

## **Constitutional/Human Rights Section Report 2011-2012**

This year, the Constitutional/Human Rights Section was Co-Chaired by Mark Toews of Deeley Fabbri Sellen Law Corporation and Michael Conner from Manitoba Justice, Constitutional Law Branch.

Once again, the Section sponsored a panel presentation for the MBA Mid-Winter Conference. Justice Shawn Greenberg, Professor Debra Parkes and Isha Khan, counsel at the Manitoba Human Rights Commission, provided an update on significant developments in *Charter* and human rights law. Michael Conner moderated the panel. The session was well-attended and featured a lively discussion on various topics including freedom of religion in a secular state, hate speech, harm reduction in the criminal law (e.g. recent cases on safe injection sites, prostitution and polygamy), privacy and police powers.

In May, the Section co-sponsored a program with the Law Society of Manitoba entitled "Accommodation in the Workplace". This is a regular program that is always well attended and features experts in the area. This year was no exception. Aaron Berg, Kris Gibson, Grant Mitchell and Donna Seale updated significant new cases, gave an overview of legislative developments and discussed ethical issues arising in human rights cases.

The Constitutional/Human Rights, Aboriginal and Labour Law Sections jointly sponsored a law at lunch event on the constitutional jurisdiction over labour relations in the context of First Nations businesses and undertakings. Michael Conner and Mark Toews provided an overview of the law, an update of recent Supreme Court of Canada jurisprudence and discussed the implications for Manitoba.

The Section also remains actively involved in the CBA Constitutional/Human Rights Section and the various initiatives it promotes. This included assisting the national section with submissions to the Parliamentary Justice Committees on the proposal to repeal the hate speech provision in the *Canadian Human Rights Act*, as well as making submissions at the annual meeting with the Federal Attorney General's office.

Respectfully Submitted,  
Michael Conner and Mark Toews, Co-Chairs