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CONVOCATION

IN PUBLIC SESSION

TUESDAY, AUGUST 9th, 2016 - 9:00 a.m.

OSGOODE HALL, TORONTO

1 CONVOCAATION ATTENDANCE

2 Treasurer - Paul Schabas

3	Lee Ferrier (ph.)	Vern Krishna (ph.)
4	Gavin MacKenzie (ph.)	James Spence (ph.)
5	Harvey Strosberg (ph.)	Marion Boyd (ph.)
6	Gisèle Chrétien (ph.)	Suzanne Clément (ph.)
7	Seymour Epstein (ph.)	Jan Richardson (ph.)
8	Gerald Sheff (ph.)	Baljit Sikand (ph.)
9	Catherine Strosberg	Larry Banack (ph.)
10	Patrick Furlong (ph.)	Ross Murray (ph.)
11	Judith M. Potter (ph.)	Gerald A. Swaye (ph.)
12	Peter Beach	Fred Bickford (ph.)
13	Jack Braithwaite ph.)	Christopher D. Bredt (ph.)
14	Robert Burd (ph.)	John Callaghan
15	Paul Cooper	Dianne Corbiere (ph.)
16	Cathy Corsetti (ph.)	Janis Criger (ph.)
17	Teresa Donnelly (ph.)	Ross F. Earnshaw (ph.)
18	Robert Evans (ph.)	Howard Goldblatt (ph.)
19	Joseph Groia	Michelle Haigh (ph.)
20	Jacqueline Horvat (ph.)	Brian Lawrie
21	Janet Leiper (ph.)	Jeffrey Lem (ph.)
22	Michael Lerner (ph.)	Marian Lipa (ph.)
23	Virginia MacLean (ph.)	William McDowell
24	Susan T. McGrath (ph.)	Malcolm Mercer (ph.)
25	Barbara Murchie (ph.)	Sandra Nishikawa (ph.)

1 Gina Papageorgiou (ph.)

Jonathan Rosenthal (ph.)

2 Andrew Spurgeon (ph.)

Sidney Troister (ph.)

3 Jerry Udell

Tanya Walker

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1 --- Upon commencing at 9:00 a.m.

2 TREASURER SCHABAS: Okay, good morning,
3 everybody. It's Paul Schabas speaking. I will express
4 my hope that everybody is having a good summer.

5 I'm in the Convocation room. There are
6 a number of Benchers and some staff of Convocation with
7 me. We've just heard the Old City Hall clock chime
8 nine times, so we'll take attendance in a moment, but
9 before we do that, I just want to review the
10 instructions for the phone system for those of you who
11 are on the phone.

12 Once we determine who is on the phone
13 I'll let everyone know that we will be placing those
14 calling into the meeting into what we call lecture
15 mode. This means that from our end we are muting all
16 of you. Once muted, you will be able to hear, but
17 cannot speak. So we do a star 6 from our end for
18 everybody else.

19 We will, of course, need to come out of
20 lecture mode to hear speakers who wish to speak and
21 vote, and we'll do that following the presentation of
22 the reports and motions. At that time, unless callers
23 wish to speak they are to star 6 their telephones, as
24 we have done in the past, and we'll repeat this
25 throughout Convocation as necessary.

1 I'm now going to ask the secretary, Mr.
2 Varro, to take attendance, which I think he's going to
3 do by calling out names.

4 SECRETARY: I will. Benchers, I'll call
5 out names of those who have indicated that they are
6 participating and then I'll follow up with anyone who
7 has joined that didn't let us know that.

8 So I'll just start with the first name I
9 have. Mr. Banack?

10 MR. BANACK: Present, thank you.

11 SECRETARY: Mr. Bickford?

12 MR. BICKFORD: Present.

13 SECRETARY: Mr. Braithwaite? Sorry,
14 okay. Mr. Bredt?

15 MR. BREDT: Present.

16 TREASURER SCHABAS: Ms. Chrétien?
17 Ms. Clément?

18 MS. CLÉMENT: Present.

19 SECRETARY: Ms. Corbiere? Ms. Corsetti?

20 MS. CORSETTI: Present.

21 SECRETARY: Ms. Donnelly?

22 MS. DONNELLY: Present.

23 SECRETARY: Mr. Earnshaw?

24 MR. EARNSHAW: Present.

25 SECRETARY: Mr. Epstein?

1 MR. EPSTEIN: Good morning all.

2 SECRETARY: Mr. Ferrier?

3 MR. FERRIER: Present.

4 SECRETARY: Mr. Finkelstein, I know
5 you're there. Thank you. Mr. Furlong?

6 MR. FURLONG: Present.

7 SECRETARY: Mr. Goldblatt?

8 MR. GOLDBLATT: Here.

9 SECRETARY: Ms. Horvat?

10 MS. HORVAT: Present.

11 SECRETARY: Mr. Lerner?

12 MR. LERNER: Present.

13 SECRETARY: Mr. Lem, I have you marked,
14 thank you. Ms. MacLean?

15 MS. MACLEAN: Present.

16 SECRETARY: Thank you. Mr. Murray?

17 MR. MURRAY: Present.

18 SECRETARY: Ms. Nishikawa?

19 MS. NISHIKAWA: Present.

20 SECRETARY: Ms. Potter?

21 MS. POTTER: Present.

22 SECRETARY: Ms. Richardson?

23 MS. RICHARDSON: Present.

24 SECRETARY: Mr. Rosenthal?

25 MR. ROSENTHAL: Good morning.

1 SECRETARY: Mr. Spence? Mr. Strosberg?

2 MR. STROSBERG: Here.

3 SECRETARY: Thank you. Is there anyone
4 whose name I haven't called?

5 MS. MURCHIE: Yes.

6 SECRETARY: Sorry, just --

7 MS. MURCHIE: Barbara Murchie.

8 SECRETARY: Thank you. Barbara Murchie.
9 Okay.

10 MS. BOYD: Marion Boyd.

11 SECRETARY: Thank you. Is that
12 Mr. Evans?

13 MR. EVANS: Yes.

14 SECRETARY: Bob Evans.

15 MS. PAPAGEORGIU: Gina Papageorgiou.

16 SECRETARY: Thank you. Anyone else?

17 Sorry, go ahead.

18 MS. LIPPA: Marian Lippa.

19 SECRETARY: Thank you.

20 MR. SHEFF: Gerald Sheff.

21 MS. HAIGH: Michelle Haigh.

22 MR. SWAYE: Gerald Swaye.

23 SECRETARY: Thank you, Ms. Haigh,
24 Mr. Swaye. Sorry, go ahead.

25 TREASURER SCHABAS: I think we missed

1 the last two people.

2 MS. CRIGER: Janis Criger. Janis Criger

3 is on the line.

4 SECRETARY: Okay. Thank you.

5 MS. McGRATH: Susan McGrath.

6 SECRETARY: Mr. Mercer, thank you. Ms.

7 McGrath, thank you.

8 MS. CHRÉTIEN: Gisèle Chrétien.

9 SECRETARY: Sorry?

10 TREASURER SCHABAS: Say that again.

11 MS. CHRÉTIEN: Gisèle Chrétien.

12 SECRETARY: Thank you.

13 MS. PAPAGEORGIOU: Did you get Gina

14 Papageorgiou?

15 SECRETARY: Yes.

16 MS. PAPAGEORGIOU: Thanks.

17 TREASURER SCHABAS: Yes, we did.

18 MR. BRAITHWAITE: Jack Braithwaite.

19 SECRETARY: Yes.

20 MR. TROISTER: Sid Troister.

21 SECRETARY: Thanks, Mr. Troister.

22 MS. CORBIERE: Dianne Corbiere.

23 SECRETARY: Yes, I have you. Thank you.

24 MR. SIKAND: Baljit Sikand.

25 SECRETARY: Thank you, Mr. Sikand.

1 MR. KRISHNA: Vern Krishna.

2 SECRETARY: Sorry, I didn't hear that.

3 MR. KRISHNA: Vern Krishna.

4 SECRETARY: Thanks, Mr. Krishna.

5 MR. MACKENZIE: Gavin MacKenzie. I'm
6 not sure you got me, Mr. Varro.

7 SECRETARY: Thank you.

8 MS. CRIGER: Did you get Janis Criger?

9 SECRETARY: Yes, we did.

10 MR. SPURGEON: Did you get Andrew
11 Spurgeon?

12 SECRETARY: No. Thank you,
13 Mr. Spurgeon.

14 MR. SPURGEON: Good morning.

15 -- TREASURER'S REMARKS:

16 TREASURER SCHABAS: I think next time
17 we'll just read the whole list. We seem to have quite
18 a crowd this morning. Welcome, everybody.

19 So there are three matters on the
20 agenda. The first will be the election of the new
21 Bencher, Tanya Walker. The second are two items on the
22 Consent Agenda, and the third will be the motion to
23 appoint committees and task forces so that the work can
24 begin right away.

25 As you'll know, as a result of my

1 election as Treasurer, there is a vacancy for a Bencher
2 elected from inside Toronto. The motion is at
3 BoardBooks at tab one for the election of Tanya Walker
4 as a Bencher for the Toronto region. It is moved by
5 Mr. Udell and seconded by Mr. Beach.

6 I'll ask first in the room, all in
7 favour in the room? Anyone opposed? No. I suppose I
8 could say is there anyone opposed on the telephone?

9 MR. BURD: No, but Robert Burd is here.

10 TREASURER SCHABAS: Thank you, Mr. Burd.
11 Then the motion is carried. Thank you very much.

12 I'm going to ask, just for the benefit
13 of those on the phone, for Ms. Walker to join us. She
14 is sitting outside Convocation room. Mr. Cooper is
15 kindly opening the door, you can all envision this, and
16 Ms. Walker is about to walk in.

17 -- Applause.

18 TREASURER SCHABAS: Welcome, Ms. Walker.
19 I will introduce you more formally when we have all of
20 the Benchers assembled, though you might find the room
21 already to be fairly crowded, but welcome to
22 Convocation.

23 As most of us know, Ms. Walker was
24 called to the bar in 2006, which is a long time after I
25 was called to the bar, and is a lawyer at Walker Law

1 Professional Corporation.

2 On behalf of Convocation I would like to
3 welcome you. I know the Benchers and the staff are all
4 looking forward to working with you, and many people, I
5 know, are looking forward to meeting you. Good morning
6 and welcome.

7 -- CONSENT AGENDA:

8 TREASURER SCHABAS: The second item is
9 the Consent Agenda. You'll see two phone items on the
10 Consent Agenda at tab 2 for decision. One is
11 amendments to the minutes. Timely, as we've just gone
12 through a sort of protracted taking of attendance and
13 we might have to amend some more minutes next time, but
14 the amended is simply to reflect that Mr. Galati did
15 attend in May.

16 And the other amendment is a technical
17 amendment to the French version of the Rules of
18 Professional Conduct.

19 Is there any discussion?

20 Ms. Fisher-Mitchell, I suppose we should go through the
21 motion. Shall we see -- okay, hearing none, the motion
22 is moved by Mr. Braithwaite and seconded by Mr. Groia.

23 All in favour in the room? Are there
24 any opposed on the telephone? Hearing nothing, the
25 motion is carried.

1 -- MOTION:

2 TREASURER SCHABAS: Third and lastly,
3 then, is the Committee and Task Force and Working Group
4 appointments. That can be found at tab 3.

5 I'd just like to say a few remarks about
6 that before we proceed with the motion. I have
7 attempted as much as possible in putting forward these
8 committees to give Benchers their choice of committees
9 and working groups, as reflected in the responses to
10 the requests for expressions of interest sent out by
11 Mr. Varro in early July, and I want to thank everyone
12 who has responded.

13 However, I've also had to balance
14 competing objectives of the benefits of continuity and
15 experience with the benefits that come from involving
16 new people and having new, different and diverse
17 perspectives. Some chair and vice-chair positions are
18 changing, balancing those same objectives, and I
19 anticipate we may see some more changes in that regard
20 next year as well.

21 I sought the advice of a number of you
22 as this would a daunting task alone, and I also
23 received valuable input from staff. Of course, I also
24 had the benefit of having met with virtually all of you
25 one on one in the past few months.

1 Perhaps most significant is an effort
2 that I have made to reduce the size of the committees.
3 With one minor exception, all of the major committees
4 are smaller than the past few years, and in some cases
5 considerably smaller. Committees of up to 15 may still
6 seem large to some of us, but that is the product of a
7 large Convocation.

8 The desire to reduce the size of the
9 committees was something I heard from many of you over
10 the past few months, a view I share. Smaller
11 committees, I believe, will be more effective with more
12 engaged members.

13 Given the size of Convocation, making
14 smaller committees, while still trying to accommodate
15 people's choices, has been a challenge and I know some
16 will be disappointed. Committee membership is the
17 prerogative of the Treasurer and every Treasurer has to
18 make hard choices. I can only say that I've tried my
19 best.

20 You will also note that some working
21 groups and external appointments are not listed on
22 Schedule A because there is no change to those
23 appointments, in some cases because the terms have not
24 expired and in others because, in my view, change is
25 not desirable at this time. An example of that is the

1 Challenges Faced By Racialized Lawyers Working Group,
2 which is nearing the end of its work and I felt would
3 not benefit from bringing in new people at this time.

4 So clearly there will also be some
5 appointments, as we know, during the course of the year
6 as terms come up and new initiatives are started.

7 That's all I wanted to say. With that,
8 are there any questions or discussion in the room or on
9 the telephone? Hearing nothing, I'll ask in the room,
10 all in favour -- sorry, I should say who has moved and
11 seconded this before I do that.

12 It's moved by Ms. MacLean and seconded
13 by Ms. Chrétien. So all in favour in the room again?
14 Again, thank you. Hands up. Any opposed? None. On
15 the telephone? Any opposed on the telephone? Hearing
16 nothing, the motion is carried. Thank you very much.

17 That's all the business for Convocation.
18 We'll see you all soon in September, if not before.
19 Thank you all for joining the call. Convocation is
20 adjourned.

21 --- Whereupon the proceedings adjourned at 9:13 A.M.

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I HEREBY CERTIFY THE FOREGOING
to be a true and accurate
transcription of my shorthand notes
to the best of my skill and ability

SHARI CORKUM, C.S.R.
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