Community plays a vital role in the life of Osgoode. In one sense, we use community when we speak of Osgoode’s own students, faculty, staff and alumni.

In a broader sense, however, what defines Osgoode is its distinct and enduring commitment to improving the communities around us. As you will see in the pages of this Osgoode Brief, we do this in a number of ways.

First, Osgoode’s scholars are dedicated to the goal of shaping the most important debates about justice. Osgoode’s faculty members contribute to these debates through their scholarship and research projects, their policy and law reform work, and in specific roles they often are called upon to play for public and private organizations. In this issue, you will learn about Professor Mary Condon’s work with the Ontario Securities Commission and Professor Obiora Okafor’s many commitments including serving as Chairperson of the United Nations Human Rights Council Advisory Committee.

Second, Osgoode helps build communities by partnering with the organizations and people who are driving social change, whether in the Global South through our International Legal Partnership program, or in our own backyard. New clinical and experiential programs focus on supporting social and economic enterprise through law. The Environmental Justice and Sustainability Clinical Program, the Osgoode Venture Capital Clinical Project, and the Winkler Institute’s programs around innovation and access to justice are examples of law in action that you will discover in this issue.

This summer, Osgoode is strengthening its partnership with Success Beyond Limits, see our back cover, which will hold its annual youth leadership summer program for Grade 8 students transitioning to high school at Osgoode. In addition, Osgoode’s free LSAT course has expanded into an Access to Law and Learning program. In these and many other initiatives, our goal is to ensure Osgoode has a positive impact on all the communities with whom we are engaged.

Third and finally, 2015 will mark the 50th Anniversary of Osgoode’s affiliation with York, so we are also focused this year on the ways in which Osgoode contributes to, and is stronger because of the York community. The gorgeous new CIBC Pan Am/Parapan Am Athletics Stadium, the inventive new Lassonde School of Engineering building, the bold new York University - Markham Centre Campus, and the long- awaited two new subway stations opening on the Keele Campus are just four tangible reminders of York on the move. We will be exploring more of Osgoode’s experience at York, sponsoring interdisciplinary research, enhancing financial assistance, and looking ahead to a vibrant future together as we mark this milestone.

I look forward to Osgoode’s continued leadership in building communities – as there is no feature which better captures what brings the Osgoode community together!

Lorne Sossin ’92
Dean
1965

How York Helped Make Osgoode Great

1. OUR TEACHERS ARE ALSO RESEARCHERS
   As York’s law school, Osgoode attracts full-time tenured faculty, who are expected to not just teach, but also research. Our heightened focus on research has made Osgoode one of the world’s top faculties for excellence in research. Our graduate program is the largest in Canada. Our studies in fields from Indigenous law to legal theory are the foundation for many of our courses, a catalyst for student inquiry and debate, and the source of countless public policy changes and community benefits.

2. WE HAVE A PLACE TO CALL HOME
   In 1968, York unveiled Osgoode’s new home on the Keele Campus. It boasted the most extensive library collection in the Commonwealth and space for lectures, seminars, law journals and legal clinics. In 2011, York invested again in our physical infrastructure with a $50 million renovation and expansion funded by the university, the federal and provincial governments, and Osgoode’s alumni and friends.

3. STUDENTS DOUBLE THEIR POTENTIAL
   Being a part of Canada’s third largest university opens the door to novel collaborations with other York faculties. We offer joint degree programs with Schulich School of Business (JD/MBA), the Faculty of Environmental Studies (JD/MES) and the Department of Philosophy (JD/MA), and plans are now underway for a joint degree program with York’s Lassonde School of Engineering.

4. MULTIFACETED FACULTY
   Cross-campus collaborations have also led to the development of a growing number of research centres and institutes that combine the expertise of scholars from a variety of disciplines. Osgoode is also proud of our many cross-appointed faculty members who enrich our courses and classrooms with their wide-ranging perspectives and experiences.

5. SOCIAL JUSTICE IS OUR MANTRA
   York’s strong sense of social responsibility has always set it apart and Osgoode has grown to also reflect this commitment. Our students are actively involved in the community through clinics such as Parkdale Community Legal Services; Osgoode researchers are deeply committed to addressing issues of inequality, oppression and unfair treatment; and we partner with leading organizations, including the Law Commission of Ontario and Pro Bono Students Canada to make our communities better.

6. DIVERSITY IS CONTAGIOUS
   As part of one of Canada’s largest and most multicultural universities with more than 60,000 students, faculty and staff who are learning in 20 languages and can trace their roots to 171 countries, Osgoode embraces diversity and inclusion. Up to 28 per cent of our 2014 entering class was born outside of Canada, approximately 43 per cent identifies as other than white, seven per cent are living with a disability and more than one-third are mature students aged 30 years or older.

7. LEADERSHIP PERSPECTIVE
   From Harry Arthurs (Dean, 1972-1977; York President, 1985-1992) to Patrick Monahan (Dean, 2003-2009; Vice-President & Provost, 2009-2012), Osgoode faculty have served in vital leadership positions at York. Their skills, experiences and campus-wide perspectives give the Law School unique insights into the university’s challenges, opportunities and future directions, and help to shape Osgoode’s own strategies and priorities.

8. STRENGTH IN NUMBERS
   Osgoode’s 14,000 alumni are part of a global York alumni network of more than 275,000 people who are making an impact in leadership roles around the world. These powerful connections are benefitting Osgoode graduates in all aspects of their careers and lives, while adding combined strength to the university and the Law School’s global reputation.

9. WE DARE TO INNOVATE
   Osgoode embodies the spirit of York’s mission, Tentanda Via: The way must be met up with campus friends in the Student Centre, the Tait McKenzie Centre and the Underground; and take on leadership roles in all aspects of their careers and lives.

10. OUR STUDENTS HAVE A LIFE
    Osgoode’s students understand how time away from the law can make them even better lawyers. They access the growing number of clubs, groups, sports and recreation offered at York; meet up with campus friends in the York Student Centre, the Tait McKenzie Fitness Centre and the Underground; and take on leadership roles in all aspects of campus student life.

Last year Osgoode celebrated its 125th anniversary. For 76 of those years we were a stand-alone law school, which was highly unusual for a professional school. Then on October 15, 1965, Osgoode Hall Law School signed an “affiliation agreement” with York University to become the new university’s law faculty. While there are those who lamented the move from the graceful Law Society headquarters on Queen Street to the then barren fields of Downsview, Osgoode would not be the law school it is today without York. Here are our Top 10 reasons why!
JOURNEY TO
Social Justice

By Virginia Corner

Obiora Chinedu Okafor was born in the small town of Nkwerre in the southeastern part of Nigeria during the Nigerian Civil War. Nearly two million people including Okafor’s aunt died in the 2½-year long war in the late 1960s that was fought to counter the secession of Biafra from Nigeria. Okafor’s father, a lawyer and labour activist, and mother, a school teacher, were forced to flee for safety with their children. Okafor was, of course, too young to be aware of the war. Later, growing up in Enugu, about 90 kilometres away from Nkwerre, with his parents and five siblings, Okafor heard many terrible stories about the fighting and forced famine. It widened not only his understanding of the terrors—military, political, economic and social—facing many countries, but also inspired his passion for social justice.

From day one as a law student at the University of Nigeria (Enugu), Okafor “was always interested in how to uplift the less privileged.” He was also fascinated with international law particularly the principle of self-determination—the process by which a people determine their own statehood and form their own allegiances and governments.

All of his theses the ended up with two Master’s degrees, and a PhD from the University of British Columbia, which awarded him the Gold Medal for best dissertation—have examined the issue of self-determination. “The fair treatment of both states and the right to peace, the right to health care, and whether the payment of ransoms to terrorist hostage takers should be banned. Committee members serve for a three-year period and may be re-elected once.

What Okafor finds attractive about the UN Human Rights Council Advisory Committee is that its members have the opportunity to see ideas put into action, their own research feed into policy.

“As an academic, to see your ideas take on concrete life is very satisfying,” he says.

He also points, for example, to his work as an international law advisor on a small committee that drafted the treaty which transformed the West African Parliament from a consultative body to a legislative one.

Easier this year, Okafor was appointed the inaugural Tier I York Research Chair in International and Transnational Legal Studies. The award will allow him to expand his research on Canadian/Nigerian cooperation on human rights to include the study of Canadian human rights cooperation with all of the countries in Anglophone West Africa. The author of three books on African human rights and statehood (and co-editor of three more books), Okafor says he worries about African countries such as Burundi (“a developing situation”); the Central African Republic (“vulnerable”); and South Africa (“They are slaughtering foreign migrants in the streets.”). He likens the situation in South Africa to a heightened level of frustration among the underclass. “They’re taking out their anger on the most vulnerable among them (foreign migrants) who appear to be doing marginally better. It’s very worrisome that people are so frustrated that it’s going in that direction.”

On a more positive note, he is less worrisome that people are so frustrated that it’s going in that direction.”

Ultimately, he says, “trade is more important than aid” in helping African countries to get a leg up. “I know of no country where aid has turned into a developed country. Not one. Aid is a stop-gap measure, a band-aid. We need first of all to support good leadership.”
Reinvigorating Time Away

By Virginia Corner

When Professor Mary Condon returns to the classroom this fall after a leave of absence serving as a full-time Vice-Chair of the Ontario Securities Commission (OSC), she will be a different teacher.

“I’m excited about bringing what I see as my new understanding of financial market regulation back into the classroom,” says Condon who teaches securities law in the JD program and also directs and teaches in the Professional LLM specializing in securities law. “I think I will teach differently. I think I will teach somewhat different things.”

Condon, who has been an Osgoode faculty member since 1992, has been working with the OSC since 2008 when she was first appointed by the Ontario government as a part-time Commissioner. She was initially on a partial leave from Osgoode and that was followed by a full leave when she was appointed in 2011 as a Vice-Chair for a two-year term, later extended for another year.

Condon is now back to being a part-time Commissioner, a position she will hold until May 2016. And - fortunately for Osgoode students - she’s back to full-time teaching.

The knowledge and experience Condon has gained at the OSC are considerable. She says she now understands in “a very real way” what she used to say to her students before she was a regulator. “The details of rules and policies matter less because they are going to change,” Condon says. “It’s the overall objectives, overall policy goals and overall principles that the regulators are trying to achieve that matter most because those are the things that will be consistent, and applied to new situations.”

During her time with the OSC, an independent Crown corporation that is responsible for regulating the capital markets in Ontario, Condon has been involved as a member of its board of directors in rule and policy development aimed at preventing misconduct and maintaining the integrity and efficiency of the markets. In addition, she has been involved in adjudicating administrative proceedings, a responsibility she thoroughly enjoys because, among other things, she gets to see “great litigators in action.” She has also obtained a much deeper appreciation for the challenges of marshalling an extensive evidentiary record to come up with the appropriate decision.

Her hands-on experience with the OSC has shown Irish-born Condon, who has a BA from Trinity College Dublin and MA, LLM and SJD degrees from the University of Toronto, how complex securities regulation is in Canada.

“I would argue perhaps unduly complex,” she says. “In order to work, it requires consensus across the country on policy-making issues. It requires a lot of people to be committed to a particular substantive policy or rule that’s going to go forward.”

While at the OSC, Condon has also come to realize “how fragmented our system is for managing the relationship between retail investors and financial advisors, in a world in which financial products converge across banking, securities and insurance lines.” However, she is pleased to see underway a number of policy projects that are focused on investor protection issues. One is examining whether we have the right model for how investors pay for the financial advice that they get. Another is the question of whether financial advisors are being held to an appropriate standard of conduct when they offer products and services. This is an issue that a number of jurisdictions are wrestling with.

Addressing investor concerns and delivering stronger investor protection have long been Condon’s rallying cries. In the early 2000s she became interested in the whole issue of public policy around retirement and pension arrangements. She branched off from mainstream securities law to focus on a topic that she feels is very relevant to ordinary people.

Many people put off saving for retirement (often due to other obligations such as raising families or buying houses) until they’re in their 40s or 50s, she says. Then they start to wonder how they are going to provide for themselves if they have 20 or 30 years ahead and are not earning any income.

A regulator could help with this predicament, Condon says. “There’s a kind of fascinating time-deferred problem here that to me is exactly the role that regulation needs to be focusing on because it’s the regulators who should be aware of this problem that people have and actually try to manage it for them.”

Over the last few years through her work with the OSC Condon has also developed a greater appreciation for how global the financial markets are. She has seen umpteen examples of large Canadian institutional investors who want to access investment opportunities around the globe. “You really see the importance of making Canadian requirements consistent with what’s going on elsewhere,” she says. Looking ahead to the not-too-distant future, Condon says she will be watching with interest to see if Canada establishes a common securities regulator. Unlike any other major federation, Canada does not have a federal regulator. Each province has its own securities regulator, which is either a self-funded commission or an entity funded within a larger government department. Condon, who did research for the Wise Persons Committee that looked at the question of national securities regulation back in 2003, says the notion of a common securities regulator “has taken on new vigour” since a Supreme Court of Canada decision in 2011 concluded that it would be possible.

So, is she in favour of the establishment of a common securities regulator? “Whatever model we have, it’s got to work for Canadian investors,” Condon says.

The views expressed in this article are those of Mary Condon and do not necessarily represent the views of the OSC.
Three years ago, Osgoode became the first law school in Canada to introduce an experiential education requirement into the JD curriculum, and the first to open an Office of Experiential Education to assist with the development of new courses, programs and clinics.

"As part of their legal education, Osgoode JD students are being exposed to law in action through participation in a growing number of experiential education programs," says Kimberley Bonnar ’09, Manager, Experiential Education and Career Development. "The end result of this integration of legal theory and legal practice in diverse and dynamic settings is graduates who are focused on not only identifying legal problems but also creating solutions."

The Environmental Justice and Sustainability Clinical Program this year brings the current number of clinical and intensive programs at Osgoode to 16.

"The program’s dual focus on remedying environmental injustice and promoting the transition to a sustainable economy makes it unique among environmental law clinical programs in Canada," Wood said.

In this year-long program, students will explore the theory and practice of public interest environmental law while helping environmental NGOs, municipalities, First Nations and other organizations leverage their limited resources to advance environmental justice and sustainability.

The program will tackle a range of issues such as biodiversity, energy, water, food, climate change, pollution, mining, land use planning, green technology and corporate social responsibility. It will do a variety of work from litigation and law reform to legal education and legal drafting.

Another interesting new experiential education offering is the Osgoode Venture Capital Clinical Project (OVC). The OVC was started in 2014 and runs out of Osgoode and Schulich School of Business’s Jay and Barbara Hennick Centre for Business and Law in collaboration with lawyers from Wildeboer Dellelce LLP.

The OVC provides legal services to early stage entrepreneurial ventures in the financing and equity structuring stages of growth. Osgoode students work directly with Wildeboer Dellelce’s lawyers advising on legal tasks such as incorporations, corporate structuring/restructuring, drafting agreements, development of financing strategies, and various other tasks associated with early-stage business ventures.

In addition, Osgoode has received funds from the York University Academic Innovation Fund to develop several new experiential education opportunities around innovation and access to justice. This academic year, the Winkler Institute will play a leading role in the development of three innovative courses: the Access to Justice Innovation Course, the Legal IT Course, and the Social Innovation Lab Praxicum.

These courses will combine experiential education, e-learning strategies and community-based learning to create a unique set of courses that will further enhance Osgoode’s already forward-looking curriculum.

In recognition of this extraordinary accomplishment, the Law School is awarding an additional $125,000 to expand Osgoode’s debt relief programs. The Osgoode@125 Fund celebrates a milestone in our history and will provide generations of students with support.
Osgoode Hall Law School is one of this country’s finest law schools as a result of the vision, wisdom and resolve of those charged with that leadership. Our gift societies are named in honour of the five first donors for their contribution to building an institution that is internationally recognized for its excellence in legal education. The societies recognize the contributions of those who are committed to upholding our tradition of academic excellence through their support of Osgoode’s programs and initiatives.

The William Osgoode Society is based on paid gifts to Osgoode Hall Law School and School’s last fiscal year.
CALL FOR NOMINATIONS

2016 Alumni Gold Key Awards

The Gold Key Awards honour the outstanding achievements and contributions of Osgoode alumni in the following categories:

Achievement
Recognizes exceptional professional achievement

Service
Recognizes significant contributions to Osgoode and/or the Alumni Association

Public Sector
Recognizes outstanding service of public sector or government lawyer

One-to-Watch
A recent graduate who demonstrates the promise of future leadership

Dianne Martin Medal for Social Justice through Law

Created in memory of Professor Dianne Martin ‘76, this medal is awarded to a member of the Canadian legal community who has exemplified Dianne’s commitment to law as an instrument for achieving social justice and fairness.

Deadline for receipt of nominations is April 1, 2016

Recipients will be presented with the award at the Dean’s Annual Alumni Reception on May 18, 2016.

For more information or to submit a nomination, please go to www.osgoodealumni.ca or contact Anita Herrmann, Director, External Relations & Communications Office at 416-736-5364 or aherrmann@osgoode.yorku.ca.

2015 AWARD RECIPIENTS

Carole Piovessan ‘09
Mentor of the Year

Kathleen Taylor ‘84
Achievement

Paul Jebely ‘05
One-to-Watch

Jason Madden ‘00
Dianne Martin Medal

Frank Gomberg ‘77, ’11 (LLM)
Service

Not shown:
Daphne Intrator ‘78
Public Sector

the
Thomas Brown Phillips Stewart
SOCIETY

Thomas Brown Phillips Stewart (1865–1892) was admitted to Osgoode Hall as a student-at-law in Michaelmas Term in 1888. Sadly, he became ill and died at the early age of 27 before he could graduate. He left a portion of his estate to establish a student library at Osgoode Hall, which later became the largest law library in Canada.

The Thomas Brown Phillips Stewart Society was created to commemorate Thomas Brown Phillips Stewart as Osgoode’s first benefactor and to honour all those who, like this generous young man, made Osgoode Hall Law School a part of their legacy through a planned gift.

Membership in the Society is offered to those alumni and friends who wish to donate to Osgoode by means of a planned gift including charitable bequests, life insurance or other future arrangements. All members will be recognized annually in the Osgoode Hall Law School Report on Giving.

We would be pleased to discuss with donors and their advisors, the many areas within the Law School where bequests can be directed. We do appreciate the opportunity to review the terms of a Will (especially for specific bequests) before they are finalized, so we can confirm our ability to accept and fulfill the gift’s intent.

For more information, please contact Anita Herrmann, Director, External Relations & Communications Office at 416-736-5364 or aherrmann@osgoode.yorku.ca.

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Sandra Birnbaum
Marlys Edward
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Harvey Spiegel
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This report lists all donors who gave at least $100 to Osgoode Hall Law School from May 1, 2014 to April 30, 2015. Those donors who have requested anonymity do not appear in the listings. While we have made every effort to ensure accuracy, please let us know of any errors or omissions by calling the External Relations & Communications Office, Osgoode Hall Law School 416-736-5638.

External Relations & Communications Office, Osgoode Hall Law School, Ignat Kaneff Building, York University, 4700 Keele Street, Toronto, ON M3J 1P3 Telephone: 416-736-5638 Email: alumni@osgoode.yorku.ca

MEMBERS

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Balfour Halévy
Derek Hogg
David Montcalm
Harvey Spiegel
Norman Stewart
William Turville
Osgoode opened its doors again this summer to Success Beyond Limits students and mentors as the home base for SBL’s Grade 9 prep program.

P.K. Subban of the Montreal Canadiens dropped by to meet the SBL students on July 28.