

UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA

**Minutes of the Closing Plenary Session of the 99th Annual Meeting
of the Uniform Law Conference of Canada
Held in Regina, SK
on Thursday August 17, 2017 at 11:15am**

Opening Remarks

The meeting was called to order at 11:15am with President Manon Dostie as Chair and Executive Director Marie Bordeleau as Secretary.

Ms Dostie noted that an updated budget was circulated, outlining the proposed expense for the website, to be \$25,000 in this fiscal year and \$25,000 the 2018 – 2019 fiscal year, and said that Genevieve Harvey and the Communications Committee are working on the RFP and more precise figures will be shared later in the year.

Kathryn Sabo, seconded by Charmaine Bouchard, **MOVE THAT** the budget for the fiscal period 2017-2018 be approved subject to amendments by the Executive Committee as deemed necessary. Motion carried.

Report from the Criminal Section

Laura Pitcairn reported that the Criminal Section got through all of the resolutions by starting early this morning. There were 27 in total, nine were carried as is, 14 were carried with amendments, and none defeated, but two were withdrawn without discussion as they overlapped with other jurisdiction's resolutions, and two were withdrawn after discussion. There were some interesting debates, particularly on the CCCDL's call for the creation of a royal commission of inquiry on the reporting, investigation and prosecution of sexual offenses in Canada. This resolution was withdrawn as the ULCC doesn't have the power to call on the government to strike such a commission. Other interesting discussions included the Québec resolution on making victim impact statements available to the Crown as soon as they are available to the court, and a resolution from Alberta on making video surveillance recordings admissible in court without affidavits. There were also presentations by Senator Batters and by Parliamentary Secretary Marco Mendicino.

The working groups on telewarrants, charter costs awards and criminal records checks will continue their work, and two new working groups were struck: one will review the Section 490 of the Criminal Code and another on Section 9 of the Canada Evidence Act.

Ms Pitcairn announced that Samantha Hulme (BC) has been selected to chair the Criminal Section in 2017-2018, and Matthew Hinshaw (AB) will serve in 2018-2019. Ms. Pitcairn acknowledged the work of Dorette Pollard all year and Marie Bordeleau for her support all week in the Secretariat, as well as our interpreters and AV technicians.

Ms Dostie said it was a pleasure to work with Ms Pitcairn and Ms Pollard this year and noted that she was looking to working with Ms Hulme in the coming year. Ms Dostie said enjoyed attending some of

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the Criminal Section's sessions during the week, as it is substantively different from the Civil Section and there are a lot of procedural differences as well. Ms Dostie encouraged future Vice-presidents and Presidents to attend cross-Section sessions to learn more about the other Section.

Report from the Civil Section

The Civil Section received an extensive report from the working group on the *Uniform Vital Statistics Act*, and it is anticipated that a revised Act and Commentary will be submitted in time to meet the November 30th rule. Work continues on projects related to commercial tenancies and electronic documents, and uniform provisions are expected to be presented for consideration at the 2018 Annual Meeting. In addition, the Civil Section received reports on franchises and the interprovincial and interterritorial collection of tax debt, as well as an update by Harriet Lansing on the ULC's work in the United States. Maria Markatos was introduced as the incoming Civil Section Chair for 2017-2018.

Report from the Nominating Committee

The Nominating Committee was struck earlier this week, comprised of Immediate Past President Elizabeth Strange as Chair and long-time delegates and past presidents. The result of their deliberations being unanimous, Ms Strange presented the following motion on behalf of the committee:

THAT Manon Dostie, currently Acting President, be nominated for President of the ULCC, and **THAT** Lee Kirkpatrick be nominated for Vice-President of the Uniform Law Conference of Canada. Seconded by Kathryn Sabo. Motion carried.

Ms Dostie thanked Elizabeth for agreeing to stay on as Immediate Past President in Josh Hawkes' absence from the Executive Committee.

Incoming President's Remarks

Manon Dostie said an Annual Meeting such as ours doesn't organized itself and that many people are deserving of recognition for the success of this week's proceedings. Ms Dostie she was pleased to propose the following Resolution:

BE IT RESOLVED THAT the Uniform Law Conference of Canada express its thanks to:

1. The Government of Saskatchewan and the Ministry of Justice for hosting the 99th Annual Meeting of the Uniform Law Conference of Canada;
2. Tony Gerein, Assistant Deputy Minister of Justice and Director of Public Prosecutions for his kind words at the Welcome Reception;
3. Chief Justice Richards of the Court of Appeal; Justice Georgina Jackson of the Court of Appeal and Past ULCC President; Chief Judge of the Provincial Court James Plemel and Judge Rybchuk of the Provincial Court for attending the Welcome Reception;

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4. Erin Kleisinger, President of the Law Society of Saskatchewan for attending our Welcome Reception and generously sponsoring the event;
5. Nicholas Cann of the Saskatchewan Branch of the Canadian Bar Association for attending our Welcome Reception and generously sponsoring the post-game BBQ on Tuesday;
6. McDougall Gauley LLP for sponsoring the wine at our gala dinner;
7. MLT Aikins LLP; McKercher LLP and Miller Thomson LLP for sponsoring our coffee breaks;
8. Marco Mendicino, Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, for his kind words at the Welcome Reception as well as for delivering the inaugural Earl Fruchtman Memorial Seminar on the Criminal Justice Review and making a presentation to the Criminal Section on Mandatory Minimum Penalties;
9. Senator Denise Batters for presenting the findings of the Standing Senate Committee on Legal and Constitutional Affairs' final report, *"Delaying Justice is Denying Justice"* to the Criminal Section;
10. The Lieutenant Governor, Vaughn Solomon Schofield, for allowing us to hold our gala dinner at Government House – the grounds were lovely and the dining room was beautiful;
11. Justice Georgina Jackson, Past President and Doug Moen, Past President for attending our closing gala;
12. The Organizing Committee that worked so hard to host our Annual Meeting, Darcy McGovern, QC; Maria Markatos; Dean Sinclair, QC; Susan Amrud, QC and Kelly Winn;
13. Our outstanding Secretariat staff, Kelly Winn and Kerri Herring;
14. To the Executive Committee, the President until May 2017 Josh Hawkes, QC for ensuring a smooth transition, and a special thank-you to the Immediate Past President Elizabeth Strange for taking many of responsibilities since then as well as her many contributions to the SPOC process; Sarah Dafoe, Chair of the Civil Section for her hard work this week and throughout the year, and to Maria Markatos, incoming Chair, for expertly taking minutes for the Civil Section and acting as general support all week; Laura Pitcairn, Chair of the Criminal Section and Dorette Pollard, Secretary to the Criminal Section for their exemplary work throughout the year and especially this week; Peter Lown, QC, Chair of the Advisory Committee on Program Development and Management and Chair of the International Committee for all the work he accomplishes this and every year and for his support when Ms Dostie inherited the presidency midyear; Clark Dalton, QC, our Projects Coordinator whose work is essential – you work so hard for the ULCC and you serve on so many working groups and committees– you are really essential to the Uniform Law Conference of Canada; and of course, for your patience in answering so many questions... You ensured that our SPOC work took into account the history of the ULCC, and acted as corporate

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memory; Genevieve Harvey, Chair of the Communications Committee, and its members, Clark Dalton, Dorette Pollard, Ian Rennie and Marie Bordeleau.

15. Members of the Strategic Plan Oversight Committee, consisting of Josh Hawkes, QC; Elizabeth Strange; Luc Labonté, QC; Cathy Cooper; Genevieve Harvey; Clark Dalton; Lucie Angers; Dorette Pollard; Stephanie O'Connor; Peter Lown; Marie Bordeleau; and its many subgroups for their commitment and enthusiasm – they are so committed that we are having a meeting at 2pm this afternoon;
16. The reinvigorated Finance and Budget Committee, consisting of Peter Lown, QC; Kathryn Sabo; Elizabeth Strange; Clark Dalton; and Marie Bordeleau – we've done great work this year and come up with pro-active solutions;
17. Our Executive Director, Marie Bordeleau, for her ongoing support and her efforts all year long, for reminding of things I might have forgotten and resending emails and giving direction as needed;
18. Our esteemed colleague from the US Uniform Law Commission, Harriet Lansing and her husband Allan Klein, it is always a pleasure to have them with us;
19. Our Civil Section presenters, Rick Eickmeier; Lorraine McLachlan; Crystal O'Donnell; Richard Olson; Peter Snell; Graham Underwood and Larry Weinberg;
20. The interpreters in each Section, without whom we could not do our work all week, it's quite a challenge given the breadth of subjects we discuss in both Sections: Henri Bagdadi; Josée Beaudoin; Myriam Bureau; Sabine Davies; Peter Douglas; and Isabelle Mercier;
21. Our intrepid and fair umpire, Terry Vincent;
22. The audio-visual technicians, Philippe Kwon and Brendan Farebrother;
23. The staff of the beautiful Hotel Saskatchewan;
24. All of you – delegates from all 14 jurisdictions and ALL working group members; and
25. Last but not least, my incoming Vice-president, Lee Kirkpatrick, for taking on the responsibility of helming the ULCC a year from now, I look forward to working with you.

Seconded by Kathryn Sabo. The resolution was approved unanimously. The President presented gift cards to the above-named members of the host committee and Secretariat staff for their excellent work in the Secretariat office throughout the week.

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Incoming President's Remarks

Ms Dostie said that it is clear that the Strategic Plan will continue to be her focus, as it is very important to complete the projects that were begun this year, including the new Constitution and By-laws, so that we can finalize them in time for the 100th anniversary in Québec City next year. Outreach to like-minded organizations such as the CBA and law reform institutes will continue. Ms Dostie thanked all delegates for their ideas and contributions to the discussions and asked everyone to email further ideas and comments by October 31st. Some of the sub-groups will be rejigged and Ms Dostie asked for volunteers on all the work of SPOC. The Communications Committee continues its work under the direction of Genevieve Harvey and a new website should be in place by the next Annual Meeting. The Budget and Finance Committee will also be busy this year and criteria for the attendance at our Annual Meeting by politicians will be established. Ms Dostie said that Ms Strange's presentation to the Senate and Josh Hawkes' presentation at the FTP meeting certainly increased our profile.

Host Jurisdiction's Report – Québec City, QC - 2018

Isabelle Doray spoke to the material that was distributed this morning to invite all delegates to join them in Québec City and said that they took notes all week to keep track of how things were done. It will be held from Sunday August 12th to Thursday the 16th at the Delta Québec. The rate is \$179/night and everyone is invited to take time before or after the Annual Meeting to discover all that the region has to offer. Ms Doray said that the Host Committee will work closely with the 100th anniversary committee and asked the delegates to share what they liked from previous visits to Québec City. Ms Doray thanked Marie Bordeleau for all the work she has done so far and in advance of all the work she will do in the coming months to help plan the event. It was noted that Charlaïne Bouchard and Justice Danielle Côté are working on planning the ball game. Ms Doray said that she and the Host Committee are looking forward to hosting the group next year.

100th Anniversary Celebrations

Kathryn Sabo said that a planning committee, comprised of Frédérique Sabourin, Darcy McGovern, Peter Lown, Charlaïne Bouchard, Isabelle Doray, Russell Getz, Marianne Leblond, and Sherry Gillis met this morning ahead of the Closing Plenary session. Ms Sabo asked for representation from the Criminal Section. Ms Doray noted that Lucie Angers and Richard Fowler have volunteered to help. The Committee focused on planning the 100th anniversary celebrations during that week and in the year to follow. There are the regular time slots for speakers, but a retrospective is planned at the Opening Plenary with a certain amount of ceremony, introducing the delegations by constitutional order, and each JR will have to present a bit of the history of their delegation at the ULCC. Clark Dalton has volunteered to help in that respect. During the week, both Sections will be called upon to take time out of their regular session to celebrate this important occasion. The Committee will be in regular contact with the JRs to have them share and contact the alumni of the ULCC in their jurisdiction, identify notable persons and notable events for presentations and also for memorabilia, photographs, notes, anything that will give us a clearer picture of how the ULCC grew over time. Ms Sabo asked JRs to reflect and consider whether there are recipients of the existing awards, such as the Daniel Grégoire and the John Gregory Trophies, the lifetime awards and 25-year plaques, etc., or whether there new awards and/or

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recognition we should consider. With respect to each Sections, the JRs could consider fun awards such as “best resolution”, “worst resolution”, “weirdest resolution”, “most controversial resolution”, etc. a jurisdiction produced over the years. Mr Dalton will do retrospective of the ball game’s history. There is a lot of work to be done over the coming months and Ms Sabo invited all contributions from JRs.

Host Jurisdiction’s Report – St. John’s, NL - 2019

Ian Tucker said that his jurisdiction is in the very preliminary stages of planning but said that he looks forward to hosting. August tends to offer nice weather, and the George Street Festival kicks off at the end of July/early August and Ian invited people to take personal time before or after the Annual Meeting to discover the region. Mr Tucker noted that the first Wednesday in 2019 will be the 200th St. John’s Annual Regatta and said it is the oldest sporting event in North America. This event is followed by the Folk Festival, and there are many more activities to choose from. Delegates and their families can also visit Cape Spear and be the first in North America to see the sunrise, explore the East Coast hiking trails, see whales and puffins, sea kayaking, pubs and restaurants, golf and fish, etc. St. John’s is a vibrant community, with live music on street corners and in bars and restaurants throughout the summer. Newfoundland and Labrador has two National Parks, lots to see and do with theatre and folk festivals all over the island in summer. Mr Tucker invited delegates to contact him should they need help to plan their trip to St. John’s.

Isabelle Doray noted that the Host Committee has been asked to plan activities for companions, as many people expect to take their families with them to the Québec City meeting and the Host Committee will look into the possibility of arranging activities for families.

There being no further business, Ms Dostie thanked our Saskatchewan hosts and the meeting was adjourned at 12:10pm.