

November 21-22, 2003
Maison Radio-Canada
1400 René Lévesque Blvd. East
Montreal, Québec

SCHEDULE

Friday, November 21, 2003

8:30 – 9:30 Executive Committee Meeting

8:30 – 9:30 **Registration** / Coffee, tea, juice, muffins/pastries

9:30 – 12:30 **I – Libel: Developments and Tactics** Chair – Dan Henry

- 1) Libel trial advocacy (Paul Schabas, Phil Tunley, Marc-André Blanchard)
- 2) Class action group libel (Allison Woodbury, Tony Wong)
 - Québec Court of Appeal decision (Marc-André Blanchard)
- 3) *Young vs. Toronto Star* (Paul Schabas)
- 4) Quebec cases
 - *Prud'homme v. Prud'homme* (Marc-André Blanchard)
 - *Néron v. Société Radio-Canada* (Barry Landy, Sylvie Gadoury)
 - *Guitouni v. Société Radio-Canada* (Barry Landy)
 - *Parizeau v. Lafferty* (Mark Bantey)
 - *Tremblay v. Quebecor inc.* (Bernard Pageau)
- 5) Discovery issues (Fred Kozak)
- 6) Funding defamation actions as maintenance (David Coles)
- 7) Review of damages (Roger McConchie)

11:15 – 11:30 Break

12:30 – 1:45 **Lunch sponsored by Chubb Insurance**

Keynote Speaker:

**The Honourable Michel Robert,
Chief Justice of Quebec, Court of Appeal of Quebec**

“The Extended Role of the Courts and the Media”

Friday, November 21, 2003

13:45 – 4:30

II – Current Issues

Chair – Alan Parish

- 1) Recent developments in the U.K. and Scotland (Alistair Bonnington)
- 2) Youth Criminal Justice Act (Alan Shanoff)
- 3) Publication bans and contempt
 - a) Section 648(1) Cr.C. – A “hell” of an article (Mark Bantey, Jonathan Kroft)
 - b) Access to search warrant information (Mark Bantey)
 - c) Pickton trial issues (Dan Burnett, David Sutherland)
 - d) *Daley and Global* (Dan Burnett)
 - e) Contempt rules and sub judice - *R. v. Edmonton Sun* (Barry Zalmanowitz)
- 4) Search warrant assistance order – National Post case (Peter Jacobsen, Dan Henry)

III – Pre-publication issues

Chair – Alan Parish

- 1) Secret cases and sealing orders (Dan Henry)
- 2) *R. vs. Quintal* (Fred Kozak)
- 3) New Criminal Code provisions – Have any been used?
- 4) Practical considerations (Alan Parish)

3:15 – 3:30

Break

4:30 – 5:15

Ad IDEM business meeting (Marc-André Blanchard)

7:00

Reception sponsored by First Media & Dinner

at

Toqué! Restaurant, 3842, St-Denis St., Montreal

Saturday, November 22

8:30 – 9:00 Coffee, tea, juice, muffins, pastries

9:00 – 9:45 **I – Cyber Law**

- 1) Definition of broadcast (Lorne Honickman)
- 2) Jurisdiction
 - a) *Gutnick* (Australian High Court decision) (Blakes)
 - b) U.S. perspective (Jane Kirtley)

9:45 – 11:00 **II – Insurance and Media Practices** Chair – Marc-André Blanchard

- 1) View from an insurer's perspective
(Murn Meyrick, Matthew Davies, Chubb Canada,
Jim Borelli, Media Professional Insurance)
 - Coverage problems
 - Role of attorney
 - media
 - journalist
 - Overlapping policy
- 2) Discussion about the role of the insurer in media-related issues
- 3) Who are Canadian plaintiffs?
(Michelle Worrall Tilton, P. Blake Keating, First Media)

11:00 – 11:15 Break

11:15 – 12:00 **III – Current Issues 2**

- 1) Right to image: Where are we? (Fred Kozak, David Sutherland)
- 2) Immigration issues – terrorists (Dan Henry)
- 3) Election Act and publication of election results (David Sutherland)

12:00 – 2:00 **Lunch sponsored by Media Professional Insurance**

Presentation by:

**Charles “Chip” Babcock, Jackson Walker LLP, Dallas, Texas &
Jason Bloom, Courtroom Sciences Inc.**

**“The Courtroom as Television Studio: Trial Tactics for Media
Defendants in the Age of the Internet and CNN”**

End of conference