

Criminal Justice Section Report 2015-2016

1) Criminal Justice Section Officers for 2016-17

Co-Chair (Crown):	Melissa Hazelton, <i>Manitoba Justice – Prosecutions</i>
Co-Chair (Defence):	Tony Cellitti, <i>Phillips, Aiello</i>
Members-at-Large:	Amanda Sansregret, <i>Legal Aid Manitoba</i> Jody Ostapiw, <i>Smith Corona Van Dongen & Cook</i> James Wood, <i>Kavanagh Wood Law Corporation</i> Michelle Bright, <i>Manitoba Justice – Prosecutions</i> Peter Kingsley, <i>Legal Aid Manitoba</i> Bryton Moen, <i>Manitoba Justice - Prosecutions</i>

A meeting of the Executive was held on January 8, 2016.

2) Professional Development Seminars

Attendance numbers for the following seminars are listed in brackets.

(a) The Manitoba Review Board – NCR and Unfit Accused, December 11, 2015 [14]

Total: 1.5 hours

This in-person seminar was jointly presented with the Administrative Law Section. The seminar was presented by the Chair of the Manitoba Review Board, John Stefaniuk (*Thompson Dorfman Sweatman LLP*). The focus of the presentation was on the role of the board in dealing with those that are not criminally responsible or unfit to stand trial, the implications of such findings and the standards by which the board makes its decisions.

(b) Top Supreme Court of Canada and Court of Appeal Cases for 2015-16, May 5, 2016 [26]

Total: 1.5 hours

This in-person seminar featured a discussion about the most significant criminal law decisions from the Supreme Court of Canada and Manitoba Court of Appeal for 2015-16. The speakers were Rekha Malaviya (Crown Counsel, *Manitoba Justice – Prosecutions*) and Amanda Sansregret (*Legal Aid Manitoba*).

(c) Welcome to the Practice of Criminal Law, June 7, 2016

Total: 2.5 hours

This in-person seminar is being held for the seventh consecutive year. It is designed for articling students who appear in Manitoba's Provincial Court on criminal cases. The discussion will include an introduction to the criminal courts and practical tips for success. The seminar will include the distribution of a thumb drive that contains information and forms that are useful to articling students. After the seminar, a reception will be held in Provincial Judges' Chambers to allow students to mingle with Provincial Court Judges, Crown Attorneys, Defence Counsel and fellow articling students. The panelists will include Judge Ryan Rolston (*Provincial Court of Manitoba*), Shauna Silver (Crown Counsel, *Manitoba Justice – Prosecutions*) and Sarah Murdoch (Defence Counsel, *Smith Corona Van Dongen & Cook*). The seminar will be moderated by Melissa Hazelton.

3) Other Involvement of the Co-Chairs

(a) Provincial Court Committees

The Provincial Court has a number of committees that bring justice system stakeholders to the same table to address issues relating to the various aspects of the criminal justice system. Tony Cellitti is a member of the Court Liaison Committee and Probation Liaison Committee.

(b) *La Cage aux Folles* (MTC/MBA Lawyers Play), April 26-30, 2016

Every year members of the MBA work with the Royal Manitoba Theatre Centre (MTC) to put on a production to raise funds for MTC. To date, the program has raised over \$970,000 for MTC through these productions. This year, for the 24th annual production, the MTC/MBA presented the Broadway Musical *La Cage Aux Folles*. It was Melissa Hazelton's fourth year participating in the fundraiser.

Auditions and rehearsals for the show started in the fall of 2015. Melissa's role in the show was Angélique – one of the Cagelle dancers. Rehearsals started out being for several hours once per week and became daily as the show approached. The show itself was a great success with sold out performances for every night.

(c) Legal Aid Manitoba Advisory Committee

This committee was formed in 2015 and meets four times per year to address proposed policy changes and developments with Legal Aid Manitoba. Tony Cellitti is the Chair of this committee. The committee consists of the Executive Director and Deputy Executive Director of Legal Aid Manitoba, the Chair of the Legal Aid Manitoba Management Council, Stacy Nagle (MBA Executive Director) and other justice system stakeholders.

(d) Legal Aid Manitoba Criminal Tariff Review Sub-committee

This committee was formed in 2016 and consists of various criminal law practitioners. Tony Cellitti is the Chair of this sub-committee of the Advisory Committee. Meetings that were held in March and April 2016 focused on making recommendations to the Legal Aid Manitoba Management Council on changes to the criminal tariff. It is expected that a report will be submitted to the Management Council during the summer of 2016. It is also expected that Tony Cellitti will be making an oral presentation to the Management Council on August 23, 2016.

(e) MBA Council

In March 2015, Tony Cellitti was acclaimed to the MBA Council for a second consecutive term, which will run from September 1, 2015 to August 31, 2017.

(f) National Criminal Justice Section Meetings

Tony Cellitti attended the meetings in Vancouver on April 10-11, 2016 on behalf of the Section.

(g) *Headnotes & Footnotes*

Tony Cellitti has written the "Criminal Law Decisions" article in the MBA's *Headnotes & Footnotes* newsletter since April 2013.

(h) *The Law and Library Monthly*

The Law and Library Monthly is the MBA Legal Research Section's monthly e-newsletter. It is available for free to all MBA members who choose to register to receive it. This e-newsletter provides

information about developments in different areas of law and case law summaries. Beginning in February 2011, summaries of significant reported Manitoba and Supreme Court of Canada criminal decisions have been created by Tony Cellitti and submitted for inclusion in the monthly e-newsletter. In March 2016, James Wood took over as the criminal law contributor for this newsletter.

(i) The Federation of Law Societies Conference
Melissa Hazelton will be attending this conference in Charlottetown from July 4-8, 2016.

(j) MBA Mentorship Program
This program pairs law students from the University of Manitoba with practicing lawyers as mentors. There are two wine & cheese events over the course of the year that are organized by the MBA for all participants in the program. One is held in the fall and the second in the spring. Mentors also meet and communicate with students on other occasions over the course of the year. This year Melissa Hazelton mentored a first year student.

Submitted by,
Tony Cellitti and Melissa Hazelton, Co-Chairs, MBA Criminal Justice Section