

CBA CRIMINAL JUSTICE CONFERENCE

APRIL 15, 2023 | VANCOUVER (BC)

WATCHING THE DETECTIVES - THE ULTIMATE GUIDE TO POLICE POWERS

Saturday, April 15, 2023 | Vancouver, BC

AGENDA

Topics, Speakers, Times subject to change

SATURDAY, APRIL 15

TIME	EVENT
8:00 am PT	Registration Fairmont Hotel Vancouver, Saturna Foyer
8:00 am – 6:00 pm PT	Exhibit Fairmont Hotel Vancouver, Saturna Foyer
8:00 am – 9:00 am PT	Breakfast Fairmont Hotel Vancouver, Roof
9:00 am – 9:15 am PT	Welcome Remarks Fairmont Hotel Vancouver, Saturna Island Co-Chairs: The Honourable Suhail Akhtar , Superior Court of Justice (Toronto, ON) Eric V. Gottardi, K.C. , Peck and Company (Vancouver, BC)
9:15 am – 9:35 am PT	The Visual Fact Scenario: Queen of Clubs Fairmont Hotel Vancouver, Saturna Island

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	<p>A fact scenario that sets the scene for the entire day with different topical aspects of the agenda played out in the form of an illustrated movie, "Queen of Clubs". The movie will address the mysterious deaths of high-profile corporate heads and the related police investigation.</p> <p>Presented By: The Honourable Suhail Akhtar, Superior Court of Justice (Toronto, ON)</p>
9:35 am – 10:20 am PT	<p>Dissecting The Fact Scenario</p> <p>Fairmont Hotel Vancouver, Saturna Island</p> <p>A detailed breakdown of the legal and ethical issues posed in "Queen of Clubs".</p> <p>Speakers:</p> <p>The Honourable Chief Judge Melissa Gillespie, Chief Judge, Provincial Court of British Columbia (Vancouver, BC) Mark Sheardown, Crown Counsel (Vancouver, BC) Richard Fowler, K.C., Fowler and Blok, Barristers (Vancouver, BC)</p>
10:20 am – 11:00 am PT	<p>The Police as a Witness</p> <p>Fairmont Hotel Vancouver, Saturna Island</p> <p>How does the Crown properly prepare the police and what are the limits of Crown preparation? How does the defense prepare for cross-examination? What concessions should they make? How far can they go in challenging credibility and making allegations of misconduct?</p> <p>Speakers:</p> <p>The Honourable Judge Jennifer Lopes, Provincial Court of British Columbia (Surrey, BC) Jennifer Horneland, Crown Counsel, BC Prosecution Service (Vancouver, BC) Matthew Nathanson, MN Law (Vancouver, BC)</p>
11:00 am – 11:15 am PT	<p>Refreshment Break</p> <p>Fairmont Hotel Vancouver, Saturna Foyer</p>

SATURDAY, APRIL 15

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11:15 am – 11:50 am PT	<p data-bbox="516 415 992 449">Police Power to Detain and Arrest</p> <p data-bbox="516 470 1036 504">Fairmont Hotel Vancouver, Saturna Island</p> <p data-bbox="516 525 1377 705">A discussion of police powers to detain and arrest. What are the legal principles? What must the defense disclose in a Charter application? What concessions can be made? Can the Crown share the application with the officer? How far can the Crown go in suggesting ways to deal with the allegations?</p> <p data-bbox="516 726 651 760">Speakers:</p> <p data-bbox="516 781 1338 852">The Honourable Justice Janet Winteringham, Supreme Court of British Columbia (Vancouver, BC)</p> <p data-bbox="516 852 1382 924">Michelle Booker, Crown Counsel, BC Prosecution Service (Vancouver, BC)</p> <p data-bbox="516 924 1101 957">Greg DelBigio, Thorsteinssons (Vancouver, BC)</p>
11:50 am – 12:30 pm PT	<p data-bbox="516 1016 837 1050">Police Power to Search</p> <p data-bbox="516 1071 1036 1104">Fairmont Hotel Vancouver, Saturna Island</p> <p data-bbox="516 1125 1373 1230">A look at police power of search. Legal principles and onus of proof. When should the Crown go to s. 24(2) and concede the breach? What concession should the defense make?</p> <p data-bbox="516 1251 651 1285">Speakers:</p> <p data-bbox="516 1306 1333 1377">The Honourable Thomas Albert Cromwell, former Justice of the Supreme Court of Canada (Vancouver, BC)</p> <p data-bbox="516 1377 1328 1411">Chris Greenwood, Senior General Counsel, PPSC (Vancouver, BC)</p> <p data-bbox="516 1411 1143 1444">Rachel Wood, Peck and Company (Vancouver, BC)</p>
12:30 pm – 1:30 pm PT	<p data-bbox="516 1505 781 1539">Networking Lunch</p> <p data-bbox="516 1560 915 1593">Fairmont Hotel Vancouver, Roof</p>
1:30 pm – 2:05 pm PT	<p data-bbox="516 1646 1024 1680">Police Power to Withhold Disclosure</p> <p data-bbox="516 1701 1036 1734">Fairmont Hotel Vancouver, Saturna Island</p> <p data-bbox="516 1755 1352 1837">What can the police and the Crown legitimately withhold from the defense? This discussion will cover informant privilege and ongoing</p>

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	<p>investigations. How far can the defense go in seeking to pierce the privilege? Is it ethical for them to do so outside the court process?</p> <p>Speakers:</p> <p>The Honourable Justice Richard Saull, Court of Kings' Bench of Manitoba (Winnipeg, MB) Mike Barrenger, Crown Counsel (Vancouver, BC) Kevin Westell, Pender Litigation (Vancouver, BC)</p>
2:05 pm – 2:45 pm PT	<p>Police Power to Question</p> <p>Fairmont Hotel Vancouver, Saturna Island</p> <p>A discussion of police powers to question a suspect. What are the legal principles? What must the defense disclose in a Charter application? What concessions can be made? Can the Crown share the application with the officer? How far can the Crown go in suggesting ways to deal with the allegations?</p> <p>Speakers:</p> <p>The Honourable Michael Tammen, Supreme Court of British Columbia (Vancouver, BC) Rob Macgowan, Crown Counsel BC Prosecution Service (Abbotsford, BC) Ian Donaldson, K.C., Donaldson's (Vancouver, BC)</p>
2:45 pm – 2:55 pm PT	<p>Refreshment Break</p> <p>Fairmont Hotel Vancouver, Saturna Foyer</p>
2:55 pm – 3:30 pm PT	<p>Police Powers of Entry and Surveillance</p> <p>Fairmont Hotel Vancouver, Saturna Island</p> <p>A discussion of search warrant, wiretaps and other judicial authorizations. What are the Crown disclosure obligations? What constitutes exigent circumstances?</p> <p>Speakers:</p> <p>The Honourable David Frankel, Court of Appeal of British Columbia (Vancouver, BC)</p>

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	<p>Alexandra Rice, Crown Counsel, PPSC (Vancouver, BC) Gloria Ng, Platform Litigation (Vancouver, BC)</p>
3:30 pm – 4:30 pm PT	<p>Ask The Judges Anything</p> <p>Fairmont Hotel Vancouver, Saturna Island</p> <p>A free for all where the audience asks a panel of trial and appellate judges any question on any area of the law. In the past, this has dealt with legal and ethical issues that are current in time.</p> <p>Speakers:</p> <p>The Honourable Thomas Albert Cromwell, C.C., former Justice of the Supreme Court of Canada (Vancouver, BC) The Honourable Justice S. David Frankel, Court of Appeal of British Columbia and Court of Appeal of Yukon (Vancouver, BC) The Honourable Chief Judge Melissa Gillespie, Chief Judge, Provincial Court of British Columbia (Vancouver, BC) The Honourable Justice Richard Saull, Court of King's Bench of Manitoba (Winnipeg, MB)</p>
4:45 pm – 6:00 pm PT	<p>Closing Reception</p> <p>Fairmont Hotel Vancouver, Saturna Foyer</p>