



2013 ANNUAL REPORT



FACULTY MEMBERS

- 1. Constance MacIntosh, Director
- 2. Elaine Gibson, Associate Director
- 3. Fiona Bergin
- 4. Jocelyn Downie
- 5. Joanna Erdman
- 6. Michael Hadskis
- 7. Matthew Herder
- 8. William Lahey
- 9. Sheila Wildeman

AFFILIATE MEMBER

- 10. Jacqueline Gahagan

RESEARCH ASSOCIATE

- 11. Leah Hutt

ADMIN. SECRETARY

- 12. Barbara Carter

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DIRECTOR'S MESSAGE



I am pleased to introduce the annual report of the Health Law Institute for the 2012-13 academic year. This report presents an overview of member's activities, selected to show the diversity and depth of their contributions towards advancing health law and policy education, supporting public service initiatives, and fostering strong, innovative and principled health law and policy scholarship and legal reform.

This year is once again marked by advances in all areas of our strategic plan.

A highpoint of the year was the arrival of Joanna Erdman, the inaugural holder of the MacBain Chair in Health Law and Policy. Prof. Erdman has been internationally recognized for her expertise in reproductive health advocacy. The Health Law Institute also saw a significant transition in leadership. After serving the Institute as Associate Director for 14 years, and working with no less than four Directors/Acting Directors, Elaine Gibson stepped down so she could better advance some specific scholarly pursuits. Her contributions to the Institute have been enormous, and both she and Joanna Erdman are profiled further in this report. Long-time member, Sheila Wildeman, stepped into the Associate Director's role – much to delight of all. As well, Jocelyn Downie, former Director from 1996-2006, was welcomed back as Acting Director from January to July 2013.

Another highlight was the Health Law Institute's speaker series, which once again featured a group of high-profile, national and international experts. Our speakers included philosophers, lawyers, and health care professionals. They addressed issues ranging from whether there is a constitutional right to die, to legislating for catastrophic risk, and the limits of conscientious objection by health care providers. The series continues to attract a diverse and engaged audience, coming from multiple faculties across Dalhousie, as well as from the practicing health care and legal sector, and from various government departments.

Institute members, themselves, continued to be active in speaking engagements. Members spoke on health law and policy issues in Canada, New Zealand and the United States with audiences populated by academics, the public, and policy makers. Prominent examples include Michael Hadskis leading an interactive workshop with the Red Cross on making legally sound decisions when providing health care services as emergency responders or in situations of disaster management; Matthew Herder speaking on orphan drugs at the Canadian Bioethics Society meeting; and Elaine Gibson speaking at the national epidemiology conference on the ownership of health information. Elaine Gibson, Matthew Herder, Joanna Erdman, Jocelyn Downie, myself and Jacqueline Gahagan also spoke at venues that were specifically intended for a general audience, including public libraries and cafes, as part of our commitment to advancing public education initiatives. These activities were complemented with extensive media engagements. Members were featured this year in radio and television interviews, 'phone-in' shows, newspapers, and news magazine articles.

Other public service engagements saw William Lahey advising several provincial governments on legislative changes, inquiries, and reviews. This work included tabling a report for Alberta's Health Services Preferential Access Inquiry. Jocelyn Downie agreed to advise the New Zealand government on child maltreatment, and Joanna Erdman co-chaired the World Health Organization's consultations on ensuring respect for equity and rights in family planning programs. My own work continued on a national expert panel focusing on understanding food security within northern Indigenous communities, and how food security is both a product of, and a result of, good community and personal health.

On the publication front, Health Law Institute members produced rich and diverse materials. Jacqueline Gahagan's newly edited volume on HIV prevention and women's health was released to strong reviews, while Jocelyn Downie collaborated on a series of publications with co-authors in different jurisdictions on developing state or province-specific guidelines for end of life decision-making.

Once again, this has been a highly successful year for the Health Law Institute. Our reach continues to grow, with particular advances in terms of public education and calls for our expertise by a growing number of jurisdictions and international agencies.

Constance MacIntosh



HEALTH LAW AND POLICY SEMINAR SERIES

During the 2012-13 academic year, the Health Law Institute welcomed 475 attendees who deliberated current health law and policy issues. Experts in their field generously shared their thoughts and experiences with a cross-section of audience members from the law, philosophy, health care, academic, government, and public settings. This year, subjects examined included abortion, HIV, the right to die, conscientious objections by health care providers, and others. Our full series program featured:

The Legal Scope and Limits of Conscientious Objection by Health Care Providers

Bernard Dickens, Emeritus, Faculty of Law, University of Toronto

Discriminatory Effects of Criminal Abortion Laws: Prejudices, Stereotypes and Stigma

Rebecca Cook, Faculty of Law, University of Toronto

Legislating for Catastrophic Risk

Evelyn Fox Keller, Emerita, History and Philosophy of Science, Massachusetts Institute of Technology

(co-sponsored by Situating Science Strategic Knowledge Cluster, situsci.ca)

Procreation and Adoption: Resisting the Status Quo on Parental Licensing

Carolyn McLeod, Department of Philosophy, University of Western Ontario

HIV Testing and Disclosure: Public Health or Legal Matters?

Jacqueline Gahagan, Gender and Health Promotion Studies Unit, Dalhousie University

The Culture and Context of Frequent Marijuana Use in Teens: Accounting for Gender, Diversity and Place

Joy Johnson, Scientific Director, Institute of Gender and Health, Canadian Institutes of Health Research

(co-sponsored by the Faculty of Health Professions, Dalhousie University)

Is There a Constitutional Right to Die?

Joseph Arvay, Q.C., Arvay Finlay Barristers, British Columbia



Financial support is essential to the success of our series and this year we gratefully acknowledge our two seminar partners: **Dalhousie Faculty of Health Professions** and the **Situating Science Strategic Knowledge Cluster** (situsci.ca); and our series supporters: **Schulich School of Law** and the **CIHR Training Program in Health Law, Ethics and Policy**. We thank them for their sponsorship.

SCHOLARSHIP

Research (Selected)

Urban Aboriginal Knowledge Network

\$2,500,000 Social Sciences and Humanities Research Council
2012-17 Constance MacIntosh, Co-Investigator
(Principal Investigator: David Newhouse)

RADIANT: Rehabilitative and Diagnostic Innovation in Applied NeuroTechnologies

\$1,650,000 Natural Sciences and Engineering Research Council
2011-17 Michael Hadskis, Collaborator (Principal Investigator:
Aaron Newman)

Health Law and Policy Agreement

\$448,000 Nova Scotia Dept. of Health and Wellness 2012-16
Constance MacIntosh; Leah Hutt, Research Associate

Redesigning Governance Mechanisms in Intergovernmental Health Care Relations – Advancing Theoretical and Methodological Innovations in Health Research

\$184,561 Canadian Institutes of Health Research 2012-15
William Lahey, Co-Principal Investigator

Emerging Health Researchers and the Commercialization of Academic Science

\$242,770 Canadian Institutes of Health Research 2012-15
Matthew Herder, Principal Investigator

CIHR Training Program in Health Law, Ethics and Policy

\$1,950,000 Canadian Institutes of Health Research 2009-15
William Lahey and Constance MacIntosh, Co-Principal Investigators;
Elaine Gibson, Jocelyn Downie, Sheila Wildeman, Co-Investigators

Centre for Interdisciplinary Training and Research in HIV/AIDS

\$1,800,000 Canadian Institutes of Health Research, Strategic
Training Initiative in Health Research 2009-2015
Jacqueline Gahagan, Co-Principal Investigator

Dr. Robert F. Maudsley Memorial Research/Study Grant

\$4,000 College of Physicians and Surgeons of Nova Scotia 2013-14
Elaine Gibson, Principal Investigator

Our Youth, Our Response: Building Capacity for Effective Policy and Programming Responses Across the Atlantic Region

\$147,883 Nova Scotia Health Research Foundation 2011-14
Jacqueline Gahagan, Principal Investigator

IGNITE: Identifying Genes and Novel Therapeutics to Enhance Treatment

\$4,800,000 Genome Canada 2011-14 Matthew Herder,
Co-Investigator (Principal Investigator: Chris McMaster)

Centre for REACH in HIV/AIDS (Research Evidence into Action for Community Health)

\$2,500,000 Canadian Institutes of Health Research, HIV/AIDS
Population Health and Health Services 2009-14
Jacqueline Gahagan, Co-Principal Investigator

The Ethics of End-of-Life Care: Understanding the Moral Landscape of Medicalized Dying in Canada

\$98,795 Canadian Institutes of Health Research 2011-13
Jocelyn Downie, Co-investigator (Co-Principal Investigators:
J. Fishman/M.E. MacDonald)

Pandemic Influenza: Competency-Based Health Human Resources Planning for Teams

\$399,995 Canadian Institutes of Health Research 2010-13
William Lahey, Co-Investigator
(Principal Investigator: Gail Tomblin Murphy)

Let Conscience be their Guide? Conscientious Refusals in Reproductive Health Care

\$240,297 Canadian Institutes of Health Research 2010-13
Jocelyn Downie, Co-Investigator (Principal Investigator: Carolyn McLeod)

Facilitating Access to Health Data for Research and Planning in Light of Laws and Ethical Norms

\$642,116 Canadian Institutes of Health Research 2009-13
Elaine Gibson, Co-Principal Investigator
Michael Hadskis, Co-Investigator

Making the World Health Organization's Framework for Sharing Influenza Viruses and Benefits Just

\$10,000 Public Health Agency of Canada, Canadian Institutes of
Health Research Influenza Research Network (PCIRN) 2011-12
Matthew Herder, Principal Investigator

Bodies Laid Bare in Law, Anatomy and Culture

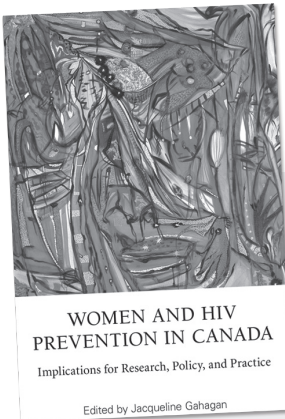
\$2,250 Royal Society of Canada, Open Academy 2012
Matthew Herder, Principal Investigator; Joanna Erdman, Co-Investigator

Privacy Practices: Understanding Patient and Privacy Officer Perspectives, Mapping Barriers to Public Health and Clinical Research

\$3,763 IWK Health Centre 2012
Matthew Herder, Principal Investigator

SCHOLARSHIP

Publications (Selected)



Women and HIV Prevention in Canada: Implications for Research, Policy, and Practice (Canadian Scholars' Press, 2013)
Jacqueline Gahagan, PhD, ed.

While containing a comprehensive collection of original readings that examine the impact of HIV/AIDS on the lives of Canadian women, this book takes as its point of departure the lessons from the past two decades of HIV prevention efforts with an eye to advancing research, policy,

and programmatic responses in a collaborative, multidisciplinary manner. Contributors cover such topics as the epidemiology of women and HIV/AIDS in Canada, enhanced surveillance specific to women, pregnancy and fertility issues, housing as a determinant of health, HIV prevention and prisons, new HIV prevention technologies, race, transgender issues, and other pressing primary and secondary HIV prevention issues for women. This book is a valuable resource for those involved in epidemiology in community health, sociology of health, nursing, health promotion, health service administration, social work, and health policy.

Constance MacIntosh, “Ameliorating Global Disparities in Indigenous Peoples’ Health: Law’s Roles and Potential” *Journal of Law, Medicine and Ethics* 41:1 (2013): 74-88.

Lindy Willmott, Ben White and Jocelyn Downie, “Withholding and Withdrawal of ‘Futile’ Life-Sustaining Treatment: Unilateral Medical Decision-Making in Australia and New Zealand” *Journal of Law and Medicine* 20:4 (2013): 90-924.

Francoise Baylis and Jocelyn Downie, “Trade in Human Eggs: Law, Policy, and (In)Action in Canada” *Journal of Law, Medicine, & Ethics* 41:1 (2013): 224-239.

Ben White and Jocelyn Downie, “Prosecutorial Guidelines for Voluntary Euthanasia and Assisted Suicide: Autonomy, Public Confidence and High Quality Decision-Making” *Melbourne University Law Review* 36:2 (2012): 656-705.

William Lahey and Meinhard Doelle, “Negotiating the Interface of Environmental and Economic Governance: Nova Scotia’s Environmental Goals and Sustainable Prosperity Act” *Dalhousie Law Journal* 35:1 (2012): 1-29.

Sheila Wildeman, “Protecting Rights and Building Capacities: Challenges to Global Mental Health Policy in Light of the Convention on the Rights of Persons with Disabilities” *Journal of Law, Medicine and Ethics* 41:1 (2013): 48-73.

Sheila Wildeman, Laura Dunn, and Cheluchi Onyemelukwe, “Incapacity in Canada: Review of Laws and Policies for Research Involving Decisionally Impaired Adults” *American Journal of Geriatric Psychiatry* 21:4 (2013): 314-25.

Joan Harbison, Stephen Coughlan, Marie Beaulieu, Jeff Karabanow, Madine Vanderplaat, Sheila Wildeman, and Ezra Wexler, “Understanding ‘Elder Abuse and Neglect’: A Critique of Assumptions Underpinning Responses to the Mistreatment and Neglect of Older People” *Journal of Elder Abuse and Neglect* 24:2 (2012): 88-103.

Matthew Herder, “When Everyone is an Orphan: Against Adopting a U.S.-Styled Orphan Drug Policy in Canada” *Accountability in Research* 20:4 (2013): 227-269.

Lynette Reid and Matthew Herder, “Is the Speaker Bureau System a Form of Peer Selling?” *Open Medicine* 7:2 (2013): 31-39.

Matthew Herder, “Choice Patents” *IDEA: The Intellectual Property Law Review* 52:3 (2012): 309-378.

Nathaniel Lewis, Jacqueline Gahagan, and Carlye Stein, “Preferences for Rapid Point-of-Care HIV Testing in Nova Scotia, Canada” *Sexual Health* 10:2 (2013): 124-132.

Joanne Parker, Lois Jackson, Margaret Dykeman, Jacqueline Gahagan, and Jeff Karabanow, “Access to Harm Reduction Services in Atlantic Canada: Implications for Non-Urban Residents Who Inject Drugs” *Health and Place* 18:2 (2012): 152-162.

Jocelyn Downie and Kate Dewhirst, “Women’s Health Law and Policy” in Borden Ladner Gervais LLP, ed., *Canadian Health Law Practice Manual* (LexisNexis, 2013).

William Lahey, “Collaboration Vital to Better Health Care, Improved Regulation” *Chronicle-Herald* Halifax, NS, November 29, 2012.

Joanna Erdman, Teresa DePiñeres, and Eszter Kismödi, “Updated WHO Guidance on Safe Abortion: Health and Human Rights” *International Journal of Gynaecology & Obstetrics* 120:2 (2013): 200-203.

Jacqueline Gahagan, et al., “An Overview of Determinants of Health Impacting Women and HIV Infection in Canada” and “Advancing Our Knowledge: Findings of a Meta-Ethnographic Synthesis” in Jacqueline Gahagan, ed., *Women and HIV Prevention in Canada* (Canadian Scholars’ Press, 2013): 15-48 and 49-84.

SCHOLARSHIP

Presentations (Selected)

Constance MacIntosh

“Poor Water and Food Insecurity in Canadian Indigenous Communities: What’s Law Got to Do with It?” University of Otago Canadian Indigenous Symposium (a sharing of research), NZ

“International Law and the Indigenous Global Health Deficit: What Can Law Really Do?” University of Otago Law Staff Seminar, NZ

Elaine Gibson

“Conceptualizing Consent in the Use of Existing Personal Information and Biospecimens” Canadian Society for Epidemiology and Biostatistics Conference, St. John’s

“Conceptualizing Consent in the Use of Personal Health Information for Research” Data Dialogues Paper Roundtable, Toronto

Jocelyn Downie

“Assisted Suicide and Voluntary Euthanasia in Canada” and “The Legal Status of Unilateral Withholding and Withdrawal of Potentially Life-Sustaining Treatment: Whose Decision is it Anyway?” Canadian Bar Association National Health Law Summit, Halifax

“Abortion and Conscientious Objection” Queen’s Symposium: Bodies of Law - Women’s Health and Equality, Kingston

“A Good Death: The Legal Situation” Atlantic School of Theology, Halifax

“Watch your Language: Stigmatization of Mental Illness in the Federation of Law Societies Model Code of Professional Conduct” International Legal Ethics Conference, Banff

William Lahey

“Reflecting on IPE & IPC: The Contribution of Regulators” Health and Education Sector Policy Collaboration Symposium: Preparing the Health Workforce for a Changing Practice Environment, Toronto

“Self-Regulation in the 21st Century: Inter-professional Regulatory Collaboration in Health Care in Nova Scotia” (Plenary) Canadian Network of National Associations of Regulators Conference, Ottawa (with Marjorie Hickey)

“Patient Safety and Law: Liability, Insurance and Regulation” Joint Meeting, Canadian Organization of Medical Physicists and Canadian College of Physicists in Medicine, Halifax (with Lorraine Lafferty)

Michael Hadskis

“Clinical Trials and Clinical Patient Care” CIHR Canadian Child Health Clinician Scientist Training Program, Halifax

“You Can’t Handle the Truth: The Therapeutic Exception to Informed Consent” Canadian Bar Association National Health Law Summit, Halifax

“Disaster Health Management: Legal Considerations” Canadian Red Cross Conference on Disaster Management, Halifax

Joanna Erdman

“Criminal Law and Harm Production” Criminal Regulation of Gender, Reproduction and Sexuality Authors Workshop, Harvard Law School, UK

“New Ideas in an Age-Old Field: Regulating Reproduction” and “Counselling and the Conscientious Decision” Osgoode Institute for Feminist Legal Studies Reproductive Rights Roundtable, Toronto

“Has Global Health Had its Decade?” (Panel) Joint Meeting, Boards of the Open Society Foundations, Hungary

Sheila Wildeman

“Questions about Mental Health Status on Applications to the Bar across Canada: A Critical Survey” International Legal Ethics Conference, Banff

Matthew Herder

“Emerging Health Researchers’ Exposure to Commercialization: Research Integrity as a Limiting Practice?” World Conference on Research Integrity, Montreal

“A Canadian Orphan Drug Framework? Exploring the Exclusivity Issue” Canadian Bioethics Society General Meeting, Banff

“Patent-Secrecy Dynamism in Genetic Testing” Dalhousie Faculty of Medicine Dept. of Medical Genetics Rounds; Dalhousie Medical Students’ Health Law & Ethics Journal Club; and Canadian Bar Association NS Health Law & Intellectual Property Sections, Halifax

Jacqueline Gahagan

“What’s Policy Got to Do with It? An Exploration of HIV Rehabilitation Policy Approaches in Canada and the UK” CUHRRRC-CWGHR International Forum on HIV and Rehabilitation Research, Toronto

“HIV Testing and Disclosure: Public Health or Legal Matters?” Dalhousie Health Law Institute Health Law and Policy Seminar Series, Halifax

“Women and Criminalization of HIV in Canada” Dalhousie Dept. of Community Health and Epidemiology Seminar Series, Halifax

EDUCATION

Highlighting Public Education

Health Law Institute members expanded their public education mandate this year. Responding to issues that the public wants to know more about, they created several community-based opportunities for knowledge translation, both to and from the public. These include **Matthew Herder's** hosting film nights at public libraries, where he screened (and facilitated discussions about) films on such matters as who owns and can use an individual's genetic information. **Elaine Gibson** also ran a public library workshop on the ownership of personal health information. **Jocelyn Downie** similarly hosted café-

based events to generate exchange and discussion about the trade in human eggs, and conscientious refusal by healthcare providers. Drawing on Royal Society of Canada Open Academy funding, **Matthew Herder** and **Joanna Erdman** teamed up with art historians and anatomists to facilitate an open public discussion about medicine, law, art, ethics and human cadavers. Addressing controversy over recent court cases, **Constance MacIntosh** and **Jacqueline Gahagan** lead a public workshop on the criminalization of non-disclosure of HIV. All events attracted a sizable crowd and lively interchange.

The Health Law Institute plays an important role in shaping tomorrow's professionals by exposing them to health law and policy issues. Institute members participate in educational activities at all levels of study within the Faculties of Medicine, Health Professions, Dentistry and the Schulich School of Law.

Undergraduate

Possessing one of Canada's largest array of health law and policy courses, the Schulich School of Law offered in 2012-13:

- Health Law (**Joanna Erdman**)
- Health Care Ethics and the Law (**Jocelyn Downie**)
- Advanced Negligence: Medical Malpractice (**Elaine Gibson**)
- Health Law and Policy: Current Issues (**Victoria Apold**)
- Mental Disability Law – Civil (**Archie Kaiser**)
- Mental Disability Law – Criminal (**Archie Kaiser**)
- Health Law Placement (**J. Erdman; L. Hutt, C. Gaulton, J. Feron**)
- Directed Research Paper
- Health Law Exchange Program (**Constance MacIntosh**)

In May 2013, 10 students convocated with their JD degree in Law along with a Specialization Certificate in Health Law and Policy. The newest alumni of the certificate program are **Julia Crabbe, Erin Dobbelsteyn, Katherine Drolet, Cameron Foster, Meaghan Gair, Johanna Goosen, Isabel Gowda, Lauren Hill, Caitlin Jimmo, and Elizabeth Miron**. Additionally, two students convocated with the combined Juris Doctor/Master of the Health Administration degree: **Charlotte Edwards** and **Kyle DeYoung**.

In the Faculty of Medicine, coordinated by **Matthew Herder**, clinical clerks completing their rotations in Internal Medicine, Obstetrics/Gynecology, and Psychiatry, received instruction on advance health care directives, the regulation of health professionals, and mental health law. These lectures were provided by **Jocelyn Downie, Leah**

Hutt, Matthew Herder, Elaine Gibson, and Sheila Wildeman. In addition, **Matthew Herder** spoke to the first year medical class on the topics of informed consent and patient-physician confidentiality, and **Sheila Wildeman** guest lectured (with **Christy Simpson**) to the second year class on assessing decision-making capacity. Several of the cases which were used to develop competencies within the undergraduate curriculum were developed by **Matthew Herder**.

Michael Hadskis oversaw the interdisciplinary program in the Faculties of Health Professions and Dentistry. Delivery participants included **Devon Peavoy** and **Michael Hadskis** (Health Professions); and **Catherine Gaulton, Suzanne Kennedy, Carrie Ricker, Leah Hutt, Corinne Boudreau** and **Ann Smith** (Dentistry). In the School of Health and Human Performance, **Jacqueline Gahagan** taught the Community Health Promotion Strategies course.



Left to right: Combined JD/MHA Graduates: **Kyle DeYoung** and **Charlotte Edwards**. JD/Health Law and Policy Specialists: **Erin Dobbelsteyn, Meaghan Gair, Cameron Foster, and Julia Crabbe**, plus six not in photo. LLM Graduate: **Liyusew Kidane**.

EDUCATION

Graduate

Three Fellows of the CIHR Training Program in Health Law, Ethics, and Policy successfully completed the Master of Laws program. They included: **Liyusew Kidane** whose thesis was entitled “Framework and Enforcement Strategy for Health Professions Regulation in Ethiopia;” **Nayha Acharya** whose thesis was entitled “Science on Law’s Terms: Implications of Procedural Legitimacy on Scientific Evidence;” and **Oluchi Aniaka** whose thesis was entitled “Making Informed Consent Work in Nigerian Health Care.” Five others continued their studies: three at the master’s level and two at the doctoral.

William Lahey served on examining committees for a student who is participating in Dalhousie’s Interdisciplinary Ph.D. program; for another who is doing graduate work with the School of Resource and Environmental Studies; and for another doctoral student who graduated from the University of Toronto’s Faculty of Law.

In Health Professions, an Interdisciplinary Ph.D. student in the School of Nursing was supported by **Jocelyn Downie** on her thesis committee. M.Sc. students in the School of Occupational Therapy received guest lectures by **William Lahey** on the Canadian health care system, **Sheila Wildeman** on consent and capacity, and **Matthew Herder** on client confidentiality. Master of Health Administration students enrolled in the online and newer onsite component of Health Care Law were taught by **Michael Hadskis** with assistance from **Jen Feron**.

MacBain Chair in Health Law and Policy – Joanna Erdman

In 2011, Dr. McCall MacBain announced that the McCall MacBain Foundation was donating \$3 million to found the MacBain Chair in Health Law and Policy. The Foundation focuses on improving the lives of others through university and community grants in health, education and the environment. This gift made Dalhousie the leader in health law and policy research in Canada, and placed the Health Law Institute among a small number of academic institutes with international impact in health law and policy.

Joanna Erdman joined us in July 2012, as the inaugural holder of the MacBain Chair in Health Law and Policy. Joanna is a leader in the field of reproductive justice, having previously co-directed the University of Toronto’s International Reproductive and Sexual Health Law Program, and having founded its Health Equity and Law Clinic. She shares her expertise on how best to support and advance reproductive health through law and policy with the World

Postgraduate

Michael Hadskis coordinated two Resident Health Law Days for medical residents. Invited speakers presented on health law issues, including medical negligence (**Michael Hadskis**), end of life issues (**Leah Hutt**), consent to treatment (**Elaine Gibson**), duty to treat (**Matthew Herder**), and health information (**Noelle England**).



HEALTH LAW STUDENTS’ ASSOCIATION 2012–13 EXECUTIVE

Beginning with promoting the Association at the Law Societies’ Fair during Orientation Week in September, to the upcoming year’s course advising session in March, members participated in various educational, fundraising, and social activities designed to further increase interest and awareness of health law and policy issues. These well-attended events, included the annual “Career Night” where invited guests spoke with students about their career paths and personal experiences in the field; and at a presentation by a legal aid lawyer on Nova Scotia’s mental health court. Members enjoyed the opportunity for fellowship and fun threaded throughout these and other activities.

Health Organization, the Open Society Foundations’ Public Health Program and by intervening in reproductive health cases before the European Court of Human Rights, the U.N. Committee on the Elimination of Discrimination against Women, and several national Latin American courts. Joanna disseminates her work through a jaw-dropping schedule of speaking engagements, as well as publications in law, medicine and social science journals. Her recent project, a collaborative volume on transnational legal developments in abortion, with contributors from the Americas, Europe, South Asian and Africa, is due for release in 2014. The exceptional nature of Joanna’s research, scholarship and public service is all the more remarkable in the face of her dedication to her students and teaching in health law and policy. Joanna’s first year with us culminated in her receipt of the Hanna & Harold Barnett Teaching Award. The Health Law Institute is thrilled to have Joanna as our MacBain Chair.

SERVICE

The Health Law Institute brings together a group of talented and generous individuals who continue to take serving the public interest seriously, contributing their time and expertise locally, provincially, nationally and internationally, and in a variety of forums. Described below are some of these contributions.

Here at Dalhousie, **Michael Hadskis** sat on the university Research Ethics Appeal Board, while **Elaine Gibson** continued to serve on Senate. **Jocelyn Downie** joined a Faculty of Health Professions Appointments Committee, and **Jacqueline Gahagan** served as Chair for the Health Promotions Department within the School of Health and Human Performance.

Members also served provincial interests, either sitting on provincial boards or working to support provincial government initiatives. For example, **Sheila Wildeman** sat on the Board of Directors for the Nova Scotia Division of the Canadian Mental Health Association, while **Jacqueline Gahagan** sat on the Board of Directors for prideHealth and for the Public Health Association of Nova Scotia. **William Lahey** was extensively involved in several specific provincial projects, including working with former Supreme Court of Canada justice Gerald La Forest to produce a review of Nova Scotia's Involuntary Psychiatric Treatment Act, and advising on the new Insured Health Services Act.

Many of our members also committed to undertaking national service engagements, or work for other provinces. For example, **Elaine Gibson** served in two capacities for the Canadian Institute of Health Research. She served both on their Humanities, Law, Ethics and Society in Health peer review committee, as well as a peer review committee for their Catalyst Grants. **Jocelyn Downie** agreed to act as a member of one of the Royal Society of Canada's Nominating Committee, while also consulting on the Model Code for the Federation of Law Societies. **Constance MacIntosh** continued her term as an Expert Panel Member for the Council of Canadian Academies Expert Panel on Food Security in northern Aboriginal communities.

Joanna's Erdman's many public service contributions were primarily on an international scale. Her work with the World Health Organization included serving on its Gender and Rights Advisory Panel, and co-chairing its consultations on rights, equity and quality in family planning programs. **Jocelyn Downie** also worked internationally, both sitting on the Surdna Foundation's Board of Directors and performing an ethics review for the New Zealand government on predictive risk modeling and child maltreatment.

Finally, members made themselves available to the media on a range of issues. **Matthew Herder** spoke on gene patents for radio interviews, and discussed the importance of transparency for clinical trials for interviews that were published in such forums as *MacLean's*, the *CMAJ*, and *Nature Medicine*.

It has been another year of diverse and extensive public service.



Spotlight on Elaine Gibson — Prof. Gibson is a long-standing contributor to health law scholarship and to the work of the Health Law Institute. This year she stepped down as our Associate Director, having served in this role since 1999, with two of those years spent as Acting Director. Given that the Institute was still in its infancy when Elaine joined us, her leadership and vision were fundamental for shaping its high standards and goals, and its collaborative and inclusive culture. Elaine's term has been particularly marked by her fierce dedication to advancing the Institute's public service and public education mandates. Under her hands, our speaker series flourished. She brought in close to 100 cutting-edge presenters. Our audience numbers from these years add up to over 5,000 people who have benefited from Elaine's insight into what health law and policy issues best capture the knowledge needs and interests of health care professionals, lawyers, bioethicists and students.

Elaine's commitment to advancing the public interest has also been strongly manifested in the time she has spent on law reform work: reviewing draft and existing legislation, appearing before Law Amendment Committees and Senate Standing Committees, and engaging in Health Canada and CIHR consultations. This work has often been at the request of governing bodies who sought, and continue to seek out, Elaine for her expertise in a range of areas of health law - including privacy and health information, public health, patient safety and involuntary psychiatric treatment. Elaine's scholarship is rich and extensive, spanning all of these areas and more. One highlight that exemplifies her contributions is the book that she co-edited with Jocelyn Downie, *Health Law at the Supreme Court of Canada*, which brought together scholarly reflections on all of the major Supreme Court of Canada judgments in the health law field, and in doing so, also brought together members of the health law community from across the country, both junior and senior. The Institute is deeply grateful to Elaine for her generous, ongoing contributions to ensuring that our work continues to play a central role in shaping Canadian health law and policy.

HEALTH LAW INSTITUTE MISSION

The Institute is committed to the advancement of health law and policy and the improvement of health care practice and health systems through scholarly analysis, professional education, and public service.

HEALTH LAW INSTITUTE OBJECTIVES

TO FOSTER STRONG AND INNOVATIVE HEALTH LAW AND POLICY SCHOLARSHIP

- by contributing to research in the area of health law and policy
- by providing external consultation services on matters having a significant impact on health law or policy

TO ADVANCE HEALTH LAW AND POLICY EDUCATION

- by designing and implementing education programs for law, medicine, health professions, and dentistry students
- by providing continuing education opportunities for health professionals and legal practitioners

TO SERVE THE PUBLIC IN OUR AREAS OF EXPERTISE

- by contributing to the societal understanding of health law and policy issues
- by providing expertise to organizations in the public sector
- by engaging in the policy-making process at local, regional, and national levels



HEALTH LAW INSTITUTE LOGO

The Institute's logo captures an eagle bursting into flight. The eagle is associated with strength, courage, vision, and energy. The upward movement and eastern facing direction of the eagle symbolize progression and new horizons. Likewise, the "Institute" is forward looking. The contemporary style of this icon, balanced by the stability of classic serif typeface, represents the Health Law Institute's strength, passion, and hope for the future.



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