



**DALHOUSIE LAW SCHOOL**

**FACULTY PUBLICATIONS  
(2006 – 2007)**

Dalhousie Law Faculty  
Publications (2006 – 2007)

**Bruce Archibald –**

“The Challenges of Institutionalizing Comprehensive Restorative Justice: Theory and Practice in Nova Scotia” (2006) 29 *Dalhousie Law Journal* 297-343 (with J. Llewellyn). **R**

**Vaughan Black –**

Book Review (2006) 23 *Can. Bull. Med. Hist.* 589-90.

“The Hague Choice of Court Convention” (2006) 6 *Can. Int’l L.* 181-95. **R**

“The Continuing Incoherence of Canadian Choice of Law Methodology”, in *Fragmentation: Diversification and Expansion of International Law*, J. McManus, ed. (Ottawa: Canadian Council on International Law, 2006), 339-48.

“Decision Causation: Pandora’s Tool-Box”, in *Emerging Issues in Tort Law*, J. Neyers *et al.*, eds. (Oxford: Hart Publishing, 2007), 309-30. **R**

“Canada and the US Contemplate Changes to Foreign-Judgment Enforcement” (2007) 3 *J. Private Int’l L.* 1-28. **R**

**David Blaikie –**

David Blaikie and Diana Ginn, *Legal Guide for Canadian Churches* (Ottawa: Novalis Press, 2006)

**Sarah Bradley –**

“A promise you can take to the bank: legally enforceable pledge agreements for Canadian charities” (2006) 25:3 *Estates, Trusts & Pensions Journal* p.291.

**Aldo Chircop –**

Aldo Chircop, Scott Coffen-Smout & Moira McConnell, eds., *Ocean Yearbook*, vol. 21 (Leiden: Nijhoff, 2007).

Olof Linden, Aldo Chircop, Malek Pourzanjani, Jens-Uwe Schroeder & Steve Raaymakers, *PSSA in the Baltic Sea: Present Situation and Future Possibilities*, Monograph/Research Brief (Malmo, Sweden: World Maritime University, 2007).

Aldo Chircop, "Mariculture and Canadian Maritime Law: An Unexplored Relationship", in David VanderZwaag and Gloria Chao, eds., *Aquaculture Law and Policy: Towards Principled Access and Operations* (London: Routledge, 2006), 207-243.

### **Steve Coughlan –**

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Gerry Ferguson and Steve Coughlan, *Annual Review of Criminal Law 2005* (Toronto: Carswell, 2006) (author of three of five chapters, pp. 105-298).

R. Currie and S. Coughlan, Chapter 7, "Canada" in Stephen Mason, general ed., *Electronic Evidence: Disclosure, Discovery & Admissibility* (London: LexisNexis Butterworths, 2007) (pp. 148-174).

S. Coughlan, R. Currie, H. Kindred & T. Scassa, "Global Reach, Local Grasp: Constructing Extraterritorial Jurisdiction in the Age of Globalization" (2007) 6 Can. J.L.&T. 29 (initially prepared as a Report to the Law Commission of Canada, 2006). **R**

R. Currie, S. Coughlan, "Extraterritorial Criminal Jurisdiction: Bigger Picture or Smaller Frame"? (2007) 11 Can.Crim.L.R. 141-176. **R**

S. Coughlan, "Privacy Goes to the Dogs" (2006) 40 C.R. (6th) 31-36. **R**

S. Coughlan, Case Comment on *R. v. Beaudry* (2007) 44 C.R. (6th) 62-63.

S. Coughlan, Case Comment on *R. v. Rajaratnam* (2007) 43 C.R. (6th) 282-283.

S. Coughlan, Case Comment on *R. v. Y. (C.L.)* (2007) 43 C.R. (6th) 82-83.

S. Coughlan, Case Comment on *O'Neill v. Canada* (Attorney General) (2007) 42 C.R. (6th) 67-68.

S. Coughlan, Case Comment on *R. v. Humaid* (2006) 37 C.R. (6th) 349-351.

### **Rob Currie –**

(with Steve Coughlan) "Electronic Evidence in Canada," in Stephen Mason, ed., *Electronic Evidence: Disclosure, Discovery & Admissibility* (London: LexisNexis Butterworths (UK), 2007) 148-174.

S. Coughlan, R. Currie, H. Kindred & T. Scassa, "Global Reach, Local Grasp: Constructing Extraterritorial Jurisdiction in the Age of Globalization" (2007) 6 Can. J.L.&T. 29 (initially prepared as a Report to the Law Commission of Canada, 2006). **R**

(with Steve Coughlan) "Extraterritorial Criminal Jurisdiction: Bigger Picture or Smaller Frame?" (2007) 11 CANADIAN CRIMINAL LAW REVIEW 141-176.

Book Review, *Canadian Extradition Law Practice*, by Gary Trotter (2005-2006) 37/1 OTTAWA LAW REVIEW 163-169. **R**

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Contributor, *International Law in Domestic Courts* (Oxford University Press, Online Law Service) (launched Fall 2006), four case annotations.

### **Michael Deturbide –**

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*The Last Word: Media Coverage of the Supreme Court of Canada* (2006) 44 Alta. Law Rev. 459-464.

T. Scassa, T. Chaisson, M. Deturbide, A. Uteck, “Consumer Privacy and Radio Frequency Identification Technology” (2006) 37 Ottawa Law Rev. 215-247. **R**

### **Richard Devlin –**

“Constitutionalized Law Reform: Equality Rights and Social Context Education” (2005) 4:2 Journal of Law and Equality 157-202 [with Justice Donna Hackett] **R**

“The Bill Chill? Contextual Judgment after *R. v. Hamilton*” (2005) 28:2 Dal. L.J. 409-441 [with Matthew Sherrard] **R**

“Aquaculture Law and Policy in Canada and the Duty to Consult” in D. VanderZwaag & G. Chao, eds., *Aquaculture Law and Policy* (New York: Routledge, 2006) 293-330. [with Ronalda Murphy and Tamara Lorincz] **R**

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### **Meinhard Doelle -**

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“Climate Change and the Use of the Dispute Settlement Regime of the Law of the Sea Convention” (2006) 37 Journal of Ocean Development and International Law 319 – 337 **R**

2006 Update to Nova Scotia Chapter in *Canadian Environmental Law* (1996), 2nd Edition,

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### **Jocelyn Downie-**

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Jocelyn Downie, “End of Life Law at the Supreme Court of Canada” in Jocelyn Downie and Elaine Gibson, eds., *Health Law at the Supreme Court of Canada* (Toronto: Irwin Law Books, 2007) 219-240.

Jocelyn Downie & Ronald Murphy, “Inadmissible, eh?” (*The American Journal of Bioethics* 2007) 67-69.

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### **Elaine Gibson –**

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- E. Gibson, "Health Information: Confidentiality and Access" in T. Caulfield, J. Downie, C. Flood, eds., *Canadian Health Law and Policy* 3<sup>rd</sup> edn. (Markham: Butterworths, 2007): 223-255
- E. Gibson, "Whither Privacy of Health Information at the Supreme Court of Canada?" in J. Downie and E. Gibson, editors, *Health Law at the Supreme Court of Canada* (Toronto: Irwin Law, 2007) 317-336
- E. Gibson, "SARS crisis highlights gaps in regulation of privacy in health care" *Lawyers Weekly* August 18, 2006, 10.

#### **Diana Ginn –**

- David Blaikie and Diana Ginn, *Legal Guide for Canadian Churches* (Ottawa: Novalis Press, 2006)
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#### **Michael Hadskis –**

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#### **H. Archibald Kaiser –**

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- "*Beaudry*: A New Impetus Towards Equality in Law Enforcement", (2007) 44 *C.R.* (6<sup>th</sup>) 125-135.
- "The Criminalization of People with Mental Health Problems: Struggling Towards More Effective Responses and "Effecting Change: A Range of Possible Local Initiatives to Address the Criminalization of People with Mental Health Problems," in (2007) 25(2) *The Society Record* 25-28.

#### **Mohamed Khimji –**

Mohamed F. Khimji, “Comments on ‘Business Judgment and Majority Shareholders: Are Canadian Courts Too Deferential?’”, *The Corporation in the Courts: papers presented at the 13th Queen's Annual Business Law Symposium 2006* (Kingston: Queen's Annual Business Law Symposium, Faculty of Law, Queen's University, 2007) 42 – 51.

Mohamed F. Khimji, “The Role of Legal Concepts in Commercial Law: Comments on Spink, Rogers and Scavone” (2007) 45 C.B.L.J. 94 – 103.

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### **Hugh Kindred –**

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Global Reach, Local Grasp: Constructing Extraterritorial Jurisdiction in the Age of Globalization? (200&) 6 Can. J. Law & Tech 29-61.

### **Lorraine Lafferty –**

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### **William Lahey –**

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### **Jennifer Llewellyn –**

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### **Constance MacIntosh –**

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### **Wayne MacKay-**

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“In Defence of the Courts: A Balanced Judicial Role in Canada’s Constitutional Democracy” (2007) 21 *National Journal of Constitutional Law* 239-300. **R**

### **Moira L. McConnell –**

Aldo Chircop, Scott Coffen-Smout, Moira L. McConnell, eds., *Ocean Yearbook*, Volume 21 (Leiden/Boston: Martinus Nijhoff 2007). **R**

Moira L. McConnell, “Conflict Prevention and Management: Designing Effective Dispute Resolution Strategies for Aquaculture Siting and Operations” published in David VanderZwaag, & Gloria Chao, eds., *Aquaculture Law and Policy*, (London & New York: Routledge, 2006) **R**

Moira L. McConnell, “Introduction of Harmful Organisms from Ships to be Regulated by Feds,” *The Lawyers Weekly*, October 6, 2006, Vol. 26, No. 21.

Cleopatra Doumbia-Henry, Dominick Devlin, & Moira L. McConnell, “The Maritime Labour Convention, 2006 Consolidates Seafarers’ Labour Instruments” (2006) Vol 10, Issue 23, *ASIL Insight* (electronic publication). **R**

Moira L. McConnell, “Shipping and Sustainability-Problems & Principles: Developing a principled approach to shipping regulation” printed Article No. 25. Part IV.1 Chapter I. Strategy of Management Development, *Ocean Law and Policy of Vietnam* (Centre of Sea and Marine Law, Vietnam National University, Judicial Publishing House, Hanoi- 2006) (translated to Vietnamese). *Unknown*

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Jocelyn Downie & Ronalda Murphy, “Inadmissible, eh?” (*The American Journal of Bioethics* 2007) 67-69.

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### **Chidi Oguamanam –**

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**Dianne Pothier –**

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### **Dawn Russell –**

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### **Phillip Saunders –**

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M. Doelle, D. Russell, P. Saunders, D. VanderZwaag and David Wright, “The Regulation of Tidal Energy Development Off Nova Scotia: Navigating Foggy Waters”, (2006) 55 UNB L. J. 27-70. **R**

### **D.A. Rollie Thompson –**

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### **David VanderZwaag –**

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**Sheila Wildeman –**

“The Supreme Court of Canada at the Limits of Decisional Capacity,” in J. Downie & E. Gibson, eds., *Health Law at the Supreme Court of Canada* (Toronto: Irwin Law, 2007), 241-292.