



**SCHULICH SCHOOL OF LAW
DALHOUSIE UNIVERSITY**

**FACULTY PUBLICATIONS
(2012 – 2013)**

Bruce Archibald –

- “Criminal and Restorative Justice Models: Canadian Experience in European and Islamic Comparative Perspective”, (2013) 1 *International Review of Law* (forthcoming) (<http://www.qscience.com/loi/irl>). **R.**
- “Restorative Justice and the Rule of Law: Rethinking Due Process through a Relational Theory of Rights” (2013) (forthcoming) www.nsrj-cura.ca **R**

Vaughan Black –

- *Statutory Jurisdiction: An Analysis of the Court Jurisdiction and Proceedings Transfer Act* (Toronto: Carswell, 2012) (with Stephen Pitel and Michael Sobkin);
- “A Canada-US Full Faith and Credit Clause” (2012) 18 *Southwestern International Law Journal* **R**;
- “Simplifying Court Jurisdiction in Canada” (2012), *Journal of Private International Law* 411 **R.**
- “Choice of Law and Territorial Jurisdiction of Courts in Family Matters” 32 *Canadian Family Law Quarterly* 53
- “Conditional *Forum Non Conveniens* in Canadian Courts”. *Queen’s Law Journal* [forthcoming 2014] **R.**
- Stephen Pitel “Out of Bounds: Can a Court Sit Outside its Home Jurisdiction?” *The Advocates’ Quarterly* [forthcoming 2014].

David Blaikie –

- (with Thomas A. Cromwell & Darrel Pink, editors.) *Why Good Lawyers Matter* (Toronto: Irwin Law, 2012).
- (with Samantha Orr) *Halsbury’s Laws of Canada, The Law of Damages* (Toronto: LexisNexis, 2012).
- “*Clements v. Clements* and the Material Contribution Test” *Nova Voce* Vol. 31, No. 2, Winter 2012.
- (with Diana Ginn & Micah Goldstein) “Legislators and Religious-Based Reasoning” (2013) 21:2 *The Constitutional Forum* 1.

Sarah Bradley –

- *Nova Scotia Companies Act and Commentary*, 2014 ed. (Markham, Ont.: LexisNexis Butterworths, 2012) 450 pp (commentary 86pp).
- Book Review of *Corporate Crime and Accountability in Canada: From Prosecutions to Corporate Social Responsibility* by Norm Keith 29.3 B.F.L.R. [forthcoming 2014].
- Book Review of *Corporate Governance after the Financial Crisis* by Stephen Bainbridge 54 Can. Bus. L. J. [forthcoming 2014].

Kim Brooks –

- *Canadian Income Tax Law*, 4th ed. (Toronto: Butterworths, 2012) (with David Duff, Lisa Philipps, Benjamin Alarie, and Geoff Loomer).
- *Taxation of Corporate Reorganizations* (Toronto: Federated Press) (editor) (loose-leaf).
- *Critical Disability Studies and Feminisms: On Getting It*, (2013) vol. 25 no. 1 *Canadian Journal of Women and the Law* special volume, co-edited with Richard Devlin.
- “Editorial” (2013) vol. 25, no. 1 *Canadian Journal of Women and the Law* i – iii (with Richard Devlin).
- “Direct taxation, tax treaties and IIAs: mixed objectives, mixed results” in *Improving International Investment Agreements*, Armand de Mestral and Céline Lévesque, eds. (New York: Routledge, 2013) 303 – 322 (with Martha O’Brien).
- “Mrs. Dred Scott: A Life on Slavery’s Frontier” (2012) vol. 24, no. 2 *Canadian Journal of Women and the Law* 472-475. (book review)
- “Tax Policy in Canada” (European tax collection) [forthcoming]
- “The Supreme Court’s 2012 Tax Cases: Formalism Trumps Pragmatism and Good Sense” (Supreme Court Reports, 2012) (with Neil Brooks) [forthcoming]
- “Cameos from the Margins of Conjugality” in *After Legal Equality: Family, Sex, Kinship*, Robert Leckey, ed. (Routledge). [forthcoming]

Aldo Chircop –

- *Ocean Yearbook* Volume 27, co-edited with Moira McConnell and Scott Coffen-Smout (Leiden: Nijhoff, 2013).
- “Working Paper on the Development of Guidelines for the Implementation of Article 82 of the United Nations Convention on the Law of the Sea, 1982”, *Implementation of*

Article 82 of the United Nations Convention on the Law of the Sea, Report of an International Workshop convened by the International Seabed Authority in collaboration with the China Institute for Marine Affairs, Beijing 26-30 November 2012, ISA Technical Study No. 12 (Kingston, Jamaica: International Seabed Authority, 2013), 35-68, online: <http://www.isa.org.jm/files/documents/EN/Pubs/TS12-web.pdf>. **R**

- “Regulatory Challenges for International Arctic Navigation and Shipping in an Evolving Governance Environment,” in *CMI Yearbook 2013* (2013), 144-163.
- “The Continuum of International Maritime Law and Canadian Maritime Law: Explaining a Complex Relationship,” with Sarah Shiels, 35 *Dalhousie Law Journal* 295-328 (2013). **R**
- “Some Comments on the Role of Industry in the Prevention of Environmental Hazards Caused by Shipping,” in Hans-Joachim Koch, Doris König, Joachim Sanden & Roda Verheyen, eds., *Climate Change and Environmental Hazards Relating to Shipping: An International Legal Framework* (Leiden: Brill, 2013), 167-170.
- “Legal Frameworks for Integrated Coastal and Ocean Management in Canada and the European Union: Some Insights from Comparative Analysis,” with Ryan O’Leary, 13 *Vermont Journal of Environmental Law* 425-451 (2012). (Lead author). **R**
- “Prospects for Transboundary Marine Protected Areas in East Africa,” with Catarina Grilo and Jose Guerreiro, 43 *Ocean Development and International Law* 243-266 (2012). **R**
- “Comments by Aldo Chircop on the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) as amended,” in Comité Maritime International, *CMI Yearbook 2011-2012* (Antwerp: CMI, 2012), 384.
“Comments by Aldo Chircop on International Convention on Maritime Search and Rescue, 1979 (SAR Convention); Nuuk Agreement on Cooperation in Aeronautical and Maritime Search and Rescue in the Arctic, 2011,” in Comité Maritime International, *Yearbook 2011-2012* (Antwerp: CMI, 2012), 385. 11
- *Ocean Yearbook* Volume 28, co-edited with Moira McConnell and Scott Coffen-Smout (Leiden: Nijhoff, 2014). [forthcoming]
- “Article 82: Payments and Contributions with Respect to the Exploitation of the Continental Shelf Beyond 200 Nautical Miles,” in Alexander Proelß, ed., *The United Nations Convention on the Law of the Sea: A Commentary* (C.H. Beck & Hart Publishing, 2014). **R** [forthcoming]
- “Regulatory Challenges for International Arctic Navigation and Shipping in an Evolving Governance Environment,” in Aldo Chircop, Moira McConnell and Scott Coffen-Smout *Ocean Yearbook* Volume 28 (Leiden: Nijhoff, 2014). **R** [forthcoming]
- *The Regulation of Continental Shelf Development: Rethinking International Standards*, co-edited with Myron H. Nordquist, John Norton Moore and Ronan Long (Leiden: Martinus Nijhoff, 2013). [forthcoming]

- Book reviews of: Simon Baughen, *Shipping Law* 5th ed. (London & New York: Routledge, 2012); Indira Carr & Peter Stone, *International Trade Law* 4th ed. (London & New York: Routledge-Cavendish, 2010); Indira Carr & Miriam Goldby, *International Trade Law Statutes and Conventions 2011-2013* (London & New York: Routledge, 2012). *International Journal of Maritime History* 2013. [forthcoming]

Stephen Coughlan –

- (with Gerry Ferguson and Lee Seshagiri), *Annual Review of Criminal Law 2012* (Toronto: Carswell, 2013).
- “*R v Ryan: Welcome Clarity Around Duress*” (2013) 98 CR (6th) 252.
- “*Charter Protection Against Unlawful Police Action: Less Black and White Than it Seems*” in B. Berger and J. Stribopoulos, *Unsettled Legacy: Thirty Years of Criminal Justice under the Charter* (Toronto: LexisNexis Canada Inc, 2012) (anonymous blinded peer review)
- “*Keeping Primary Goals Primary: Why There is No Right to an Adequate Investigation*” (2012) 16 C.C.L.R. 247 (with Laura Peach) (peer reviewed, not blinded)
- “*Canada*” in Stephen Mason, general ed., *Electronic Evidence* (3^d ed.) (London: LexisNexis Butterworths, 2012) (with Robert J. Currie)
- “*30th Anniversary of the Canadian Charter of Rights and Freedoms: The Impact on Criminal Justice*” (2012) 91 C.R. (6th) 71 (with Janine Benedet, Lisa Dufraimont, Thierry Nadon, Tim Quigley and Don Stuart)
- Case comment on *R. v. F.(J.)* (2013) 99 C.R. (6th) 1
- Case comment on *R. v. Ward* (2013) 97 C.R. (6th) 377
- Case comment on *R. v. Aucoin* (2013) 97 C.R. (6th) 294
- Case comment on *R. v. Cole* (2012) 96 C.R. (6th) 88
- Case comment on *R. v. Pearson* (2012) 95 C.R. (6th) 69
- Case comment on *R. v. W.(A.)* (2012) 94 C.R. (6th) 368
- Case comment on *R. v. Steele* (2012) 93 C.R. (6th) 348
- Case comment on *R. v. P.(R.)* (2012) 93 C.R. (6th) 20
- Case comment on *R. v. Sanghera* (2012) 93 C.R. (6th) 198
- Case comment on *R. v. Jeffers* (2012) 92 C.R. (6th) 47

- Case comment on *R. v. McGee* (2012) 92 C.R. (6th) 96
- *Canadian Law Dictionary* (7th ed.) (Barrons Educational Series, forthcoming)
- “The Rise and Fall of Duress (or How Duress Changed Necessity Before Being Excluded by Self-defence)”, forthcoming, *Queen’s Law Journal* (anonymous blinded peer review.)
- “*Citizen’s Arrest, Property Owners, and Private Fiefdoms*”, forthcoming, *Canadian Criminal Law Review* (non-blinded peer review)
- “Sections 9, 10 and 11” in Errol P. Mendes and Stephane Beaulac, *The Canadian Charter of Rights and Freedoms* 5th ed. (with Rob Currie - non-blinded peer review)
- “Criminal Justice in a Post-Rule of Law World”, forthcoming in Patrick Healy (ed.) *The Function of Criminal Law in 2014*

Elaine Craig –

- “The Ethical Obligations of Defence Counsel in Sexual Assault Cases” forthcoming (2014) 51(2) *Osgoode Hall Law Journal* **R**
- “The Case for the Federation of Law Societies Rejecting Trinity Western University’s Proposed Law Degree Program” (2013) 25(1) *CJWL*. **R**
- Guest Blog – “Trinity Western Should Not Be Allowed An Anti-Gay Law School” *Canadian Legal Ease*, January 21, 2013 <http://canadianlegalease.com/tag/elaine-craig/>
- Review: “Forsaking Vulnerable Sex Work” Review: Anna Carline “Of Frames, Cons, and Affects: Constructing and Responding to prostitution and Trafficking for Sexual Exploitation” (2012) 20 *Feminist Legal Studies* 207 in online journal: Jotwell Equality Section
- “Capacity to Consent to Sexual Risk” forthcoming (2013) *New Criminal Law Review* [forthcoming]

Robert Currie –

- “A Tale of Two Brothers: The Impact of the *Khadr* Cases on Canadian Anti-Terrorism Law,” in C. Forcese & F. Crépeau, eds., *Terrorism, Law and Democracy: Ten Years After 9/11* (Montreal: Canadian Institute for the Administration of Justice, 2012), 307-346 **R**
- “Introduction” to “Hugh M. Kindred: A Tribute”, a special issue of the *Dalhousie Law Journal*, (2012) 35 *Dal. L.J.* (no pagination) (with Phillip Saunders)
- Annotation: *United States v. Leonard* (2012), 97 C.R. (6th) 111 (Ont. C.A.) **R**

- Annotation: *Doyle Fowler v. Canada (Minister of Justice)* (2011), 96 C.R. (6th) 200 (Que. C.A.) **R**
- Annotation: *R. v. Baldree* (2012), 92 C.R. (6th) 331 (Ont. C.A.) **R**
- Book Review, *Legal Issues in Electronic Commerce*, 3rd ed., by R.L. Campbell (2012) 10 CANADIAN JOURNAL OF LAW & TECHNOLOGY 121
- “Attempts”, in Federation of Law Societies, *2013 National Criminal Law Program* **R**
- “Theft in the Electronic Age”, in Federation of Law Societies, *2013 National Criminal Law Program* **R**
- “Abrogating the Witness Immunity Rule: How Far? How Fast?” in T. Archibald & R. Echlin, eds., *Annual Review of Civil Litigation 2013* (Toronto: Carswell, 2013), forthcoming
- Book Review, Fannie Lafontaine, *Prosecuting Genocide, Crimes Against Humanity and War Crimes in Canadian Courts* (2012), JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE (forthcoming) **R**
- Book Review, Terje Einarsen, *The Concept of Universal Crimes in International Law* (2012), JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE (forthcoming) **R**

Michael Deturbide –

- *Electronic Commerce and Internet Law in Canada* (Toronto: CCH Canadian, 2012) (with Teresa Scassa).
- Mobile Payments in Canada (report prepared for federal Office of Consumer Affairs, Industry Canada)

Richard Devlin –

- *Lawyers’ Ethics and Professional Regulation* (2nd ed.)(LexisNexis,Toronto, 2012) Co-editor with A. Woolley, B. Cotter, J. Law. [for this edition I have added one new chapter “Judges’ Ethics, Lawyers Dilemmas”, revised one chapter, and co-revised two additional chapters].
- “Guest Editorial: Critical Disability Studies and Feminisms: On Getting It” (2013) 25 Canadian Journal of Women and the Law i-iii [with Kim Brooks].
- “The Past, Present (and Future?) of Judicial Ethics Education in Canada” (2013) 16 Legal Ethics 1-35.[with Justice Adèle Kent and Susan Lightstone] **R**

- “Merging Worlds, Emerging Discourses: A Report on ILEC V” (2012) 15 *Legal Ethics* 379-380 [with A. Woolley]
- “The Calling of Law...A Canadian Perspective” in F. Westwood, ed., *Law as Vocation* (Ashgate, 2013). [with Jocelyn Downie] **R** [forthcoming]
- “Book Review: *Sitting in Judgement*” (2013) *Canadian Journal of Law and Society*. [forthcoming]
- “Culturally Incompetent Lawyers and the Trial Level Judge.” (2013) *Criminal Law Quarterly* [with D. Layton]. **R** [forthcoming]
- “Cause Lawyering in a Chilly Climate: Rocky Jones” in A. Dodek & A. Woolley. Eds., *Canadian Legal Ethics Stories* (Vancouver, UBC Press, 2014) **R** [forthcoming]

Meinhard Doelle –

- “The Role of EA in Achieving a Sustainable Energy Future in Canada: A Case Study of the Lower Churchill Panel Review” (2013) 25 *J. Env. L. & Prac.* 113 **R**
- (with Bill Lahey) “Negotiating the Interface of Environmental and Economic Governance: Nova Scotia’s Environmental Goals and Sustainable Prosperity Act (2012) 35 *Dalhousie Law Journal* 3 **R**
- “CEAA 2012: The End of Federal EA As We Know It?” (2012) 24 *J. Env. L. & Prac.* 1 **R**
- (with Nigel Bankes and Louie Porta) “Using Strategic Environmental Assessments to Guide Oil and Gas Exploration Decisions in the Beaufort Sea: Lessons Learned from Atlantic Canada” (2013) 22 *RECIEL* 103 **R**
- “Compliance and Enforcement in the Climate Change Regime” in *Climate Change and the Law*, Erkki Hollo, Kati Kulovesi and Michael Mehling (eds.) (Berlin: Springer, 2012)
- (co-author) “Climate Governance at the Municipal Level in Canada: A Case Study of Mitigation Efforts in Halifax” in Benjamin J. Richardson (ed.), *Local Climate Change Law: Environmental Regulation in Cities and Other Localities* (Edward Elgar Publishing, 2012)
- (with John Terry) “International Framework”, in D. Mahony ed., *Climate Change Law in Canada* (Aurora: Canada Law Book, 2012) (updated)
- “Arctic Climate Governance: Can the Canary in the Coal Mine lift Canada’s Head out of the Sand(s)?” (Chapter in Publication on Polar Governance) forthcoming
- (With Chris Tollefson) *Environmental Law: Cases and Materials 2nd ed.* (Toronto: Thomson/Carswell, 2013) forthcoming

- Book Review of: "Climate Change and the Oceans: Gauging the Legal and Policy Currents in the Asia Pacific and Beyond" by [Robin Warner](#), [Clive Schofield](#) (2013) Ocean Yearbook forthcoming)
- Book Review of: "International Law in the Era of Climate Change" Rosemary Rayfuse, Shirley Scott (2013) Climate Law forthcoming
- (co-author) "Invasive Seaweed: Law and Policy Responses" (2013) Botanica Marina forthcoming

Jocelyn Downie –

- (with Kate Dewhurst), "Women's Health Law and Policy" in Borden Ladner Gervais LLP, ed., *Canadian Health Law Practice Manual* (Toronto: Lexis Nexis, 2013) (earlier editions in 2000, 2003, 2010).
- (with Lindy Willmott, Ben White), "Withholding and Withdrawal of 'Futile' Life-Sustaining Treatment: Unilateral Medical Decision-Making in Australia and New Zealand" *Journal of Law and Medicine*. **R**
- (with Ben White), "Prosecutorial guidelines for voluntary euthanasia and assisted suicide: Autonomy, public confidence and high quality decision-making" *Melbourne University Law Review* **R**
- (with Ben White), "Prosecutorial discretion in assisted dying in Canada: A proposal for charging guidelines" *McGill Journal of Law and Health*. **R**
- (with Francoise Baylis), "Transnational Trade in Human Eggs: Law, Policy, and (In)Action in Canada" *Journal of Law, Medicine, & Ethics*. **R**
- (with Richard Devlin), "The Calling of Law: A Canadian Perspective" in Fiona Westwood ed., *The Calling of Law* (forthcoming Ashgate, 2013).
- (with Francoise Baylis), "The Tale of Assisted Human Reproduction Canada: A Tragedy in Five Acts" (forthcoming *Canadian Journal of Women and the Law*).
- (with Jacqueline Shaw), "Welcome to the Wild, Wild North: Conscientious Objection Policies Governing Canada's Medical, Nursing, Pharmacy, and Dental Professions" (2014) 28(1) *Bioethics: Special Issue on Conscientious Objection* (forthcoming 2014). **R**
- (with Carolyn McLeod), co-editors, *Bioethics*, Special Issue on Conscientious Refusals (forthcoming 2014) **R**
- (with Francoise Baylis), co-editors, *IJFAB (International Journal of Feminist Approaches to Bioethics)*, Special Issue on Transnational Reproductive Travel (forthcoming 2014). **R**

Joanna Erdman -

- *Abortion Law in Transnational Perspective: Cases and Controversies* (University of Pennsylvania Press, forthcoming 2014) (editor) (with R.J. Cook and B.M. Dickens)
- “*The Procedural Turn: Abortion at the European Court of Human Rights*,” in R. Cook, J. Erdman & B.M. Dickens eds., *Abortion Law in Transnational Perspective: Cases and Controversies*, 57-78 (University of Pennsylvania Press, forthcoming 2014)
- “Updated WHO guidance on safe abortion: Health and human rights,” (2013) 120 *International Journal of Gynecology and Obstetrics* 200-203.
- “*Canada: Competing frames of access and authority*,” in A. Foster and L.L. Wynn eds., *Emergency Contraception: The Story of a Global Reproductive Health Technology*, 57-78 (Palgrave MacMillan, 2012).
- “Harm reduction, human rights, and access to information on safer abortion,” (2012) 118 *International Journal of Gynecology and Obstetrics* 83-86.

Elaine Gibson –

- “Public Health Information Privacy and Confidentiality”, in N. Ries, T. Bailey and T. Caulfield, eds., *Public Health Law and Policy in Canada*, 3rd ed. (Toronto: Lexis-Nexis, 2013), 131-176.

Diana Ginn –

- (with David Blaikie & Micah Goldstein) "[Legislators and Religious-Based Reasoning](#)" (2013) 21:2 *The Constitutional Forum* 1.
- Updated version of *Title on Religious Institutions*, for newest edition of Halsbury’s Laws of Canada [forthcoming]

Michael Hadskis –

- M. Schmidt, M. Hadskis, J. Downie and J. Marshall, “Incidental Findings and the Minimal Risk Standard: Implications for Pediatric Neuroimaging Research”, *IRB: Ethics & Human Research* [forthcoming]

Archie Kaiser –

- “Law and Psychiatry in the Age of the *Convention on the Rights of Persons with Disabilities*”, in Hy Bloom and Richard D. Schneider, Eds., Law and Mental Disorder: A Comprehensive and Practical Approach, Irwin Law, 2013, 1333-1352.

- “*Ryan*: A Troubling and Doctrinally Meandering Case Sets the Stage for the Law Reform Process and an Independent Inquiry”, (2013) 98 *Criminal Reports*, (6th), 261-285.
- “Canadian Drug Policy: Confusion, Over-Extension, Distortion and Self-Defeat in the Function of the Criminal Law”, in *The Function of Canadian Criminal Law in 2013*, Patrick Healy, Ed. [forthcoming]

Lorraine Lafferty –

- (with William Lahey & Robert Currie), “Interprofessional Healthcare Policy and Regulation”, Sue Coffey & Charles Anyinam, eds. in *Interprofessional Healthcare Practice* (Toronto: Pearson Canada Inc.) [forthcoming]

William Lahey –

- “Negotiating the Interface of Environmental and Economic Governance: Nova Scotia’s *Environmental Goals and Sustainable Prosperity Act*” (2012) 35(1) *Dalhousie L.J.* 1-29. [with Meinhard Doelle] **R**
- *The Legislative Framework Governing Access to “Insured Health Services” under the Canada Health Act and to “Insured Services” under the Legislation of the Province of Alberta – A Report to the Health Services Preferential Access Inquiry of the Province of Alberta.* (November 30, 2012), (Health Services Preferential Access Inquiry, 2012), online at: <https://healthaccessinquiry.com/transcriptions>. Now published in: Health Services Preferential Access Inquiry - Alberta (Hon. John Z. Vertes, Commissioner), *Volume 2: Research and Expert Opinions* (Health Services Preferential Access Inquiry, August 2013), 7-69.
- “Collaboration vital to better health care, improved regulation” (November 29, 2012) Chronicle-Herald, Halifax, Nova Scotia.

Jennifer Llewellyn –

- Llewellyn, "**Integrating Peace, Justice and Development in a Relational Approach to Peacebuilding**" 2012 *Ethics and Social Welfare* 6:3. **R**
- (with D. Philpott) (eds.) *Restorative Justice, Reconciliation and Peacebuilding* (forthcoming: Oxford University Press). **R**
- (with D. Philpott) “Restorative Justice and Reconciliation: Twin Frameworks for Peacebuilding” in *Restorative Justice, Reconciliation and Peacebuilding* (forthcoming: Oxford University Press). **R**
- (with K Llewellyn) “A Restorative Approach to Learning: Relational Theory as Feminist Pedagogy in Universities” forthcoming in T. Penny Light, J. Nicholas & R. Bondy (eds.) *Feminist Pedagogy in Higher Education: Critical Theory and Practice* (Wilfred Laurier University Press). **R**
- I am guest editing (together with Bruce Archibald) this issue of the Dalhousie Law Journal featuring research emerging from the NSRJ-CURA.
- (with B. Archibald) (eds.), *Restorative Justice Theory and Practice: Research from the Nova Scotia Restorative Justice Community University Research Alliance (working title)* Special Issue *Dalhousie Law Journal* 36:1 Fall 2013. **R**
- (with B. Archibald, D. Clairmont and D. Crocker), “Imagining Success for a Restorative Approach to Justice” forthcoming in *Dalhousie Law Journal* 36:1 Fall 2013. **R**

Geoffrey Loomer –

- D.G. Duff, B. Alarie, K. Brooks, G. Loomer and L. Philipps, *Canadian Income Tax Law* (4th ed, LexisNexis, Toronto, 2012) [revisions to chs 1 and 4]
- G. Loomer, “Canada” (National Report) in H. Gribnau and M. Pauwels (eds), *Retroactivity of Tax Legislation: 2010 EATLP Congress* (European Association of Tax Law Professors, Leuven, 2013) pp 193–210

Constance MacIntosh –

- Constance MacIntosh, “Ameliorating Global Disparities in Indigenous Peoples’ Health: Law’s Roles and Potential” (2013) 41(1) *Journal of Law, Medicine and Ethics* 74-88. **R**
- Constance MacIntosh and Gillian Angrove, “Developments in Aboriginal Law: The 2011-2012 Term – Charter rights, Constitutional Rights, Taxation and Sentencing” (2012) 59 *SCLR* (2d) 1-50.
- Constance MacIntosh, “The Intersection of Aboriginal Public Health with Canadian Health Law and Policy” in T. Bailey, T. Caulfield and Ries, eds., *Public Health Law and Policy in Canada, 3rd ed* (Butterworths: Toronto, 2013). [forthcoming]

Wayne MacKay –

- (with Lyle Sutherland and Kimberley D. Pochini), *Teachers and the Law: Diverse Roles and New Challenges*, 3rd ed. (Toronto: Emond-Montgomery Ltd., 2013). Updated, expanded and revised edition with two completely new chapters and a total of 300 pages.
- “Evolving Fundamental Principles and Merging Public Law Silos: The Reshaping of Canada’s Constitutional Landscape”, in E. Mendes and S. Beaulac (eds.) *Canadian Charter of Rights and Freedoms*, 5th ed. (Toronto: Lexis Nexis Can. Inc., 2013). The chapters of this book are also to appear as a special issue of the *Supreme Court Law Review* in 2013-14.
- “The Marriage of Human Rights Codes and Section 15 of the Charter in Pursuit of Equality: A Case for Greater Separation in Both Theory and Practice” (2013) 64 *U.N.B.L.J.* 54. Special Issue on the Topic: The Promise of Equality Are We There Yet?
- (with John McKinlay, Robert J. Konopasky, Abigail Konopasky, and Tessa Barrett), “Bullying: Finding Schools Liable Changes Everything”, in R.C. Flynn, ed., *Rights and Reason: Shifting Tides in Law and Education* (Toronto: Informco Inc., 2012) at 129 (Chp 6). Published Proceedings of the Twenty Second Annual Conference of the Canadian Association for the Practical Study of Law in Education (CAPSLE), held in St. John’s, Newfoundland, May 1-3, 2011.

Moira McConnell –

- (P) (with Aldo Chircop and Scott Coffen-Smout), eds., *Ocean Yearbook*, Volume 27 (Leiden/Boston: Brill, Martinus Nijhoff). **R**
- (P) (*one of 5 Associate Editors*) *Yearbook of International Environmental Law* Vol. 22 (2012 published in 2013) (Oxford: Oxford University Press).
- Co- Investigator Donner Foundation Grant, Canadian and Russian Approaches/ Challenges in Arctic Ocean Governance (shipping) – co-authored paper with Aldo Chircop (submitted September 2011 still in process - Publication now planned for 2013 in the Arctic Review. **R** [forthcoming]
- Update of M. Doelle, M.L. McConnell, D. VanderZwaag, “Invasive seaweeds: global and regional law and policy” *Botanica Marina* 50 (2007): 438–450 to include a new co-author and information. In submission **R** [forthcoming]

Jonathan Penney-

- “Open Connectivity, Open Data: Two Dimensions of the Right to Seek, Receive, and Impart Information”, (2012) 4 Victoria University of Wellington L Rev (Special InternetNZ Series) 1 **R**
- “Communications Disruption and Censorship Under International Law,”(2012) Free and Open Communications on the Internet (FOCI) Working Paper No. 9, USENIX Security Symposium, Advanced Computing Systems Association (ACSA), Bellevue, Washington, 2012 **R** (computer science conf – paper published online only)
- “Copyright’s Media Theory and the Internet: The Case of the Chilling Effects Doctrine,” in Courtney B Doagoo, Mistrale Goudreau, Madelaine Saginur & Teresa Scassa, eds, *Intellectual Property for the 21st Century: Interdisciplinary Perspectives on Intellectual Property Law* (forthcoming in 2013) **R**
- “Ivan Rand’s Ancient Constitutionalism,” in DeLloyd Guth & John McEvoy, eds, *Ivan Rand at the Supreme Court of Canada, 1943-1959* (Winnipeg: Supreme Court Historical Society, forthcoming 2014) **R**

Leonard Rotman –

- (with *John J. Borrows), *Aboriginal Legal Issues: Cases, Materials & Commentary, 4th ed.*, (Toronto: LexisNexis, 2012) pp.
- “Re-Evaluating the Basis of Corporate Governance in the Post, Post-Enron Era,” in Susan Watson and P.M. Vasudev, eds., *Corporate Governance After the Financial Crisis*, (Edward Elgar, 2012) 101-19.

- “Is Corporate Law Experiencing its Own ‘Groundhog Day’?” - U. St. Thomas L.J. --. Invited Symposium contribution.

Phillip Saunders –

- “Sustainability and the Atlantic Bluefin Tuna: Science, Socioeconomic Forces, and Governance” with J. Phyne (St FX), Mike Stokesbury and Montana MacLean (Acadia); 16 *Journal of International Wildlife Law and Policy* 2013 (forthcoming).
- “The Bahamas – Cuba Maritime Boundary”, with Loren Klein and Natasha Turnquest. In C Lathrop, ed, *International Maritime Boundaries* (Martinus Nijhoff, 2013), forthcoming.
- Guest Co-editor, with Rob Currie, Special edition of the *Dalhousie Law Journal* in honour of Hugh Kindred (2013).

Rollie Thompson –

- Editor, *Nova Scotia Civil Procedure Rules*, 2nd ed. (LexisNexis, looseleaf), Issues 15, 16, 17 and 18.
- “To Vary, To Review, Perchance to Change: Changing Spousal Support” (2012), 31 *Can.Fam.L.Q.* 355-82.
- “Annotation: *Droit de la famille – 091768*” (2013), 21 *R.F.L.* (7th) 325-35.
- “The Contribution of Spousal Support Guidelines to Equality in Parenting”, [2013] 4 *F.L.P.* 1.
- “The TLC of Shared Parenting: Time, Language and Cash” in Law Society of Upper Canada, *7th Annual Family Law Summit* (Toronto, May 6-7, 2013)(forthcoming in (2013), 32 *Can.Fam.L.Q.* 315-349)
- “Ideas of Spousal Support Entitlement” in Legal Education Society of Alberta, *46th Annual Refresher: Family Law* (Lake Louise, April 28-30, 2013).
- “Lovers in a Dangerous Time: Loose Ends After *Kerr v. Baranow*” in *Unmarried and Unjust [Enrichment] SuperConference* (Edmonton/Calgary, November 29-30, 2012).
- “Evidence” in Nova Scotia Barristers’ Society, *2013 Bar Review Materials* (May 2013).
- “Common-Law Couples Still Left Out After *Eric v. Lola*” in (2013), 31 *Nova Voce* No. 3 at p. 4 (published by CBA Nova Scotia).

David VanderZwaag –

- (with Jeffery A Hutchings, S Jennings and Randall M Peterman), “Canada’s International and National Commitments to Sustain Marine Biodiversity” (2012) 20 *Envtl Rev* 312 **R**.
- (with Jeffrey A Hutchings, Isabelle M Coté, Julian J Dodson, Ian A Fleming, S Jennings, Nathan J Mantua, Randall M Peterman, Brian E Riddell and Andrew J Weaver), “Is Canada Fulfilling Its Obligations to Sustain Marine Biodiversity? A Summary Review, Conclusions and Recommendations” (2012) 20 *Envtl Rev* 353 **R**.
- “The IMO and Arctic Marine Environmental Protection: Tangled Currents, Sea of Challenges” in Oran R Young, Jong Deog Kim and Yoon Hyung Kim, eds, *The Arctic in World Affairs: A North Pacific Dialogue on Arctic Marine Issues, 2012 North Pacific Arctic Conference Proceedings* (Honolulu: East-West Center, 2012) 99-128.
- “Arctic” (2011) 22 *YB Intl Envtl L* 254.
- (with Cecilia Engler-Palma), “Canadian Leadership Needed to Save Threatened American Eel” (June 5, 2013) *Embassy* 24.
- “Canada and the Governance of the Northwest Passage: Rough Waters, Cooperative Currents, Sea of Challenges” in David Caron & Nilufer Oral, eds, *Straits Used in International Navigation: Is International Law Meeting the Challenge?* (Leiden: Martinus Nijhoff 2013) [forthcoming]
- “The ICJ, ITLOS and the Precautionary Approach: Paltry Progressions, Jurisprudential Jousting” (2013) 35 *U Hawaii L Rev* 1 [forthcoming]
- (with Richard Apostle and Steven J Cooke), “Tracking and Protecting Marine Species at Risk: Scientific Advances, Sea of Governance Challenges” (2013) 16 (2-3) *J Int’l Wildlife L & Pol’y* 105 [forthcoming]
- (with Cecilia Engler-Palma and Richard Apostle et al.), “Sustaining American Eels: A Slippery Species for Science and Governance” (2013) 16 (2-3) *J Int’l Wildlife L & Pol’y* 128 [forthcoming]
- (with Richard Apostle, Michael J Dodswell, Cecilia Engler-Palma, Mathew K Litvak, Montana F McLean, Michael JW Stokesburry and Andrew D Taylor), “Sustaining Atlantic Sturgeon: Stitching a Stronger Scientific and Governance Net” (2013) 16 (2-3) *J Int’l Wildlife L & Pol’y* 170 [forthcoming].
- (with Brendal Davis, Aurelie Cosandey-Godin et al.), “The Conservation of the Greenland Shark (*Somniosus microcephalus*): Setting Scientific, Law and Policy Coordinates for Avoiding a Species at Risk” (2013) 16(4) *J Int’l Wildlife L & Pol’y* [forthcoming]
- (with Tim Stephens), eds, *Polar Oceans Governance in an Era of Environmental Change* (Chettenham, UK: Edward Elgar) [forthcoming]

- (with Tim Stephens), “Polar Oceans Governance: Shifting Seascapes, Hazy Horizons” in Stephens and VanderZwaag, *ibid.* [forthcoming]
- “The Arctic Council and the Future of Arctic Ocean Governance: Edging Forward in a Sea of Governance Challenges” in Stevens & VanderZwaag, *ibid.* [forthcoming]

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(Spring 2013): 48-73. **R**
- (with Laura Dunn & Cheluchi Onyemelukwe), "Incapacity in Canada: Review of Laws and Policies for Research involving Decisionally Impaired Adults" *American Journal of Geriatric Psychiatry* *American Journal of Geriatric Psychiatry* 21:4 (2013): 314-25. **R**
- “*Pas de Deux: Deference and Non-Deference in Action*” in C. Flood & L. Sossin, eds., *Administrative Law in Context*, 2nd ed (Toronto: Emond Montgomery 2012) 323-379 [substantial revision to earlier chapter in text]
- “Administrative Law” *Bar Review Materials* (Nova Scotia Barristers’ Society, 2013).
- (with Gina Bravo, Scott Y.H. Kim, Marie-France Dubois, Carole A. Cohen, and Janice E. Graham), “Surrogate Consent for Dementia Research: Factors Influencing Five Stakeholder Groups from the SCORES Study” (July-Aug 2013) 35:4 *IRB: Ethics & Human Research* 1-11 [Feature Article] **R** [forthcoming]
- (with Gina Bravo, Marie-France Dubois, Scott YH Kim, Carole Cohen, Janice Graham and Karen Painter), “Substitute consent practices in the face of uncertainty: a survey of Canadian researchers in aging” *International Psychogeriatrics* doi:10.1017/S1041610213001336 (accepted July 10, 2013) **R** [forthcoming]
- “Doing the Rule of Law in Different Voices (or, what to do with *Doré v. Barreau du Quebec?*)” prepared for / distributed to participants at the CIAJ (Canadian Institute for the Administration of Justice) *National Dialogue on Administrative Law*, Toronto, May 24, 2013. [forthcoming]

Faye Woodman –

- “As the Baby-Boomers Age, How Should They be Taxed?: The “Old” Age Tax Credit and “New” Age-Dependent Taxation” in Kim Brooks, ed, *The Quest for Tax Reform Continues: The Royal Commission on Taxation Fifty Years Later* (Toronto: Carswell, 2013) at 239. **R**