

**Ad IDEM/Canadian Media Lawyers Association  
2007 Annual Conference  
Intercontinental Hotel Toronto Yorkville  
220 Bloor Street West, Toronto**

**Friday November 2, 2007**

- 8:15 – 9:00     **Registration** (binders sponsored by **Marsh Canada**)
- Breakfast** (sponsored by **ACE INA Insurance Canada**)
- 9:00 - 9:15     **Welcome / Introductions**
- 9:15 - 9:30     **Year in Review - *Brian Rogers and Paul Schabas***
- 9:30 - 12:30    **Defamation** (Moderator – **Jonathan Kroft**)
- 9:30 - 11:00    **Developing Defences in Libel Law**
- Panel: **Rick Dearden, Dan Burnett, Barry Landy, David Hooper**
- Qualified Privilege: “Responsible Journalism” and “Neutral Reportage”
- Developments in “Fair Comment”
- Meanings of words
- Damages
- 11:00 - 11:15    Coffee Break
- 11:15 - 12:30    **Pre-Publication**
- Panel: **Bert Bruser, Alan Parish, Fred Kuntz, Siobhain Butterworth**
- 12:30 - 1:45    **Lunch** (sponsored by **Chubb Insurance Company**)
- Guest Speaker - Justice Denise Bellamy**, Ontario Superior Court of Justice
- ["From Both Sides Now: Media Coverage of Public Inquiries and Trials - One Judge's View"](#)
- 1:45 - 4:30     **Newsgathering Issues** (Moderator – **Fred Kozak**)
- 1:45 - 3:15     **Publication Bans and Access to Courts**
- Guest: **Professor Jonathan Freedman**
- What really causes prejudice?
- Challenges to statutory bans
- Current access issues – “protection of the innocent”, privacy
- 3:15 - 3:30     Coffee Break
- 3:30 - 4:45     **Investigative Reporting**
- Guests: **Kevin Donovan, Harvey Cashore**
- Sources, undercover reporting, privacy, lawyer’s role
- Access to Information issues

- 4:45 – 5:30     **Business Meeting**
- First Annual Meeting of Corporation
  - Election of Officers
  - Committees
  - Finances
  - 2008 Conference
- 6:30            **Reception (sponsored by Media/Professional Insurance)**
- 7:45            **Dinner - Roof Salon, Park Hyatt Hotel Toronto, 4 Avenue Road**

**Saturday November 3, 2007**

8:15 – 9:00     **Breakfast**

9:00 - 12:30   **Electronic Media (Moderator –*Daniel Henry*)**

9:00 - 9:45     **What’s going on out there?**

Guests: ***Angus Frame, John Cruickshank***

- The present and future of traditional media: New dimensions in publishing
- New challenges: Slingbox, YouTube, Facebook, Blog.ca
- Risk, reward and responsibility

9:45 - 10:30   **Did we see this coming? Media copyright issues – past, present, future...**

Guest: ***Mark Hayes***

- Fair dealing in Canada
- Clearing online rights, limiting international liability
- Migrating online independent productions to broadcast space... flow through obligations

10:30 - 10:45   Coffee Break

10:45 - 11:30   **How have Canadian media organizations responded?**

Panel: ***Christina Litz, Sue Gaudi***

- User-generated content: Moderating - in moderation
- Police mining and monitoring the Internet: Timely responses to complaints
- Click-through agreements
- Privacy - special issues with social media
- Online damages
- News online: Unique challenges (Criminal Code: bans on “transmission” ; retaining posts of inadmissible evidence as the trial nears; cameras in courts: online and on air, update; federal elections: effect of *R. v Bryan*)

11:30 – 12:15   **What trouble is on the horizon? International Developments**

Panel: ***Jane Kirtley, Alistair Bonnington***

Proposition: cyberspace and electronic media issues are increasingly driving law and policy

- Jurisdiction
- Injunctions - privacy/right of publicity / discrimination / copyright

- Liability for anonymous speech
- User-generated content: Should the electronic media monitor, edit and alter
- Electronic archives: A "publication", and a basis for contempt?
- Hidden cameras: Legitimate electronic news tools or unjustifiable intrusions
- Access to electronic evidence in court
- Cameras in the US, English, and Scottish Courts: update

12:15 – 12:30 **And that's a wrap...**

Electronic Media panellists/guests offer final conclusions and predict the future

12:30 **Conference Adjourns**