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CELEBRITY NUDE PHOTOS
IS NON-CONSENTUAL PUBLICATION
SEXUAL ASSAULT?

Jennifer Lawrence as Mystique. Only her public photos, not her private ones, are designed for your ogling.

MICHAEL CAPITANO > NEWS EDITOR

When it comes to crime, internet laws have failed to keep pace with reality. Theft and assault (in the physical sense) are readily prosecuted. Their cyber versions? Not so much.

The non-consensual publication of nude celebrity photos of Jennifer Lawrence and many others, hacked from secure personal accounts, brings the issue to the fore. What laws, if any, can protect people from the inadvertent posting of the most private kind of photographs? Approaching a random woman on the street, removing her clothes, and snapping pictures of her is a lewd act of voyeurism and sexual assault. Isn’t the above the digital equivalent?

Forget about advice such as, “Don’t take nude selfies” or “Shrug it off.” It only reinforces the “blame the victim mentality” that plagues women when it comes to the positive assertion and security of their sexual agency. It is their choice to take the photos or not and their choice who to share them with, if anyone. All women deserve to explore their sexuality on their own terms, not to be exploited to fulfil the masturbatory fantasies of the internet.

I’m glad that authorities have taken this seriously, even if it has only/mainly been for celebrities. In 2012, the man responsible for hacking naked pictures of female celebrities and non-famous women was sentenced to ten years in prison—but for hacking for gain, illegal wiretapping, and aggravated identity theft. Nothing about the actual content of the person’s actions. It misses that the victim was a woman whose body was exposed without her consent.

That’s not to say the issue isn’t being addressed.
West Queen West and the Gentrification Curse
(Second) Hippest Neighbourhood, and probably the name of Kimye’s next spawn

If you were to peruse the Vogue website (don’t play, I know you regularly do) and glance at their “Most Shared” stories, you’d find a seemingly innocuous article about global street style. Nestled between a slideshow of Kate Middleton’s pregnancy wardrobe and a video of Nicki Minaj teaching the “Anaconda” dance to a group of models (watch if you want to feel sad about life), is yet another one of those numbered list-cum-article literary monstrosities, which have effectively taken over the internet as a result our ashamedly short attention spans. Unlike the others, however, this one is notable, if not for its superior style (still cringing at the use of “normcore”), than for its content. The list names West Queen West the second hippest neighbourhood in the world, outdone only by the Shimokitazawa district of Tokyo. Cue cheering and hipster hyperventilation.

A deluge of commentaries have sprung up on the likes of the Toronto Standard and blogTO, many of them marveling that Toronto beat out Bushwick (!) for the penultimate position on the list. Recurring comparisons to the Brooklyn neighbourhood reminded me of another article I had read recently about one blogger’s quest to document what he perceived to be the dissolution of New York. The blogger, a resident of the East Village, lamented that the once vibrant, chaotic neighbourhood that he called home had turned into a cesspool of heteronormativity, Starbucks, and basic hygiene standards. The markers of coolness are now quintupled rents, small stores being forced out of business, and diners that fail to meet basic hygiene standards. The markers of coolness are now quintupled rents, small stores being forced out of business, and diners that fail to meet basic hygiene standards. The markers of coolness are now quintupled rents, small stores being forced out of business, and diners that fail to meet basic hygiene standards. The markers of coolness are now quintupled rents, small stores being forced out of business, and diners that fail to meet basic hygiene standards.

The article described a sadly all-too-familiar phenomenon: quintupled rents, small stores being forced out of business, and luxury boutiques (or worse, big box stores) popping up where dive bars once stood. Once the young and hip (and rich) move in, the reasoning goes, the path towards commercialization and Midtown soullessness is fixed. Even if the hipsters moving into these neighborhoods see themselves as decidedly against such a metamorphosis, its only a matter of time before landlords catch on to an area’s steadily increasing popularity and eventually drive out small and quaint businesses with egregious rent hikes.

Consequently, when I saw West Queen West singled out on the Vogue list, I couldn’t help but think this was its swan song. Perhaps only time will tell whether the West Queen West will go the way of Williamsburg and Greenwich Village. In the meantime, we can take solace in truly hip and as-yet-undiscovered Dundas West (but don’t tell Vogue I said that).

For the Vogue list, see: http://www.vogue.com/slideshow/1080625/fifteen-coolest-street-style-neighbourhoods/

For the article about New York, see: http://www.thedailybeast.com/articles/2014/08/06/the-end-of-new-york-how-one-blog-tracks-the-disappearance-of-a-vibrant-city.html

Obiter Dicta is the official student newspaper of Osgoode Hall Law School. The opinions expressed in the articles contained herein are not necessarily those of the Obiter staff. The Obiter reserves the right to refuse any submission that is judged to be libelous or defamatory, contains personal attacks, or is discriminatory on the basis of sex, race, religion, or sexual orientation. Submissions may be edited for length and/or content.
Welcome to Osgoode for what promises to be an amazing year!

LORNE SOSLIN › DEAN

2014 will mark Osgoode’s 125th Anniversary and we have a range of special events to ring in this milestone year. This will include the installation of Charles (Yu’Ya) Heil’s signature indigenous carvings which will transform the atrium in Gowlings Hall, and Austin Cooper’s collection of paintings and photographs which will transform our white walls into narratives of expression. Professor Bruce Ryder will lead a group of students and Julie Lassonde (one of Osgoode’s two Artists in Residence this year) on a trip to Winnipeg to participate in the launch of Canada’s Museum of Human Rights. Professor Andree Boisselle will lead Osgoode’s first ever “Aboriginal Awareness Camp,” set to bring students and faculty to Cape Croker, home to the Anishinaabe community at Neyaashiingmikang and Osgoode grad and former faculty member John Borrows (now at the University of Victoria) who has collaborated on this initiative.

This fall will also feature the launch of several important digital services that flow from last year’s consultations and plans around the Osgoode Digital Initiative. First, we will mark the establishment this year of Osgoode’s Digital Commons, an open access one-stop portal for all Osgoode’s scholarship and publications, which will ensure the research of our faculty and students shape the public debate. Second, Osgoode’s MyJD is now live, which will enable students to access the services they need on the platforms they use. We also launched Just Balance [www.justbalance.ca] in September. This Osgoode led collaboration among Ontario law schools provides resources, advice and mentorship for students experiencing mental health issues while at Law School. Kudos to Counsellor and Wellness Officer, Melanie Goela (’03), her colleagues at our partner schools, and Julie Lassonde (one of Osgoode’s two students who cannot afford to give up full time work or family responsibilities will nonetheless be able to pursue their legal education at Osgoode. Taken together, and alongside the existing range of financial assistance measures, I believe these initiatives advance our goal of seeing no student denied the opportunity for legal education at Osgoode due to financial barriers.

This year at Osgoode will also be animated by new faces. We welcome two academic stars who joined Osgoode’s faculty in July 2014, Professor Amar Bhata and Signa Daum Shanks. In addition, our teaching and research program this year will be enriched by a host of Visiting Professors, including Amy Cohen, Fay Faraday, and Martha Simmons, Catalyst Fellowship holder Mai Taha, and the McMurray Visiting Clinical Fellowship recipients Joanna Birenbaum, David Estrin, Dahlia Sabil, and Susan Wolburgh Jenah.

Just as we embrace those who will shape Osgoode’s community this year (and into the future), we also note important departures. This is the first fall at Osgoode without the passionate presence of Professor Michael Mandel (who passed away in October 2013) and Neil Brooks (who retired in December 2013). Additionally, two of our most beloved and longest serving staff members have chosen to retire, Penny Spence in the Financial Services Office and tennis Carter in MDC. While each departure creates a void, they also serve as a reminder of how much better off we are as a community for their dedicated years of service to Osgoode.

Looking back and looking forward, the bonds that tie together the Osgoode community continue to resonate – especially the desire to see law as a journey to justice. Your years at Osgoode will be shaped by continuity and change. Ultimately, however, your law school experience will be what you make of it. I hope it provides for you the same wealth of opportunity, challenge, support, and sense of purpose that is has provided and continues to provide for me. As we celebrate Osgoode’s rich traditions – 125 years strong – our focus will be on how Osgoode will continue to make history!

For updates on my take on life at Osgoode, including an elaboration of some of the themes touched on here, please check out my blog at http://deansblog.osgoode.yorku.ca/ or follow my twitter feed @DeanSossin.
A Message from your Student Caucus Chair
As law school continues to change, Student Caucus continues to advocate for students

JEFFREY HERNAEZ › STUDENT CHAIR

Welcome back Osgoode, I hope you all had a great summer. It feels like just yesterday that I was a scared and naïve first year and it is quite surreal to be in my third and final year. Having first joined Caucus as a 1L Rep, I have always been committed to listening to student concerns and finding ways to help to improve the student experience here at the law school. As such, I am thrilled to be your Student Caucus Chair this year. With a number of returning Caucus members, a complement of new members, and soon to be elected first year reps, we are very excited to work with the student body, the faculty, and the administration. Student Caucus is here to serve you – please feel free to contact any of us throughout the year with any questions or concerns.

It is a very interesting time to be a law student, with numerous events and issues developing outside the walls of Osgoode soon to directly affect the student body. These subjects include the new Law Practice Program (LPP) and the continually increasing cost of legal education. There are also internal issues that will shape the Osgoode experience for current and future students, such as the structure of the JD program and the development of Osgoode’s commitment to experiential learning. It is my hope that Student Caucus will always play a part in ensuring that students are getting the most out of their three years here. Here is a sample of the issues that Student Caucus will be keeping an eye on during the school year.

1. Engaging the Student Body
   Student Caucus would like to find more effective ways to reach out and engage with students. One of our goals this year is to hold informal sessions on specific subjects for students to come and discuss with their representatives. There are a few issues that Student Caucus could better inform the student body about and gather input from students. These issues include: the bell curve in small classes, tuition transparency, the bursary process, and the LPP.

2. Working with the LSSO
   The Law Students’ Society of Ontario (LSSO) will be a new relationship that Student Caucus will need to develop and we are thrilled to work inaugural president and fellow Ozzie Douglas Judson. Our goal is to create a framework for this by amending our by-laws so that Caucus works with the LSSO on its own terms, but in a way that also allows us to advocate on issues common to Ontario Law Students. With three representatives on the LSSO council, Osgoode students will continue to be strong leaders.

3. Continuing to Advocate on Ongoing Issues
   Finally, there are internal issues that Student Caucus will continue to work on with the hopes of finding resolutions at Faculty Council. For instance, in one of my previous Obiter articles, I discussed how the Academic Policy and Planning Committee (APPC) is considering reforming the application of the bell curve in small classes. In short, the applicability of the profile to classes under the size of thirty, seminars, and clinical and intensive programs is being rethought. Furthermore, the students have asked the administration and the APPC to discuss reforming the course evaluations that we must fill out at the end of each term. In our view, there could be more effective ways for feedback to be gathered and most certainly a better way to provide this information to students so that they may factor this in their course selection decisions.

If any of the issues discussed above get your wheels turning, please feel free to contact us and visit us at http://studentcaucus.legalandlit.ca. If you are interested in getting involved, Caucus will also be soliciting students to sit on various Faculty Council Committees, so keep your eyes peeled.

Yours Always Osgoode,
JEFF HERNAEZ

2014-2015 Student Caucus
CHAIR: Jeffrey Hernaez
VICE-CHAIR: Ryan Robski
COMMUNICATIONS: Caroline Garrod
3L REPS: Darcel Bullen, Craig Mazerolle, Allison Williams
2L REPS: Abigail Cheung, Hannah DeLong, Davina Finn, Henry Limheng
1L REPS: Four (4) TBA
L&L PRESIDENT: Toby Samson
L&L VP INTERNAL: Chris West
L&L EQUITY OFFICER: Laura Wilson

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Mike Tyson endorsing Rob Ford as the “best mayor in Toronto history.”
Welcome from L&L
Here’s what we’ve been up to

TOBY SAMSON › L&L PRESIDENT

HELLO OSGOODE. WELCOME, and welcome back! It is an exciting year for us to be here, as this year is the Legal and Literary Society’s 139th year. Just kidding. While that is true, the big deal this year is Osgoode’s 125th anniversary. Students just like us have been dreading back to school for a full century and a quarter! Now, before I get all “reflective” on you, I want to take a moment to give you an update on some of L&L’s happenings.

Orientation Week 2014

First and foremost, I’d like to extend a big hello to those of you in the first-year class who have not yet been forced to endure me and the rest of Legal and Lit. We’re all nice and approachable, I promise. I’d also like to thank Steven Broadley, Hongyi Geng, and Melissa George, O-Week’s Chair and Vice-Chairs, for all of their hard work that made the week a big success. I guess the rest of O-Committee and the leaders were alright, too.

Events

L&L has some great plans to make events even better this year. Vice-President External Bethany McKoy has created a clubs calendar so that Osgoode’s 50+ clubs can better coordinate their events. No more flipping a coin about which great speaker to go see!

On the more fun front, Social Convenor Ladi Onayemi has been working hard to launch “Wednesdays With Ladi.” At alternating Wednesdays throughout the year, Ladi will bring together various clubs and sponsors to host a reception in the JCR. Ladi’s excited to strengthen Osgoode’s social environment and bring more attention to the events put together by different clubs and organizations on campus. Don’t know what all of those groups are doing? Ladi, with the assistance of Vice-President Internal Chris West, has set up fun new tumblr to help everyone stay on top of the Oz life. Check it out at http://pond-sentinel.tumblr.com/

OzPost

As per usual, 3L Rep Doug Judson had a wonderful idea to help honour Osgoode’s 125th. Throughout the year, the OzPost mailbox, which showed up the first day of O-week, will appear on various occasions with blank OzPost postcards. Students and Osgoode community members will be able to leave an anonymous message, reflection, or drawing in response to the prompt on the postcard before placing it into our mailbox. L&L will compile the cards periodically to share or publish to capture a year in the life of the Osgoode community.

Now that you’ve been caught up on L&L’s happenings, I want to share some of my hopes and observations for the year. Yeah, this is the corny part. Coming up to my third year at Osgoode, I’ve had the opportunity to learn a lot about how law school works. You know what I’ve learned? Like absolutely everything else in life, law school is what you make it. It can be everything you’ve heard about it, but it also doesn’t need to be anything like what you’ve heard. While this may seem like advice for the 1Ls, I encourage each of you to think about what your time at Osgoode has, is, and will be to you. It is really easy to think that the three (or more or less) years you spend here must reflect something in particular, whether it is grades, involvement, or making connections. It doesn’t. It needs to reflect you – your life, your priorities. Those are, and should be, different for each and every one of us.

I’ve been extremely lucky to have had a positive experience at Osgoode, but it isn’t because the whole system was set up for me. I’ve made my time here my own, and because of that I know each day that there isn’t anywhere else I would rather be (even during exams). When we fall onto a path that doesn’t feel right, it becomes easy to get bogged down in the negatives. And I’ll level with you – at law school, there are a fair few negatives. How do you move past them? I don’t think you do. Rather, you move through them. For some negatives and some people, all you can seem to do is survive. But, I think a little adversity can go a long way, and great ideas and changes rarely come because everything is peachy keen.

On that note, as your student representatives, we’re here to help make things at Osgoode better. But we can’t do it alone. I challenge you to make the most of your time this year by speaking up, both about what you like and what you don’t. We are all here to listen, and you would be surprised how many small problems exist simply because no one is aware of them. You’re welcome to come chat with me in the JCR Wednesdays from 2:30-4, to get at us through e-mail, or to stop us in the halls. Please, though, come talk to us about how Osgoode is treating you, and how you can help improve Osgoode so we can have another solid 125 years.

Have an excellent year.

TOBES

Legal and Lit 2014 - 2015 Executive

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3L REPRESENTATIVE: Douglas Judson
2L REPRESENTATIVE: Dylan Augruso
1L REPRESENTATIVE: TBD

THUMBS UP

Apple’s new iWatch debuting after a 5-year innovation hiatus.
The Canadian Forum on Civil Justice
Get to know the CFCJ on campus

HANNAH DE JONG • COMMUNICATIONS ASSISTANT, CFCJ

The Canadian Forum on Civil Justice is a national non-profit organization based at Osgoode Hall Law School, with the mandate of making the civil justice system more accessible, effective, and sustainable through research and advocacy. We’re happy to be a part of the thriving academic community at Osgoode, inspiring students to be passionate about access to justice.

Our nation is in a current state of crisis – Canadians are not getting access to the justice they need. For example, did you know that taking just a two-day civil action to trial costs between $13,500 and $37,200? Canadians today are struggling to access justice as the costs of legal services and length of legal proceedings climb steadily upwards.

Our current major initiative is a national “Cost of Justice” survey which seeks to discover how much justice is costing Canadians in terms of money, health, time, and other costs. The project recently completed data collection for over 3000 respondents. Over 35% of people reported stress, health, family, and/or social issues as a result of experiencing legal problems. Over a three-year period, over 50% of adults reported experiencing one or more legal problems. The most common problems were related to consumer, debt, and employment issues. We look forward to sharing more findings from the survey in the coming months.

The Canadian Forum on Civil Justice has a regular column in Obiter Dicta to provide the latest news, events, and information on access to justice issues. If you would like to be involved with the CFCJ, we are looking for submissions for our “Access to Justice” blog. Contact us at communications@cfcj-fcjc.org if you have a topic idea or would like to contribute!

THUMBS UP

Ferguson officers now equipped with body cameras instead of guns.

REIMBURSEMENT POLICY

We invite submissions on virtually any subject, but we will offer reimbursements of up to $20 for reviews of local events, films, or the pub you were at last night.

If contributors wish to take advantage of our reimbursement program, please submit your pitches to the Editorial Board for approval first. In order to be eligible, contributors must submit receipts of any expenses they seek reimbursement for. The number of reimbursement offered per issue is limited, and will be approved on a first-come-first-serve basis. We are also happy to apply for media accreditation for events that require it.

The CFCJ is located at Osgoode in 3015. Want more information about access to justice issues and CFCJ’s work? You can “like” our Facebook page at www.facebook.com/thecfcj, follow us on Twitter @cfcj_fcjc, or visit our webpage at www.cfcj-fcjc.org.

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My Second First Day
Second chances don’t come often – I intend to make the most out of mine

GLEB MATUHANSKY › CONTRIBUTOR

My second first day came just this past week. How the tables have turned...
I first came to York University as a biotechnology student in 2006. To be honest, it was because I took the easy way out and decided to live at home. After having a less-than-stellar time in my chemistry classes, I realized that the dream of medical school was over; I had to decide what to do next, and I was clueless. On the one hand, history, psychology, and politics had always interested me – but what was I to do as a graduate? I knew I didn’t want to teach and I knew that I didn’t want to be a super-qualified barista (I don’t drink coffee and can’t make pretty shapes out of syrup, so that life wasn’t meant to be). I decided to focus on something that would have some real-world value, even if limited; thus began my foray into marketing. I wasn’t studious, I wasn’t engaged, and I wasn’t ambitious, so I coasted by until I graduated. I didn’t make many friends, didn’t explore opportunities, and didn’t realize how lucky I was to be a student. I was busy going out with my high school friends, drinking and getting into trouble, clubbing and coming home after dawn. I only found that out when the OSAP bill came due, and when I started full-time work.

Nearly two years after graduating, I decided to write the LSAT, almost on a whim. I was busy watching as many TV shows as possible and saw a foreign show about a mob boss who acted as an arbitrator between warring factions. At the time, I was practicing for the GMAT because I figured the only thing more valuable than a useless business undergrad is an MBA. Fast forward a few months, and once I started studying for the LSAT, I found it much more refreshing, intellectually stimulating, and interesting than studying for the GMAT. For the first time in my life, I was applying myself to an academic pursuit; it’s not that I couldn’t have done so before, it’s just that I wasn’t interested in what was going on in the classroom.

After obtaining a decent mark, I set out on applying to schools. I applied across Canada and spent weeks perfecting every part of my application. I knew that it was an uphill battle, that as a splitter with a fairly terrible GPA, I wasn’t going to make it into any school, no matter where, without a fight. Then, while on a trip with my then-girlfriend to Mexico, I heard the good news – I was in! Sure, it was Manitoba and I’d have to leave home, but at least I felt some shred of success. Saskatchewan followed a day later, Alberta a few weeks after that, and towards the summer, Windsor. At the time, I thought that this was the best year of my life – after all, I got my Windsor acceptance only a week or so after arriving back from a European vacation where I had proposed. I was ecstatic that I wouldn’t have to leave the province and happy that an Ontario school had taken a chance on me. I was coastal and involved and engaged, I not only became fascinated with the law, but was able to take advantage of a breadth of opportunities and advance both professionally and personally. I am now ready to step into this year, as a 2L, an upper-year, albeit at a new school, and take full advantage of all the great things Osgoode has to offer. I begin this school year feeling vindicated, like I was able to achieve what I set out to do, and like I can overcome the obstacles that stand in my way. It is an exciting time for me, to once more roam the halls of York but this time, with my head held high.

A few days ago, I had my second first day. It was both my second time coming into York on my first day, and my second time having a first day at a law school. I have grown, changed, and developed since September of last year, and that September eight years ago. I intend to do things differently. I cherish the experiences that have led me here, but I intend to be better, and do better. It won’t be a walk in the park, that’s for sure. But I hope I’m not the only one who, to borrow from Ferris Bueller, is able to stop, look around, and appreciate this magnificent time in our lives.

My perseverance and hermit lifestyle (I didn’t go out but just shuffled between the library and my room, when I wasn’t on the way to/from Toronto) paid off. I found a summer job that I loved and which I was grateful for, I got to transfer into Osgoode, my dream school, and I figured out my passion (litigation and arbitration – *insert shameless plug for the ADR club*). I am now able to move in with my fiancée, I can plan my wedding, and I even got to travel this summer. Last year had nothing on this one, clearly.

Through this journey, I learned that you get from the experience what you put into it. When I got involved and engaged, I not only became fascinated with the law, but was able to take advantage of a breadth of opportunities and advance both professionally and personally. I am now ready to step into this year, as a 2L, an upper-year, albeit at a new school, and take full advantage of all the great things Osgoode has to offer. I begin this school year feeling vindicated, like I was able to achieve what I set out to do, and like I can overcome the obstacles that stand in my way. It is an exciting time for me, to once more roam the halls of York but this time, with my head held high.

BRING IT ON!
The Obiter goes abroad
Your Guide to International Exchange Programs for Osgoode Students

MARIE PARK › ARTS & CULTURE EDITOR

W hatever your year of study, chances are that you have researched the myriad of options for academic development and enhancement offered by Osgoode. Among these opportunities, Osgoode’s international exchange programs have been for years an important part of what makes our institution a global nexus for the study of law. With exchange program agreements with other world-class law schools throughout the world, Osgoode prides itself in providing unique opportunities for its students to become academics without borders.

This article is not meant to read as any sort of promotional endorsement of the exchange programs, but to be another resource for everyone who is thinking of a semester abroad. This piece serves to introduce you to a series of articles to come, with the purpose of giving first-hand insight and stories from exchange alumni students from across the world.

Firstly, here is a brief overview of the kinds of programs available through Osgoode. Categorically, there are programs offered directly through Osgoode’s international partner schools, others through York International partner schools, and summer semesters abroad. The range of opportunities is even greater, as students may request to arrange their own semester abroad at non-partner schools through a Letter of Permission. Apart from full-credit semesters abroad, there are other ways to combine international studying as a law student, such as through internships and Osgoode’s Teach in China program.

For those of you unfamiliar with how an exchange program works, the Osgoode website provides information up-front in brief detail. More in-depth information and instructions are provided in-person through the individuals coordinating the programs, who also run information sessions throughout the year to provide the requisite starting point for all students who wish to learn more. The Osgoode International Programs website provides the list of the partner schools to perk your interest, so it is always a good idea to browse through the amazing selection open for application.

As with many elective options in law school, going on exchange requires a demonstration of passion and desire to excel as a representative of Osgoode - and Canada - at the host institutions. The application process takes time and effort, but the experience is likely to be invaluable. Things to keep in mind when considering exchange semesters include: significant time commitment involved in planning, restrictions from taking certain courses at Osgoode due to being away for a semester, coordinating job applications online (if the need arises), and of course the extra costs involved with travelling overseas.

The best advice I can give to everyone without the financial buffer to afford a semester abroad with comfort (a great majority of us), is to not let your budgetary constraints hamper your dreams to become an international legal professional, as it is an investment with extraordinary returns. Your lived experiences make you who you are; let the world be a part of that.

An important note about your brimming wanderlust, though, is that travellers must take the time to self-reflect on their choices. Especially as young and inexperienced students, we sometimes lack the requisite knowledge to be mindful guests in foreign places. The onus is on us of course to research the common cultural courtesies of that specific locale. Canada is a largely multicultural society, and it is a mutually accepted norm to be receptive to cultural differences, which is a great skill to consciously cultivate in a proactive way as world travellers.

Over the coming months, the Obiter will cover the personal stories and experiences of Osgoode exchange alumni. From Copenhagen to Hong Kong, and many more, we hope to bring you information to inspire you. As we take this trip, your correspondent will be sharing her own journey as I spend my exchange semester in Waseda Law School in Tokyo.

If you have any questions or suggestions for this special series, or if you would like to be featured about your own exchange semester, please contact the Arts and Culture Editor, at jiheepark@osgoode.yorku.ca.

◆

THUMBS DOWN

Oscar Pistorius ‘clearly negligent’ but not guilty of homicide.

Shigenobu Okuma Statue stands among the Ginkgo Trees during autumn on the Waseda University campus.
Whether you are in desperate need of a hangover cure, entertaining family for the weekend, or just plain hungry, there is one meal that can satisfy all of your needs: brunch. That is why I have decided to dedicate this year’s Jurisfoodence column to discovering the best brunch spot in Toronto. Though I will check out some of the undisputed “best” brunch restaurants, I will also be testing my luck at some cheaper, hole-in-the-wall places. I promise to try my best to go to restaurants throughout the city, but realistically I will probably be sticking to places within thirty minutes of my apartment.

Disclaimer

While I am not a foodie, nor an excellent cook, I would like to think of myself as a brunch connoisseur. However, should you doubt my expertise, here are a few things about myself that may help you in determining whether or not to trust my judgments:

• I am a 3L, hailing from Winnipeg, Manitoba.
• I had been a vegetarian for seven years until February, when the tantalizing smell of steak became too much for me to overcome. Now I love meat, but will still eat vegetarian meals fifty percent of the time, so I will (hopefully) be able to find the perfect brunch spot for everyone.
• I cannot function until I have had at least three cups of coffee; thus, the presence of a good cup of coffee will likely end up being one of the critical factors in my reviews.
• To make up for the fact that I know almost nothing about food, I will be bringing along at least one other person who knows something about food to balance it out.

The Criteria

Whether you prefer your breakfast sweet or savoury, there are a few key ingredients to a good brunch spot.Following my predecessors, I will be rating the following criteria on a scale of one to five Dean Sossins:

1. **Brunch Hours**: I live in Osgoode Chambers, so by the time I get out of bed and make it downtown will I be too late to enjoy brunch?
2. **Wait Time/Service**: I’m hungry and hung over – how quickly can I get a table? How quickly will my food come? Friendly service or smug indifference?
3. **Atmosphere**: Can I talk candidly about last night’s hook-up? Can I bring grandma? Can I wear sunglasses inside without judgment?
4. **Coffee**: Dishwater or strong enough to lessen the grating voices of my brunch companions?
5. **LLBO Licensed**: It isn’t brunch without a mimosa or an Irish coffee – can I get that here?
6. **Food**: Is there enough to satisfy my hunger? Greasy and delicious?
7. **Cost**: I spent all my money at pub night – how cheap is this meal?

With these criteria in mind, I set out on my first brunch adventure the morning after the first pub night of the year.

**The Lakeview Restaurant**

1132/1134 Dundas St. West

Chosen almost entirely based on the fact that it is within a ten minute walk of my apartment and I was feeling eight out of ten on the hangover scale.

**Brunch Hours**

The Lakeview serves brunch twenty-four hours a day, so not only will those of you living on-campus be able to make it for brunch, you can get it immediately after pub night.

**WAIT TIME/SERVICE**

When I arrived, it was just after noon on a Friday and the place was almost completely empty. This meant I did not have to wait for a table, but it’s difficult to judge what the weekend wait time would be. Unfortunately, I had to wait nearly thirty minutes for my food and was impatient by the time it came considering the restaurant was dead. In terms of the service, the server seemed to grow friendlier the more he realized that I was hung over.

**Atmosphere**

Though not dirty, the Lakeview is a dingy, old-school diner that seems to have been bought out by hipsters. It is the perfect atmosphere for a morning after drinking – you can definitely wear your sunglasses inside (I say this from personal experience), and you can almost certainly have candid conversation without the next table over hearing too much detail. You may want to consider a different brunch location if trying to impress your grandma.

**Coffee**

Though bottomless, the coffee at the Lakeview is extremely weak. Luckily, I had stopped to get a cup elsewhere prior to going in and I would recommend that any serious coffee drinkers do the same. If you are into espresso-based drinks, they have all the standards.
Assessing the future of the Toronto Blue Jays
Why the upcoming season is key

EVAN IVKOVIC › SPORTS EDITOR

LAST SATURDAY on September 7, the Toronto Blue Jays lost 4-3 to the Boston Red Sox. Earlier on Friday of the same week, the Jays also lost a close game to the Red Sox, giving up a 2-3 lead late in the game and ultimately losing 9-8 in the bottom of the tenth inning, even after scoring two runs in the top of the inning. On that same Friday, Melky Cabrera (one of the more durable Jays players in a season where key position players Adam Lind, Edwin Encarnacion, and Brett Lawrie have missed significant time due to injury) was pulled from the game early due to a fractured right pinky. Melky will have surgery on the pinky and will be out for the rest of the year.

After those two key losses to a mediocre Red Sox team, the Jays stand six games behind the second wild card spot with only twenty-one games left to play. After surging to an early lead in the AL East standngs where the Jays, at their best, were estimated to have an 80% chance of making the playoffs, MLB.com has the Jays’ current playoff odds (as of September 7) at less than 1%. Needless to say, the Jays have turned in another disappointing season, with this one being particularly frustrating for fans due to the season’s early promise.

But there were glimmers of hope in that Friday game, as deflating as it was to cough up the lead so late. Although he looked like he was struggling a bit with his command and only pitched for a third of an inning, Dan Norris made his major league debut and ultimately struck out David Ortiz (one of Boston’s only good hitters and a consistent baseball star in his own right) on a breaking pitch that froze him for strike three. The Jays also called up Dalton Pompey with the expansion of MLB rosters, a promising switch hitter with plus running and plus defense at centerfield, after a torrid rise from A ball to AAA.

Aaron Sanchez had already been with the team at the time of the influx of rookie call-ups, and thus far he has pitched 22.1 innings with a sparkling 1.46 ERA, in addition to a 2.28 FIP and 2.31 xFIP according to Fangraphs. Sanchez, whose fastball tops out at 98 MPH when pitching out of the bullpen, has more or less taken on the closer role with the club, with Jansen being relegated to “secondary closer” who closes games only when Sanchez is unavailable. Though Sanchez is excelling out of the bullpen, the team figures him for a starter, and prior to pitching in relief in the majors he had been groomed as a starter in the minor leagues. The Jays also called up intriguing pitcher Kendall Graveman, who had excellent surface stats in the minors and who quickly raised concerns about whether his stuff can play at the major league level, but nevertheless he has been a pleasant surprise and adds some depth to the farm.

The Jays also have young pieces Stroman and Hutchison currently forming two fifths of the rotation, with Stroman in particular boasting a wide arsenal of average to above average pitches he commands well, including a plus fastball with excellent vertical and horizontal rotation and a plus slider with excellent break. Hutchison lacks the same caliber stuff that Stroman has, but he sports an above average fastball with movement and late break and a solid three pitch arsenal, and for such a young age, he has good command of his pitches. Though Hutchison’s ERA sits at 4.47, he has had some standout games, including a complete game against Texas where he only gave up three hits and one walk. Also, Hutchison’s FIP is a more impressive 3.84, and it would be fair to say that he is losing gas as the season is progressing, which is not surprising due to his increased innings load in the majors relative to his innings load prior to this season in the minor leagues. Dan Norris, Stroman, Sanchez and Hutchison are four promising young pieces that could form an important part of the Jays’ rotation for many years to come.

Nevertheless, what Alex Anthopolous does during the off season is absolutely pivotal, and the task of improving this Jays team is not an easy one, particularly due to opaqueness regarding payroll and Toronto’s difficulty in attracting free agents. This off season, the Jays have three key players who will become free agents in Colby Rasmus, Melky and Casey Jansen. In addition, the Jays have team options on JA Happ and Brandon Morrow and can buy out the remaining of Lind’s deal. The Jays are almost guaranteed to not exercise Morrow’s option and are likely to buy out Lind’s deal as he is essentially a platoon bat with bad defense, though whether or not the team picks up Happ’s option is difficult to predict, as he has been solid but there may be a glut of pitchers in the rotation and Rogers may be imposing harsh payroll parameters. It would be fair to say that Colby will not return with the team and will probably not even be given the qualifying offer, as John Gibbons has publicly stated that he will not start Rasmus for the duration of the season and Rasmus in general has struggled this year. Jansen seems unlikely to return, as he has his eye on the closer role and the Jays appear unlikely to give him that role, particularly due to his diminishing fastball velocity.

Melky, on the other hand, has expressed a strong interest in returning to Toronto, and he has had an excellent year for the Jays. However, it is unclear if the Jays have the payroll to resign Melky. Signing Melky would be a step in the right direction for the team though, as losing both Melky and Rasmus would give us a depleted outfield. Pompey may be ready to take over centerfield at some point next year, though he could still use some minor league seasoning. But without Melky manning left field the Jays offense will take a serious hit. With the probable loss of Jansen, the Jays will need a closer, and in general, the Jays’ bullpen has struggled. Sanchez has done an excellent job, but the Jays hope for him to become a starter. Brett Cecil and Aaron Loup are key bullpen cogs, but the Jays need more pieces to avoid giving up so many leads and losing so many close games. The Jays also need to look into adding a second baseman somewhere, and it would likely have to be through trade as the free agent pool of second baseman is not especially robust and the shoddy AstroTurf at the Rogers Center is likely to scare away any free agent infielders.

In its current state the Jays have a lot of promising young talent, though young talent is unpredictable, difficult to rely on and simply may not be ready yet. The Jays have strong veterans in Jose Bautista, Edwin, Jose Reyes and Mark Buehrle, but they are only getting older. The Jays have some money clearing up this year, but also a lot of holes in the bullpen and the hitting/defense to fill. Needless to say, the upcoming off season will be absolutely crucial in deciding the future of the team.
NEWS

Several American states have criminalized revenge porn, and Canada is working it into its cyberbullying law, Bill C-13. Although the Canadian proposal still has problems that need to be worked out—like not criminalizing unwanted targets (e.g. unwitting teenagers) and its privacy violations (see the Supreme Court of Canada’s decision in R v Spencer)—it’s a step in the right direction.

The easiest current law to removing unwanted images from the internet has nothing at all to do with revenge porn or the theft of nude photographs. The entertainment industry has been working hard for the past couple of decades to remove pirated media from the web. Take down notices are sent for copyright infringement, lawsuits are threatened. But for personal matters, do the assailants or websites really care? Users of social sharing sites like Reddit and 4Chan seem reluctant to take down the images of the affected celebrities and continue to share them with impunity.

The law should be strengthened to protect victims of involuntary or revenge porn, provide the requisite tools to remove the unwanted images from websites, and create offences for the theft and sharing of them.

With all that being said, it’s time for some fun and engagement in some criminal law analysis. If this were a fact pattern, would the situation fit the crime? Say Person A hacks into Person B’s personal computer, steals private nude images, and posts them on the internet. Person A does this for the purpose of creating porn and humiliating the women.

Turning to my trusty Criminal Code (and first year criminal law summary), let’s put the provisions together. Section 265(1)(a) states that assault occurs when a person, without the consent of another person, applies force intentionally to that other person, directly or indirectly. Section 271 gives us sexual assault and Canadian case law has given us two versions of the crime. Assault of a sexual nature occurs when the sexual integrity of the victim is violated, whether it is for the intent of sexual gratification or for power, aggression, or control.

To my eye, the only (and major) thing unaddressed is the assault itself. The internet removes the physicality of the act. In our digitalized age, the groundwork tends to already be done for the assailant. And it would be a stretch to interpret the indirectly from section 265(1)(a) as applying to the hacking a digital image. The voyeurism offence (section 162) seems better suited, but applying it to already created recordings runs into the same problem.

There is clearly a gap in the law. Combating cyber sexual assault is a vital element of improving our digital privacy. Yet for now, the creation and distribution of involuntary porn and revenge porn amounts to little more than, as Jennifer Lawrence’s representatives put it, “A flagrant violation of privacy.” That should probably change.◆

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