Environment in the Courtroom:
Inspections and Enforcement Issues: On-site and in Court

February 26 & 27, 2016
Room 12102, DMS Desmarais, 55 Laurier
University of Ottawa, Ottawa, Ontario

PROGRAMME

Friday, February 26

8:45-9:00 Introductory Remarks: Jamie Benidickson, Professor, Faculty of Law Common Law Section, University of Ottawa

SESSION 1: Inspections and Compliance: Overview

Moderator: J. Owen Saunders, Senior Fellow, Canadian Institute of Resources Law

9:00-11:00

Academic Perspective
Martin Olszynski, Assistant Professor, Faculty of Law, University of Calgary

Federal Perspective
Heather McCready, Executive Director of Environmental Enforcement, Environment and Climate Change Canada, Gatineau and John Sencaj, Operations Manager & INTERPOL Liaison, Environment and Climate Change Canada, Gatineau

Provincial Perspective
James (Jamie) D. Flagal, Counsel, Ontario Ministry of the Environment and Climate Change, Toronto

11:00-11:15 Break

SESSION 2: Anatomy of Compliance Regime I: Initiation of Action

Moderator: Heather McLeod-Kilmurray, Associate Professor, Faculty of Law, Common Law Section, University of Ottawa

11:15-12:30

Private Practitioner’s Perspective
Katia Opalka, Adjunct Professor, McGill School of Environment, Montreal

Regulator’s Perspective
Fred Maefs, Counsel, Legal Services, Ontario Ministry of the Environment and Climate Change, Toronto

12:30-1:45 Lunch
SESSION 3: Anatomy of Compliance Regime II: Collecting Evidence

Moderator:  
Heather McLeod-Kilmurray, Associate Professor, Faculty of Law, Common Law Section, University of Ottawa

1:45-3:00  
**Legal Strategy and Associated Issues**
Jack Coop, Partner, Osler, Hoskin & Harcourt LLP, Toronto

**A Scientist's Perspective**
Dr. Elaine MacDonald, Senior Staff Scientist, Ecojustice, Toronto

3:00-3:15  
Break

SESSION 4: Anatomy of Compliance Regime III: Investigations

Moderator:  
Jamie Benidickson, Professor, Faculty of Law Common Law Section, University of Ottawa

3:15-4:30  
**A Government Perspective**
Paul McCulloch, Counsel, Legal Services, Ontario Ministry of the Environment and Climate Change, Toronto

**A Corporate Perspective**
Rosalind H. Cooper, Partner, Fasken Martineau DuMoulin LLP, Toronto

Saturday, February 27

SESSION 5: Anatomy of Compliance Regime IV: Recapitulation and Alternatives

Moderator:  
J. Owen Saunders, Senior Fellow, Canadian Institute of Resources Law

9:00-11:00  
**Case Study**
Jennifer Fairfax, Partner, Osler, Hoskin & Harcourt LLP, Toronto

**Lessons from the United States**
Jonathan Leo, Attorney, The State Bar of California, U.S.A.

**Intelligence-Led Environmental Enforcement**
Heather McCready, Executive Director of Environmental Enforcement, Environment and Climate Change Canada, Gatineau

11:00-11:15  
Break

SESSION 6: Special Problems: Contaminated Sites

Moderator:  
Jamie Benidickson, Professor, Faculty of Law Common Law Section, University of Ottawa

11:15-12:30  
**Contaminated Sites – An Overview of the Problem**
Janet L. Bobechko, Partner, Norton Rose Fulbright Canada LLP, Toronto

**Case Study**
Dan Bunner, President, Ramboll Environ Canada Inc., Mississauga

12:30-1:45  
Lunch
SESSION 7

Moderator: Allan Ingelson, Executive Director, Canadian Institute of Resources Law and Associate Professor, Faculty of Law, University of Calgary

1:45-4:00 Final Panel (recapitulation and going forward) and Open Questions

Closing Remarks

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Canadian Institute of Resources Law
Institut canadien du droit des ressources

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