogue Between Courts and Tribunals – Essays in Administrative Law and Justice (2001-2006)* (Montreal: Les Éditions Thémis, 2008) (with France Houle)
- “The Justice of Access: Who Should have Standing to Challenge the Constitutional Adequacy of Legal Aid?” (2007) 40 *U.B.C. Law Rev.* 727-44
- “Tribunals and Guidelines: Exploring the Relationships between Fairness and Legitimacy in Administrative Decision-Making” (2006) 46 *Canadian Public Administration* 283-307 (with France Houle)

- “Class Actions Against the Crown: Or Administrative Law By Other Means?” (2006) 43 *Canadian Business Law Journal* 380-97; an updated and modified version of this paper published as “Class Actions Against the Crown: A Substitution for Judicial Review on Administrative Law Grounds (2007) 57 *UNBLJ* 9-26
- “Discretion and the Culture of Justice” (2006) *Singapore Journal of Legal Studies* 356-384
- “Oversight of Executive-Police Relations in Canada: The Constitution, The Courts, Administrative Processes and Democratic Governance” in M. Beare and T. Murray, *Police and Government Relations: Whose Calling the Shots* (Toronto: University of Toronto Press, 2006)
- “The Uneasy Relationship between Independence and Appointments in Canadian Administrative Law” in G. Huscroft and M. Taggart (eds.), *Inside and Outside Canadian Administrative Law: Essays in Honour of David Mullan* (Toronto: University of Toronto Press, 2006) pp.50-80
- “How Canadian Administrative Law Protections Measure up to International Human Rights Standards” (2005) 50 *McGill Law Journal* 193-264 (with Gerald Heckman)
- “The Ambivalence of Executive Power in Canada” in Adam Tomkins and Paul Craig (eds.), *The Executive and Public Law: Power and Accountability in Comparative Perspective* (Oxford: Oxford University Press, 2005), pp.52-88
- "Towards a Two-Tier Constitution? The Poverty of Health Rights" in *Access to Care, Access to Justice: The Legal Debate on Private Health Insurance in Canada* (Colleen Flood, Kent Roach & Lorne Sossin, eds.) (Toronto: University of Toronto Press, 2005)
- “From Neutrality to Compassion: The Place of Civil Service Values and Legal Norms in the Exercise of Administrative Discretion” (2005) 55 *University of Toronto Law Journal* 427-448
- “Is Vertical Equity a Virtue?” in *Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation* (Sujit Choudhry, Jean-Francois Gaudreault-Desbien & Lorne

Sossin eds.) (Toronto: University of Toronto Press, 2006)

- “Public Universities and Public Oversight: The Compelling Case for a Buffer” in F. Iacobucci and C. Tuohy (eds.), *Taking Public Universities Seriously* (Toronto: University of Toronto Press, 2005)
- “Constitutional Accommodation and the Rule(s) of Courts” (2005) 42 *Alberta Law Review* 607-33
- “Demystifying the Boundaries of Public Law: Policy, Discretion and Social Welfare” (2005) 38 *U.B.C. Law Rev.* 147-87 (with Laura Pottie)
- “Redress for Unjust State Action: An Equitable Approach to the Public/Private Distinction” in D. Dyzenhaus & M. Moran (eds.), *Calling Power to Account* (Toronto: University of Toronto Press, 2005)
- “Speaking Truth to Power? The Search for Bureaucratic Independence” (2005) 55 *University of Toronto Law Journal* 1-60
- “Developments in Administrative Law: the 2003-2004 Term” (2004) 26 *Supreme Court Law Review* (2nd) 31-75
- “Boldly Going Where No Law Has Gone Before: Call Centres, Intake Scripts, Database Fields and Discretionary Justice in Social Welfare” (2004) 42 *Osgoode Hall Law Journal* 363-414
- “The Quasi-Revival of the *Bill of Rights* and Its Implications for Administrative Law” (2004) 25 *Supreme Court Law Review* 191-212
- “The Politics of Soft Law: How Judicial Review Influences Bureaucratic Decision-Making in Canada” in S. Halliday and M. Hertogh, eds., *Judicial Review and Bureaucratic Impact: International and Inter-disciplinary perspectives* (London: Cambridge University Press, 2004) 129-60
- “The Rule of Policy: *Baker* and the Impact of Judicial Review on Administrative Discretion”

in D. Dyzenhaus et al (eds.), *The Unity of Public Law* (London: Hart, 2004) 87-112

- “Empty Ritual, Mechanical Exercise or the Discipline of Deference?: Revisiting the Standard of Review in Administrative Law” (2003) 27 *The Advocate’s Q.* 478-508
- “Developments in Administrative Law: the 2002-2003 Term” (2003) 22 *Supreme Court Law Review* (2nd) 21-82
- “The ‘supremacy of God’, Human Dignity and the Charter of Rights and Freedoms” (2003) 52 *University of New Brunswick Law Journal* 227-41
- “Discretion Unbound: Reconciling the *Charter* and Soft Law” (2003) 45 *Canadian Public Administration* 465-89
- “Public Fiduciary Obligations, Political Trusts and the Evolving Duty of Reasonableness in Administrative Law” (2003) 66 *Saskatchewan Law Review* 129-82
- *Hard Choices and Soft Law: Ethical Codes, Policy Guidelines and the Role of the Courts in Regulating Government* (2003) 40 *Alberta Law Review* (co-authored with Charles Smith) 867-93
- "The Intersection of the Charter and Administrative Law: Tribunal Jurisdiction to Decide Charter Challenges" in *The Charter at 20*, D. McAllister and A. Dodek (eds.) (Toronto: Ontario Bar Association, 2003), pp.225-38
- “Developments in Administrative Law: the 2001-2002 Term” (2002) 18 *Supreme Court Law Review* (2nd) 41-74
- "The Rule of Law and the Justiciability of Prerogative Powers: A Comment on *Black v. Chrétien*" (2002) 47 *McGill L.J.* 435-56
- “Does Canada Need a Political Questions Doctrine? (2002) 16 *Supreme Court Law Review* (2nd) 343-72 (with Geoffrey Cowper, Q.C.)

- “Law and Intimacy in the Bureaucrat-Citizen Relationship” in N. des Rosiers (ed.), *No Person is an Island: Personal Relationships of Dependence and Independence* (Vancouver: University of British Columbia Press, 2002) pp.120-54; also published as “Le juridique et l’intime dans le rapport entre fonctionnaires et citoyens” in N. Des Rosiers (ed.) *Les rapports de dépendance et d’interdépendance* (Quebec City: Les Presses de l’Université Laval, 2002), pp. 109-150
- “An Intimate Approach to Fairness, Impartiality and Reasonableness in Administrative Law (2002) 28 Queen’s L.J. 809-58

”Democratic Administration” in *Oxford Handbook of Public Administration in Canada*, ed., C. Dunn (Toronto: Oxford University Press, 2002) pp.77-99
- “Developments in Administrative Law: the 2000-2001 Term” (2001) 15 Supreme Court Law Review (2nd) 31-97
- “The Intersection of Administrative Law with the Anti-Terrorism Bill” in R. Daniels et al (eds.), *The Security of Freedom* (Toronto: University of Toronto Press, 2001) pp.419-434
- “Regulating Virtue: A Purposive Approach to the Administration of Charities in Canada” in *Charities: Between State and Market*, J. Phillips et al (eds.) (Kingston: McGill-Queen’s Press, 2001) 373-406
- “Developments in Administrative Law: the 1999-2000 Term” (2000) 13 Supreme Court Law Review (2nd) 45-76
- “Judges” in *Barristers and Solicitors in Practice* (Toronto: Butterworths, Looseleaf service, 2000 -) (co-authored with Hon. Justice Kenneth Lysyk until 2003; co-authored with Phillip Bryden, 2005 -) (updated quarterly; last updated October 2004))
- “Developments in Administrative Law: the 1997-98 and 1998-99 Terms” (1999) 11 Supreme Court Law Review (2nd) 37-100
- “Salvaging the Welfare State? The Prospects for Judicial Review of the Canada Health & Social Transfer” (1998) 21 Dalhousie Law Journal 141-198

- “The Sounds of Silence: Law Clerks, Policy-Making and the Supreme Court of Canada” (1996) 30 U.B.C. Law Review 279-308
- “The Administration and Criminalization of the Homeless: Notes on the Possibilities and Limits of Bureaucratic Engagement” (1996) 22 N.Y.U. Review of Law & Social Change 623-700
- “Discourse Politics: Legal Research and Writing's Search for a Pedagogy of Its Own” (1995) 29 New England L. Review 883-913
- “Redistributing Democracy: Authority, Discretion and the Possibility of Engagement in the Welfare State” (1994) 26 Ottawa Law Review 1-46
- “The Politics of Discretion: Towards a Critical Theory of Public Administration” (1993) 36 Canadian Public Administration 364-391
- “Constitutional Torts and Crown Prosecutors: The Promise and Politics of Charter Damages” (1993) 19 Queens Law Journal 372-414
- “Squeezing Blood from Stones: The Income Tax Industry in Canada” (1992) 8 Journal of Law & Social Policy 178-207
- “Welfare State Crime: The Politics of Tax Evasion in the 1980s” (1992) 12 Windsor Yearbook of Access to Justice 98-127

Book Reviews, Case Comments & Review Essays

- “Democratizing the Constitution” (2012) Canadian Public Administration (forthcoming)
- “In Search of ‘Bora’s Head’” (2009) 59 University of Toronto Law Journal 251-264
- “Administrative Law at Pleasure: Keen Ruling” (2009) 10 Regulatory Boards and

Administrative Law Litigation 628-34

- Review of the *New Ontario Limitations Regime: Exposition and Analysis*” (2007) 43 Canadian Business Law Journal 501-508
- “Review of *Good Government? Good Citizens?: Courts, Politics and Markets in a Changing Canada*” (2007) 57 University of Toronto Law Journal 721-726
- “Bureaucratic Disentitlement, Vulnerable People and the Appeal of Review” (2006) 56 University of Toronto Law Journal 389-398
- “An Appeal to Reason: A Review of Roy B. Flemming, *Tournament of Appeals: Granting Judicial Review in Canada*” (2005) 30 Queen’s Law Journal 900-911
- Janet Hiebert, *Charter Conflicts*” (2003) 42 Osgoode Hall L.J. 189-194
- “Peter Hogg & Patrick Monahan, *Liability of the Crown*, 3rd edition” (2003) 82 Can. Bar Rev. 551-554
- “Courting the Right: F.L. Morton & Rainer Knopff, *The Charter Revolution and the Court Party*” (Peterborough: Broadview Press, 2000) (227 pages) (2000) 38 Osgoode Hall Law Journal 531-541
- “The Politics of Imagination: Roberto Mangabeira Unger’s, *What Should Become of Legal Analysis*” (1997) 47 University of Toronto Law Journal 523-535
- “Martha Fineman’s *The Neutered Mother and Other Twentieth Century Tragedies*” (1995) 29 U.B.C. Law Rev. 395-404 (with Julia E. Hanigsberg)
- “Philip K. Howard’s *The Death of Common Sense: How Law Is Suffocating America*” (1995) 74 Can. Bar Review 529 (with Julia E. Hanigsberg)

Commissioned Reports & Papers

- “Independence, Accountability & Human Rights” (Department of Justice, Government of the Yukon) (2011)
- “Models of Enforcement” (Prepared for the Access to Information Commissioner of Canada) (with France Houle) (forthcoming)
- “Powers and Functions of the Ombudsman in the PIPEDA: An Effectiveness Study” ” (Prepared for the Canadian Privacy Commission) (2011) (with France Houle)(at http://www.priv.gc.ca/information/pub/pipeda_h_s_e.cfm)
- “How Can Greater Judicial Integrity be Achieved” (Prepared for the Justice Studies Centre of the Americas and the World Bank (2010)
- Towards the Best Policy Directions for Engineering Regulators (Prepared for Engineers Canada) (2010) (with Ontario Centre for Engineering and Public Policy)
- “Forensic Pathology Registry: Options Paper” Chief Forensic Pathologist of Ontario (February 2009)
- “Climate Change Litigation in Canada and the United States” (Graymont) (November 2008)
- “Oversight and Accountability of Death Investigations in Ontario” Commission of Inquiry into Pediatric Forensic Pathology in Ontario (February 2008)
- “The Effectiveness and Efficiency of Pension Regulation in Ontario and in Comparative Perspective” Expert Commission on Pensions (November 2007)
- “Research Priorities Plan” Report Commissioned by the Ontario Law Commission (May 2007)
- “The Independent Board and the Legislative Process” Report Commissioned by the Alberta

Federation of Labour (June 2006)

- “Defining Boundaries: The Constitutional Argument for Bureaucratic Independence and Its Implication for the Accountability of the Public Service” Paper commissioned by the Inquiry into the Sponsorship Affair (Gomery Inquiry) (February 2006)
http://www.gomery.ca/en/phase2report/volume2/CISPAA_Vol2_2.pdf
- “Parliamentary Engagement in Federal Regulation” Paper commissioned by the Privy Council Office of Canada (December 2005)
- “Administrative Design and the Human Rights Process in Ontario: Can We Do This Better?” (with Constance Backhouse, Judith Keane, Kathy Laird and Cindy Wilkey) (Discussion Paper for the Attorney General of Ontario) (May 2005)
- “The Federal Court in Government” Report commissioned by the Department of Justice, Canada (with James Kelly) (March 2005)
- “Alternative Models of Court Administration” Report commissioned by the Canadian Judicial Council (with Carl Baar and Robert Hann) (January 2005)
- “The Oversight of Executive Police Relations in Canada: The Constitution, the Courts, Administrative Processes and Democratic Governance” Paper commissioned by the Ipperwash Inquiry (June 2004)
- “Policy-Making in Tribunals” Paper commissioned by the Canadian Institute for the Administration of Justice Administrative Law Roundtable (June 2004)
- “Dilemmas of Evaluation, Accountability and Politics: Contracting Out Social Services in Ontario” Research Paper for the Report to the Panel on the Role of Government (October 2003)
- “Human Development, Law & Democratic Administration” Working Group Paper Prepared for United Nations Office for Project Services (Rome, Italy) (2000)

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- “Law and Intimacy in the Bureaucrat-Citizen Relationship” (Ottawa: Law Commission of Canada, Legal Dimensions Program, 2000)

Selected Conference Presentations & Papers

- “Judicial Independence: Unsettled Issues” Presentation to Supreme Court of British Columbia, National Judicial Institute, Vancouver, November 10, 2011
- “Accountability & Municipal Governance: The City of Toronto Act 5 Years Later” Presentation to Institute of Municipal Finance and Government, Munk School, Toronto, November 1, 2011
- “Aboriginal Administrative Law” Presentation to B.C. CLE, Vancouver, October 27, 2011
- “Adjudicative Ethics and Administrative Justice” Presentation to B.C. CLE, Vancouver, October 27, 2011
- “Year in Review – 2010-2011” 7th Annual Administrative Law Conference, Osgoode Hall Law School, October 17-18, 2011
- “Best Practices for Administrative Tribunals” Mental Health and Justice Conference, Canadian Institute for the Administration of Justice, Toronto, September 26, 2011
- “9/11 10th Anniversary Panel” Canadian Civil Liberties Association, Toronto, September 8, 2011
- “Models of Enforcement” Presentation to the Federal, Provincial & Territorial Access to Information Commissioners, Quebec City, September 1, 2011
- “Civil Justice Needs Assessments” American Bar Association Annual Meeting, Toronto, August 5, 2011
- “The Future of Administrative Law and Good Governance in Nigeria” Nigerian Institute for Advanced Legal Studies, Abuja, Nigeria, June 16, 2011

- “Selected Topics in Administrative Law” Presentation to the CIAJ Administrative Law Roundtable, June 3, 2011, Ottawa
- Administrative Justice and Innovation: Beyond the Adversarial/Inquisitorial Dichotomy” Paper presented at, *The Nature of Inquisitorial Processes in Administrative Regimes: Global Perspectives*, University of Windsor, May 26-27, 2011 (with Samantha Green)
- “Independence through Accountability; Accountability through Independence” Presentation to the Energy Regulatory Forum, Calgary, Alberta, May 10, 2011
- Implications of Conway”, OBA Mental Health Law Conference, Toronto April 12, 2011; and 14th Constitutional Cases Conference, Osgoode Hall Law School, April 15, 2011
- “Revisiting Class Actions Against the Crown: Balancing Public and Private Legal Accountability for Government Action”, Accessing Justice Conference, University of Windsor Faculty of Law, March 26-27, 2011
- “Should Legal Services be Unbundled?” (with Samreen Beg) Middle Income Access to Justice Symposium, University of Toronto, February 10-11, 2011
- “Evaluating Remedial Performance of Tribunals” Presentation to the Conference of Ontario Boards and Agencies (COBA), Society of Adjudicators and Regulators, Toronto, November 4, 2010
- “Accessible Justice in Canada and India: Comparative Reflections” Osgoode Hall Law School/Jindal Global Law School, India on Global North and Global South Perspectives on Transnational Governance: An Indian-Canadian Conversation, October 25-27, 2011
- “Should Articling be Abolished?” Canadian Clinical Education Conference, University of Western Ontario, October 22-23, 2010
- “Access to Administrative Justice” Presentation to the 2010 Administrative Law Conference, Osgoode Hall Law School, October 19, 2010
- “The Future of Section 7 of the *Charter*” Presentation to the 2010 CCLA Rights Watch Conference, Toronto, October 15, 2010

- “The Law and Lure of Accountability” Presentation to the Annual General Meeting of the City of Toronto Solicitor’s Office, October 6, 2010, and to McMillan LLP, November 30, 2010
- “Towards an Administrative Justice System in Ontario” SOAR Building Together Conference, Toronto, September 30, 2010
- “Transparency, Access & Privacy for Administrative Tribunals” Presentation to the Conference of Ontario Boards and Agencies (COBA), Society of Adjudicators and Regulators, Toronto, November 5, 2009
- “Aboriginal Administrative Law” Presentation to the 8th Annual Aboriginal Law Conference (Insight), Toronto, October 26, 2009
- “International Civil Service Ethics, Professionalism and the Rule of Law” Paper prepared for the Workshop “Ethical Supports For Strengthening The International Rule of Law” Canadian Institute for Ethics, Governance and Law, University of Waterloo, October 19, 2009
- “Evaluating Remedial Performance” Presentation at the Canadian Institute for the Administration of Justice Conference “Taking Remedies Seriously” Ottawa, October 2, 2009; and to the Annual Conference of Legal Staff of the Immigration and Refugee Board, Toronto, October 9, 2009
- “Access to Justice and Beyond” Paper prepared for Symposium in Honour of Michael Trebilcock, University of Toronto, October 1, 2009 (with Kent Roach)
- “The Unfinished Project of *Roncarelli*: Justiciability, Discretion and the Limits of the Rule of Law” Paper prepared for a Conference for the 50th Anniversary of *Roncarelli v. Duplessis*, University of Sherbrooke, Quebec, September 19, 2009
- “The Duty to Consult and Accommodate: Procedural Justice as Aboriginal Rights” Paper prepared for the annual meeting of the International Political Science Association, Santiago, Chile, July 13, 2009

- “The Promise of Procedural Justice” Paper prepared for the Canadian Bar Association Conference on *The McLachlin Court’s First Ten Years: Reflections of the Past and Projections of the Future*, Ottawa, June 19, 2009
- “The Gouge Inquiry: Criteria for Success” Roundtable on Inquiries, Canadian Political Science Association, Ottawa, May 29, 2009
- “*Keen v. Canada* and the Year in Review” OBA Administrative Law Roundtable, May 26, 2009”
- “Pro Bono, Lawyers and the State: Cross Border Perspectives” Presentation to the Regional Sociological Studies Conference Baldy Centre, University at Buffalo, May 19, 2009
- “The Puzzle of Independence” paper presented to the Conference on Comparative Administrative Law, Yale University, New Haven, Connecticut, May 7-9, 2009
- “Innovation in Legal Education” 20th Anniversary Conference, National Judicial Institute, Ottawa, April 22, 2009
- “The Road Ahead: Reflecting Canada’s Changing Face: Toward a Representative Department of Justice” Presentation to Department of Justice Conference on the International Day for the Eliminating of Racial Discrimination, Ottawa, March 19, 2009
- “Filling in the Blanks: The Proposed Independent Adjudicative Tribunal” in *The Future of Securities Regulation in Canada?: Expert Panel on Securities*, UBC National Centre for Business Law, Vancouver, B.C. Feb 6, 2009
- “Religion in the Workplace” paper presented to the *Religion in the Public Sphere Series*, Jackman Institute on the Humanities, Feb 5, 2009
- “Filling in the Blanks: The Proposed Independent Adjudicative Tribunal” in *The Future of Securities Regulation in Canada?: Expert Panel on Securities*, UBC National Centre for Business Law, Feb 6, 2009, Vancouver

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- “The Implications of *Dunsmuir* for Independence” Presentation to BC CLE Administrative Law, November 28, 2008, Vancouver, BC
- “Pro Bono and Professionalism” Presentation to the Centre for Applied Ethics and Legal Philosophy, University of Glasgow, Scotland, November 21, 2008
- “The Puzzle of Independence” Presentation to Osgoode Hall Law School, Administrative Law CLE (October 20, 2008); University of Toronto Law Faculty Seminar (October 27, 2008); and Conference of Ontario Boards and Agencies (COBA) (November 6, 2008)
- “Government Lawyers and Pro Bono” Presentation to the 2nd National Pro Bono Conference, Vancouver, September 18, 2008
- “Judicial and Journalistic Ethics” Presentation to the National Judicial Institute Conference on Judicial Ethics, Montreal, September 11, 2008
- “Ethics, Public Interest and Pro Bono Publico” Presentation to the meeting of the 3rd International Legal Ethics Conference, University of Queensland, Gold Coast, Australia, July 13, 2008
- “Courts and the Constitutional Status of the Public Service” Presentation to meeting of the International Political Science Association, Montreal, June 25, 2008
- “Protecting the Public” Presentation to the BC Law Society Retreat, Osoyoos, BC, May 31, 2008
- “God at Work: Religion in the Workplace and the Limits of Pluralism in Canada” presentation for Religion, the Workplace and the Secular State Conference, Nantes, France, May 21, 2008
- “The Duty to Consult: The Intersection of Aboriginal and Administrative Law” Presentation to the Aboriginal Law Conference, PBLI, Vancouver, March 6, 2008
- “Judicial Appointment, Democratic Aspiration and the Culture of Accountability” 2008 Ivan

C. Rand Memorial Lecture, UNB, Fredericton, February 14, 2008

- “Electoral Law and *Longley*” Presentation to the Constitutional Law Section of the Ontario Bar Association, Toronto, January 31, 2008.
- “Aboriginal Self-Government and the Reinvention of Administrative Law” Presentation to the University of Victoria (November 20, 2007) and the University of British Columbia (November 23, 2007)
- “Regulating Access to Justice,” Presentation to Federation of Law Societies Meeting, Regina, Saskatchewan, November 9, 2007
- “Administering Justice for the Public” Presentation to the Atlantic Courts Educational Seminar, NJI, St. John’s, Newfoundland, November 2, 2007
- “Pro Bono and the Public Interest” Presentation to the Chief Justice of Ontario Advisory Committee on Professionalism, Colloquium, Osgoode Hall Law School, October 19, 2007
- “Exploring the Independence of Civil Servants” Presentation to the Administrative Law and Practice Conference, Osgoode Hall Law School, Toronto, September 25, 2007
- “Independence in an Integrated Agency” Presentation to the Ontario Securities Commission, Toronto, September 24, 2007
- “Independence, Impartiality and Self-Represented Litigants” Presentation to the Health Services Appeal and Review Board, Toronto, September 21, 2000
- “Applying ‘Adequacy’ and ‘Reasonableness’” Presentation to the Health Professions Appeal and Review Board, Toronto, September 20, 2007
- “What Needs to Change: Towards a Framework of Access to Administrative Justice” Paper prepared for the 20th Anniversary Symposium: Metro Toronto Chinese and Southeast Asian Legal Clinic, Toronto, September 11, 2007

- “Administrative Law: The Year in Review” Presentation to the Ontario Bar Association”
May 31, 2007
- “Discretion and Guidelines” Presentation to the Toronto Roundtable of the Canadian Institute for the Administration of Justice, May 30, 2007
- “Bureaucratic Independence as Executive Accountability” Presentation to the University of Haifa Faculty of Law, Haifa, May 9, 2007
- “The Independence of Corporate Counsel” Presentation to the Canadian Corporate Counsel Association, April 24, 2007, Toronto
- “The Constitutional Foundations of Bureaucratic Independence” Presentation to the Canadian Bar Association, February 21, 2007; Presentation to the Policy Branch of the Ministry of the Attorney General, March 8, 2007
- “Access to Administrative Justice” Presentation to Legal Aid Ontario Clinic Training Conference, Toronto, November 8, 2006
- “Contextual Snakes and Ladders: Iacobucci’s Legacy and the Standard of Review in Administrative Law” Presentation to the Symposium in Honour of Frank Iacobucci, University of Toronto, October 19-20, 2006
- “The Three R’s: Rights, Responsibilities and Reasonableness” Keynote Presentation to the *Law Works* - Second Annual Education Law Conference, OISE/U of T, August 19, 2006
- “The Legal and Political Future of Cities” Presentation to Ontario Court of Appeal retreat, May 26, 2006
- “Class Actions against the Crown: A Substitution for Judicial Review on Administrative Law Grounds?” Paper presented to Public Wrongs and Private Duties Conference, University of New Brunswick, Faculty of Law, May 18-19, 2006
- “ADR and the Public Interest” Presentation to Into the Future: Civil Justice Reform in

Canada (co-sponsored by Canadian Forum on Civil Justice and Canadian Institute for the Administration of Justice), Montreal, May 2, 2006

- “Discretionary Justice and Public Trust” Presentation to the Law & Society Speaker Series, York University, March 9, 2006
- “Discretion and The Culture of Justice” Paper prepared for the Law and Multiculturalism Symposium, National University of Singapore, Singapore, February 24, 2006
- “The Challenges of Court Administration” Presentation to the Seminar for Chief Justices, National Judicial Institute, Victoria, BC, January 24, 2006
- “Structuring Discretion” Presentation to the Ontario Rental Housing Tribunal, Toronto, January 16, 2006
- “Public Ends, Private Means: Contracting Out Social Services” Presentation to the Ontario Municipal Association of Social Service Administrators (OMASSA), Toronto, December 5, 2005
- “Justiciability: Lines in the Sand or Ropes of Sand” Paper prepared for the Annual National Administrative Law Conference, Canadian Bar Association, Ottawa, November 18, 2005
- “Class Actions against the Crown, or Administrative Law by other Means” Paper prepared for the 35th Annual Commercial Law Workshop, Faculty of Law, University of Toronto, October 21, 2005
- “Judicial Independence and Court Reform” Presentation to Canadian Association of Provincial Court Judges (CAPCJ), Winnipeg, September 23, 2005
- “The Limits of Tribunal Policy-Making”, Presentation to New Directions in Administrative Law Conference, Osgoode Hall Law School PDP Centre, Toronto, September 21, 2005
- “Towards a Two-Tier Constitution? The Poverty of Health Rights”, Presentation to Access to Care, Access to Justice: The Legal Debate over Private Health Insurance, Faculty of Law,

University of Toronto, September 16, 2005

- “The Elusive Meaning of Merit in Judicial Appointments” Presentation to Regional Sociolegal Studies Conference, University of Buffalo, May 19, 2005
- “Private Remedies for Public Wrongs” Presentation to the Constitutional and Administrative Law Conference, Department of Justice, Ottawa, May 12, 2005
- “Separated Tribunals: Implications and Possibilities” Presentation to the Annual Conference of Securities Administrators, Toronto, May 5, 2005 (with Monica Kowal)
- “Crown Fiduciary Obligations: Unresolved Questions” Presentation to Crown Liability Conference, Osgoode Hall Law School PDP Program, April 21, 2005
- “Integrating Sharia Law into Ontario’s Statutory Arbitration System: Perspectives on Marion Boyd’s Report to the Ontario Government” (with Ayelet Shachar), Constitutional Roundtable, Faculty of Law, University of Toronto, February 28, 2005
- “Dignity and Supremacy of God: Is the Charter of Rights Sacred or Profane?” Religion and the State Seminar Series, Centre for Public Law and Public Policy, Osgoode Hall Law School, February 11, 2005
- “Public Universities and Public Oversight: The Compelling Case for a Buffer” Presentation to the conference, Taking Public Universities Seriously, University of Toronto, December 3, 2004
- “Constitutional Accommodation and the Rule(s) of Courts” Presentation to the Faculty Seminar Series, University of Toronto, November 22, 2004
- *Courts, Administrative Independence and Judicial Autonomy*, Chair and Commentator, Canadian Institute for the Administration of Justice Annual Conference, La Malbaie, Quebec, October 15, 2004

- *Judicial Review*, Presentation to the Seminar for New Federally Appointed Judges, National Judicial Institute & Canadian Institute for the Administration of Justice, Kananaskis, Alberta, September 30, 2004
- *Civil Servants, Lawyers and the Interdependence of Public Law* Paper prepared for a conference in honour of John Willis, September 18-19, 2004, University of Toronto
- *The Oversight of Executive Police Relations in Canada: The Constitution, the Courts, Administrative Processes and Democratic Governance* Presentation to the Ipperwash Inquiry/ Osgoode Hall Law School Symposium on Police-Government Relations, Toronto, June 29, 2004
- *Tribunal Policy-Making* Presentation to Canadian Institute for Administration of Justice “Administrative Law National Roundtable”, Toronto, June 18, 2004
- *Charter Rights and Charter Principles: The Interpretation and Exercise of Statutory Powers* Presentation to Canadian Institute for Administration of Justice Judicial Education Seminar “Administrative Law and the Charter”, Toronto, June 17, 2004
- *Boundaries of Judicial Independence* Presentation to Ontario Court of Justice, University Education Program, London, On., June 9, 2004
- *The Quasi-Revival of the Bill of Rights and Its Implications for Administrative Law*, Paper prepared for the 2003 Constitutional Cases Conference, Osgoode Hall Law School, Toronto, April 2, 2004
- *Alternative Models of Court Administration*, Presentation to the Canadian Judicial Council, Ottawa, March 25, 2004
- *Decision-Making in Administrative Law*, Presentation to the Information and Privacy Commission of Ontario, Toronto, March 24, 2004
- *Reconciling Constitutional Law and Administrative Reality*, Presentation to the Ontario Bar

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Association, Constitutional and Civil Liberties Section, Toronto, March 2, 2004

- *New Developments in the Standard of Review, 2003*, Presentation to the Ontario Bar Association, Administrative Law Section, Toronto, January 15, 2004
- *Judicial Review*, Presentation to the Seminar for New Federally Appointed Judges, National Judicial Institute & Canadian Institute for the Administration of Justice, Victoria, BC, November 28, 2003
- *Policy-Making in Tribunals*, Presentation to the Conference on Boards and Agencies (COBA), Society of Ontario Adjudicators and Regulators (SOAR), Toronto, November 6, 2003
- *The Basics of Administrative Law*, Presentation to the Law Society of Upper Canada, Disciplinary Investigations and Complaints Resolution Branch, October 22, 2003
- *Dilemmas of Evaluation, Accountability and Politics: Contracting Out Social Services in Ontario*, Presentation to the Panel on the Role of Government, Faculty of Law, University of Toronto, October 3 2003
- *National Report - Canada* Presentation to the 12th World Congress on Procedural Law, Mexico City, Mexico, September 23, 2003
- *Boundaries of Judicial Independence* Presentation to Ontario Court of Justice, University Education Program, London, On., June 10, 2003
- *The Fiduciary State: Public Trust, Public Authority and Public Law* Paper presented to Annual Meeting of the Canadian Association of Law Teachers, Halifax, Nova Scotia, June 1, 2003
- *Dilemmas of Discretion: Standards of Review* Presentation to CIAJ Judicial Seminar, Hull, Que., May 29, 2003

- *Autonomy and Deference: Judicial Intervention in University Decision-Making*, Presentation to Society of Ontario University Secretaries, University of Toronto, May 26, 2003
- *Redressing Unjust Public Policy: Reimagining the Public/Private Distinction*, Conference presentation, Achieving Human Rights in a Multicultural Society: Reparations, Human Rights and the Limits of the Law, University of Toronto, April 13-14, 2003
- *New Developments in Judicial Review, 2001-2002*, Paper presented at a special meeting of the Administrative Law Section, Ontario Bar Association, January 21, 2003
- *The Rule of Policy: Baker and the Impact of Judicial Review on Administrative Discretion* Paper presented at the Authority of Reasons Conference, University of Toronto, January 3-5, 2003
- *The Politics of Soft Law: How Judicial Review Influences Bureaucratic Decision-Making in Canada* Paper presented to an International Workshop on the “Impact of Judicial Review”, University of Tilburg, Faculty of Law, November 7-8, 2002, Tilburg, Netherlands
- *The Intersection of the Charter and Administrative Law: Tribunal Jurisdiction to Hear Charter Challenges* Paper presented to OBA Charter Conference: Law and Practice 2002, Toronto, October 10, 2002
- *Grounds for Review, Bars to Review: The Latest Word*, Paper presented to Advanced Administrative Law Conference, Canadian Institute, Toronto, October 8, 2002
- *Hard Choices and Soft Law: Ethical Codes, Policy Guidelines and the Role of the Courts in Regulating Government*, Paper presented to the Annual Meeting of the Canadian Political Science Association, Toronto, May 31, 2002
- *Crown Fiduciary Obligations and the Implications of Authorson v. Canada*, Presentation to the Public Sector Lawyers Section, Ontario Bar Association, April 25, 2002
- *Discretion Unbound: Reconciling the Charter and Soft Law*, Paper presented to the Twenty Years Under the Charter Conference, Assn. of Canadian Studies, Ottawa, April 19, 2002

- *The Problem of Administrative Discretion and the Charter*, Paper presented to the Charter at Twenty Conference, York University, April 13, 2002
- *Does Canada Need a Political Questions Doctrine*, Paper presented to the Constitutional Cases 2001 Conference, Osgoode Hall Law School, PDP, Toronto, April 12, 2002
- *New Developments in Judicial Review, 2000-2001*, Paper presented at a special meeting of the Administrative Law Section, Ontario Bar Association, Toronto, March 4, 2002
- *Administrative Law Challenges to the Anti-Terrorism Act*, Presentation to the Federal Court Seminar on the Anti-Terrorism Act, National Judicial Institute, Ottawa, February 22, 2002
- *Dispute Resolution in the Executive-Judicial Relationship*, Presentation to the Ontario Ministry of the Attorney General, Strategic Planning Session, Toronto, February 1, 2002
- *Remedying Administrative Discretion under the Charter* Presentation to the Annual Meeting of the Canadian Charter Challenges Program, Ottawa, November 24, 2001
- *The Intersection of Administrative Law with the Anti-Terrorism Bill* Paper presented at The Security of Freedom: A Conference on Canada's Anti-Terrorism Bill, University of Toronto, November 9-10, 2001
- *Reconciling Independence and Accountability: Models of Court Administration*, Presentation to Seminar of Chief Justices, National Judicial Institute, Ottawa, October 23, 2001
- *"Reflections on Ocean Port v. British Columbia (General Manager, Liquor Control)* Presentation to joint meeting of administrative law section and constitutional section of Ontario Bar Association: *Administrative Tribunals: A Declaration of Independence?* October 18, 2001
- *Law and Intimacy in the Bureaucrat-Citizen Relationship* - Paper presented to University of Toronto, Faculty of Law, May 23, 2001; and Conference of Ontario Boards and Agencies (COBA), Annual Meeting, Toronto, November 17, 2000

- *Baker and Procedural Justice*, Presentation at “Baker and Beyond” Conference, Organized for the Ministry of Citizenship and Immigration by the Centre for Practical Ethics, York University, February 23, 2001
- *New Developments in Judicial Review, 1999-2000*, Paper presented at a special meeting of the Administrative Law Section, Canadian Bar Association - Ontario, January 25, 2001
- *Raising a Charter Issue in a Tribunal*, Presentation to Canadian Bar Association - Ontario Administrative Law Conference, Taking the Tribunal To Court, Toronto, October 20, 2000
- *Justiciability and the Role of Judicial Review in Social Law*, Presentation to the Department of Justice Conference on Social Law, Ottawa, September 29, 2000
- *Jewish Law, Human Rights and Social Justice*, Presentation to the World Union of Progressive Jewish Congregations, San Salvador, El Salvador, February 4-6, 2000
- *New Developments in Judicial Review, 1998-99*, Paper presented at a special meeting of the Administrative Law Section, Canadian Bar Association - Ontario, October 13, 1999
- *In Search of a Canadian Political Questions Doctrine*, Paper presented at University of Toronto, Department of Political Science & Osgoode Hall Law School, York University, March 1999 and Queen’s University, Faculty of Law, December 1998
- *Regulating Virtue: A Purposive Approach to the Administration of Charities in Canada*, Paper presented to Charities: Between State and Law Conference, University of Toronto, Faculty of Law, January, 1999
- *The Sounds of Silence: Law Clerks, Policy-Making and the Supreme Court of Canada*, York University, Department of Political Science, June, 1997;
- *Redistributing Democracy: Authority, Discretion and the Possibility of Engagement in the Welfare State*, McGill Law School, February 1995; York University, Toronto, Department of Political Science, March 1994

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- *The Administration of Homelessness*, Paper presented to Annual Meeting of the Law & Society Association, Phoenix, Arizona, June, 1994

SELECTED ADVOCACY/ PRO BONO

- Right to Housing Test Case Initiative (planned test case challenge to right to housing under the Charter; assisted in linking this initiative to the Asper Centre for Constitutional Rights) (2008-2010)
- Human Rights Working Group (planned U of T symposium, prepared material for symposium, assisted with drafting of discussion paper, attended roundtable sponsored by Attorney General's office, met with ministry staff) (2004-2005)
- Administrative Law Working Group (efforts to educate and lobby provincial government on merit-based administrative appointments; attended meeting with head of appointments secretariat, sought endorsements from Law Society, Advocates Society and other stakeholders for reform initiative aimed at depoliticizing appointments to administrative boards and commissions) (2003-)
- Ontarians with Disabilities Act Working Group (coordinated informal meeting of administrative law experts to advise on structures of enforcement and compliance for new ODA legislation in Ontario) (2004-2005)
- Modernizing Income Security for Working Age Adults (MISWAA), Toronto City Summit Project (served in an advisory capacity to the research team) (2004-2005)