SCHULICH SCHOOL OF LAW
DALHOUSIE UNIVERSITY

FACULTY PUBLICATIONS
(2013 – 2014)
Dalhousie Law Faculty

Bruce Archibald –

- Restorative Justice and the Rule of Law: Rethinking Due Process through a Relational Theory of Rights, posted on SSRN, February, 14, 2014
- Imagining Success for a Restorative Approach to Justice: Implications for Measurement and Evaluation 2013, 36:2 Dalhousie Law Journal 281 (with Jennifer Llewellyn, Don Clairmont and Diane Crocker)

Jaime Baxter –

Vaughan Black –


Sarah Bradley –

Kim Brooks –

- The Quest for Tax Reform Continues: The Royal Commission on Taxation Fifty Years Later (Toronto: Carswell, 2013).
- “‘I believe we shall have significant tax reform’: The Legacy and Importance of Canada’s Carter Commission” in Kim Brooks, ed., The Quest for Tax Reform Continues: The Royal Commission on Taxation Fifty Years Later (Toronto: Carswell, 2013).

Aldo Chircop –

• “Regulatory Challenges for International Arctic Navigation and Shipping in an Evolving Governance Environment” (2014) 28 Ocean Yearbook. 269. R


Stephen Coughlan –


• Canadian Law Dictionary (Hauppage NY, Barrons Educational Series, 2013)

• “Citizen’s Arrest, Property Owners, and Private Fiefdoms” (2014) 18 Can Crim LR 1

• “Social Media: The Law Simply Stated” (2013) 11 CJLT 229 (with Robert J Currie)

• “Learning from Experience about Learning from Experience: Modifying the Objective Test for Arrest and Detention” (2013) 4 CR (7th) 245

• “The Rise and Fall of Duress (or How Duress Changed Necessity Before Being Excluded by Self-defence)” (2013) 39 Queen’s LJ 83


• “Telus: Asking the Right Questions about General Warrants” (2013) 100 CR (6th) 290
• Case comment on R. v. Spin (2014) 9 C.R. (7th) 308
• Case comment on R. v. Cisar (2014) 9 C.R. (7th) 73
• Case comment on R. v. Sekhon (2014) 8 C.R. (7th) 223
• Case comment on R. v. Duszak (2014) 7 C.R. (7th) 97
• Case comment on R. v. McRae (2014) 6 C.R. (7th) 339
• Case comment on R. v. Vu (2014) 6 C.R. (7th) 1
• Case comment on R. v. Felix (2013) 3 C.R. (7th) 223
• Case comment on R. v. Hiscoe (2013) 1 C.R. (7th) 350

Elaine Craig –


Robert Currie –

• (with Joseph Rikhof), International and Transnational Criminal Law, 2nd ed. (Toronto: Irwin Law, 2013) [second updated edition of external, blind peer-reviewed book]

• “Sections 9, 10 and 11 of the Canadian Charter” in E. Mendes & S. Beaulac, eds., Canadian Charter of Rights and Freedoms, 5th ed. (Markham, ON: LexisNexis Canada Inc., 2013) 793-878 (with Steve Coughlan) [external blind peer review]

• “Extradition” in Joel E. Pink & David C. Perrier, eds., From Crime to Punishment, 8th ed. (Toronto: Carswell, 2014) 669-680 [peer reviewed by editors]

• (with Steve Coughlan), “Social Media: The Law Simply Stated” (2013) 11 CJLT 229


• Book Review, Prosecuting Genocide, Crimes Against Humanity and War Crimes in Canadian Courts by Fannie Lafontaine (2013) 11 JOURNAL OF INTERNATIONAL CRIMINAL

• “Apprehension of Bias on the part of the Trial Judge”, in Federation of Law Societies, *2014 National Criminal Law Program* [peer-reviewed, by Justice David Watt]

• “Social Media and the Open Courts Principle”, in Federation of Law Societies, *2014 National Criminal Law Program* [peer-reviewed, by Justice David Watt]

Michael Deturbide -

Richard Devlin –

• “Culturally Incompetent Counsel and the Trial Level Judge: A Legal and Ethical Analysis” (2014) 60 *CLQ* 360-385. [with D. Layton] R


Meinhard Doelle –

• (with Chris Tollefson) *Environmental Law: Cases and Materials 2nd ed.* (Toronto: Thomson/Carswell, 2013)

• “Arctic Climate Governance: Can the Canary in the Coal Mine lift Canada’s Head out of the Sand(s)?” in Timothy Stephens and David VanderZwaag, eds, *Polar Oceans Governance in An Era of Environmental Change* (Edward Elgar Publishing, 2014)


• 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)

Jocelyn Downie –


• (with Jacqueline Shaw), "Welcome to the Wild, Wild North: Conscientious Objection Policies Governing Canada’s Medical, Nursing, Pharmacy, and Dental Professions" (2013) 28:1 Bioethics 33. R


Re = subjected by the publisher to anonymous evaluation by experts in the field
REd = reviewed by the editors of the book or journal

Joanna Erdman -

• Abortion Law in Transnational Perspective: Cases and Controversies (University of Pennsylvania Press, 2014) (with R. Cook and B. Dickens).


• “Abortion in International Human Rights Law,” in S. Rowlands ed., Abortion Care, 244--250 (Cambridge University Press, 2014) R

Elaine Gibson –


Diana Ginn –

• Title on Religious Institutions, for newest edition of Halsbury’s Laws of Canada, published by LexisNexis
Michael Hadskis –

Archie Kaiser –


Lorraine Lafferty –

William Lahey –


Jennifer Llewellyn –


Geoffrey Loomer –

Constance MacIntosh –

- “*Tsilhqot’în Nation v BC*: Re-Configuring Aboriginal Title in the Name of Reconciliation” 2014 47(1) UBCLR 167-210. Peer-reviewed by 2 anonymous reviewers. R


Wayne MacKay -

Moira McConnell –


- (P) (expert contributor to a UN publication/ document) *Background paper for discussion at the first meeting of the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006* (Geneva, 7-11 April 2014) ILO
Doc. No. STCMLC/2014. Available online @

- (P) (with Aldo Chircop, Scott Coffen-Smout, eds.), *Ocean Yearbook*, Volume 28 (Leiden/Boston: Brill/Martinus Nijhoff ). R

Jonathan Penney-

Leonard Rotman –

Phillip Saunders –
- Guest editor, Special edition of the DLJ on East Coast Oil and Gas Issues – undertook updating of articles completed (due to delay in production).

Jonathan Shapiro –

Rollie Thompson –


• (with Carol Rogerson) “A Reply to Mr. Grant: No ‘Errors’ in the Shared Custody Formula” in OBA Family Law Section, *Matrimonial Affairs* (May 12, 2014)(online)


**Esmeralda Thornhill –**


Sheila Wildeman –


• “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, Halifax, Nova Scotia: November, 2013 (revised version of paper distributed for CIAJ event in Toronto, May 24, 2013.)
Michelle Williams -


Faye Woodman -