

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