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A PERSONAL REFLECTION ON RUTH BADER GINSBURG

Beverley McLachlin
Originally published in The Lawyer's Daily,

The Right Honourable Beverley McLachlin served as chief justice of Canada from 2000 to mid-December 2017. She now works as an arbitrator and mediator in Canada and internationally and also sits as a justice of Singapore's International Commercial Court and the Hong Kong Final Court of Appeal. She chairs the Action Committee on Access to Justice in Civil and Family Matters.

It is autumn. I am in the Gatineau Hills north of Ottawa. The leaves are red and gold, and the views spectacular. The occasion is lunch in a country restaurant called *Les Fougères*. Across the table sits John Roberts, chief justice of the United States. To my left is a small woman with dark, pulled-back hair and an intense gaze — Ruth Bader Ginsburg.

The occasion was a visit between three members of the U.S. Supreme Court and the Supreme Court of Canada. Three years into my term as chief justice, I invited the late Chief Justice William Rehnquist and two colleagues to come to Ottawa. We had a wonderful visit. That was the beginning of an exchange between the two courts that led to reciprocal visits every three years. This particular year, it was our turn to host.

As we shared the wonderful views, Ruth turned to me and asked, "What is the history of women's rights in Canada?"

That question launched the table of judges on a discussion of how the law has advanced the position of women in society.

I told the story of the Famous Five — the five Alberta women who fought what is now known as the "Persons Case" all the way to the Judicial Committee of the Privy Council, to obtain the 1929 ruling in *Reference re: British North America Act, 1867 s.* 24, [1929] J.C.J. No. 2 that changed the law for Canada and the Commonwealth — henceforward women would be considered "Persons," capable of holding public office.

I related how, in 1939, Queen Elizabeth the Queen Mother stated that it was fitting that she, a woman, should lay the cornerstone for the new Supreme Court of Canada building, for it is through the law that the position of women has been advanced. Perhaps, I added, the Queen Mother had the Persons Case in mind.

> "I, for one, beg to differ. The central value on which Ruth Bader Ginsburg grounded her life and legal philosophy — equality for all – will not become irrelevant, so long as personal characteristics like gender and race are used as ciphers to impose and perpetuate disadvantage."

In the hour or so that followed, we discussed the impact of the human rights acts that were passed across Canada in the '50s and '60s, and the *Charter of Rights and Freedoms* which was adopted in 1982. These laws, and the jurisprudence that flowed from them, had led to momentous changes in the position of women in Canada.

Ruth Bader Ginsburg listened with intense concentration, head bent, nodding, from time to time posing a question or offering a comment. The advancement of women's rights in our two countries had taken a different course because of our respective countries' different constitutional frameworks, but the signal issues — voting rights, the right to hold public office, the right of women to equal treatment under the law, the fight for equal pay, and the right of women to control their bodies — were the same.

Ruth Bader Ginsburg was a woman of intellectual commitment and passion. She cared about many things, but the central, defining passion of her life was the advancement of the position of women — and by extension other disadvantaged

groups — in her society. As a professor and advocate, she worked tirelessly to cast the inequalities that held women back in legal form, and time after time, against the odds, she won. She laid out her propositions with ineluctable clarity and compelling logic. As a justice, she followed the same practice. Whether for the majority or in dissent, she crafted her words carefully and powerfully. At the end of the day, equality was simple — we are all human beings, and we should all have the same rights and opportunities.

Causes come and go. Some say the fight for gender equality is passé and that it is time to move on to new causes. Some whisper that in a changing society, Ruth Bader Ginsburg's judgments — often in dissent — will lose their power to persuade and influence.

I, for one, beg to differ. The central value on which Ruth Bader Ginsburg grounded her life and legal philosophy — equality for all – will not become irrelevant, so long as personal characteristics like gender and race are used as ciphers to impose and perpetuate disadvantage. And the care and power with which she crafted her judgments will never cease to resonate. Ruth Bader Ginsburg had the vision to see what was *right* — equality for all — and the will to pursue that vision against all odds. She advanced the rights of women and the disadvantaged in America, and beyond.

We are all her beneficiaries.

ONTARIO'S CHIEF JUSTICES CALL FOR REINVESTMENT IN LEGAL AID AT COURT OPENING CEREMONY

John Schofield
Originally published in The Lawyer's Daily,

Two of Ontario's top judges have urged the provincial and federal governments to reinvest in legal aid at a time when the COVID-19 pandemic has left many Ontarians at their most vulnerable.

"It is, quite frankly, a false economy to think that cutting these vital services saves money," Ontario Court of Appeal Chief Justice George Strathy said during the annual Opening of the Courts of Ontario ceremony, which was held virtually on Sept. 22 and broadcast on the Court of Appeal's YouTube channel.

"When litigants are unrepresented and unsupported," he added, "the justice system slows to a crawl, valuable resources are drained, and other cases are held back. More important, the most vulnerable members of society, those whom our justice system purports to protect, are further victimized because their playing field is uneven."

Chief Justice Lise Maisonneuve of the Ontario Court of Justice echoed that call. "Even more than before the pandemic arrived," she said, "legal aid in this province needs to be properly funded to ensure that the most at risk in our society are served, particularly in light of the move to virtual proceedings, which many vulnerable litigants may be challenged to access due to limited access to telephones or Internet. Without the support that legal aid is intended to provide, justice may be out of their reach in this new reality."

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The government of Premier Doug Ford cut Legal Aid Ontario's budget last year by 30 per cent, or $133 million. This year, LAO

has warned that the economic impact of the pandemic and interest rate cuts could leave the organization with as much as a $70-million hole in its 2020-21 budget due to reduced funding from the Law Foundation of Ontario.

This year's Opening of the Courts event also featured remarks from Chief Justice Geoffrey Morawetz of the Superior Court of Justice, Attorney General Doug Downey, Law Society of Ontario treasurer Theresa Donnelly and Anne Turley, senior general counsel in the federal Department of Justice's Litigation Branch, who was representing federal Justice Minister David Lametti.

Physically distanced and separated by plastic barriers, the three chief justices presented their remarks to an empty Courtroom 2 at Toronto's Osgoode Hall as their speeches were broadcast to attendees on YouTube via Zoom. Other speakers also joined on Zoom.

With the attorney general tuned in, Chief Justice Morawetz also called on the province to implement a new model of courts administration that would give Ontario's court system more control over its limited resources. He pointed to examples such as the Supreme Court of Canada, the federal courts and the British Columbia courts.

"This issue remains a top priority for the court," he added, addressing Downey directly. "I am eager to have further discussions with you so that meaningful, transformative and permanent change can occur, in keeping with the constitutional and institutional independence of the court, and which will extend beyond your term and mine."

In his own remarks, Downey was noncommittal, sounding a note of fiscal conservatism as the provincial budget faces unprecedented pressure amid the pandemic. "While we must make important investments to strengthen our justice system, we must do so prudently, carefully and in a transparent and accountable manner," he said. "Decisions on where and how to invest resources are not always simple, nor should they be, and we are committed to making the right choices, smart choices, for Ontarians and its justice system and its partners."

All three chief justices spent a significant portion of their speeches paying tribute to fellow justices, government officials and members of the bar for high level of collaboration and support during

what Chief Justice Strathy called “a turning point in world history.”

“The foundations of our society,” he noted, “have been shaken in a manner unprecedented in most of our lifetimes.”

On behalf of the chief justices, he offered particular thanks to the province’s numerous legal associations and their members for their “extraordinary contributions” to “sustaining the justice system in this time of crisis.”

“They have been generous in sharing their knowledge and expertise with the courts,” he added, “have provided technical assistance with virtual hearings, drafted best practice documents, educated their members and have been a sounding board for timely and productive consultations.”

Chief Justice Morawetz celebrated the resilience of Ontario’s judicial system by noting that the Superior Court alone has heard just over 50,000 virtual hearings since March 2020 and the “courts never closed.”

But the courts must be careful to ensure that the system’s increasing reliance on technology does not close out certain communities — especially the most vulnerable, he cautioned.

To that end, he explained, the Superior Court and the Ontario Court of Justice earlier this year partnered with the private sector to distribute cell phones and SIM cards to children’s aid societies, the Ontario Association of Interval and Transition Houses and the Barbra Schlifer Legal Clinic.

Chief Justice Morawetz said the province’s court system is also trying to address concerns by the news media that the huge increase in virtual hearings is making court proceedings less accessible to the public and media. Some hearings have been broadcast on a private YouTube channel, attracting in one instance more than 20,000 viewers, he noted.

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“But the court must also be mindful of the unanticipated impacts of new technologies,” he added. “For example, with sensitive testimony, broad publication may inhibit effective testimony, and, for some, it may inhibit access to the justice system in the first place. A balance must be struck.”

Acknowledging the social temper of the times, all three chief justices commented extensively on renewed public outrage around the world this year over racial prejudice and the institutional maltreatment of minority communities, with a particular focus on anti-Black and anti-Indigenous racism.

“Will this horrendous global pandemic,” asked Chief Justice Strathy, “teach us anything about the commonality of human suffering, the humanity and dignity of all peoples and what it means to share this planet with others?”

Chief Justices Maisonneuve and Morawetz highlighted continuing judicial education programs focused on addressing discrimination and bias in all forms. Both the Superior Court and the Ontario Court of Justice have also formed equity, diversity and inclusion committees to advise the chief justices on relevant issues, as well as education and awareness programs.

“Our commitment to address discrimination and create a culture of anti-racism,” said Chief Justice Maisonneuve, “has been renewed following the events of recent months.”

Chief Justice Strathy said he is encouraged “by the appetite I see to rethink the way we do things” in a number of areas — including legal education. He complimented, in particular, Canada’s newest faculty of law at Toronto’s Ryerson University. “At the core of the law school’s mandate,” he noted, “is a commitment to integrate law with technology and to incorporate equity, diversity and inclusion within all aspects of legal education.”

A growing openness to law reform is also cause for optimism, he said. “There is increasing recognition that we, as a society, need to reconsider how we define ‘crime,’ ” he noted, “and whether some offences, labelled criminal, should be regarded as health-related matters and addressed therapeutically.”

The judicial branch can play a vital role in creating a just society that protects the rights and freedoms of all people, said Justice Strathy, but only if it is strong and vibrant.

"It will take more — much more — to build a better justice system than simply more computers and more video screens," he added. "I believe we must radically rethink the process we use to achieve justice. We need to examine the way we do justice in criminal, family and civil cases and ask ourselves whether there is a more just, cost-effective and cost-efficient way to do things at every stage of the proceeding."

In her remarks, Law Society of Ontario treasurer Teresa Donnelly lauded the "superhuman" work of Ontario's judicial leaders in confronting the challenges of the COVID-19 pandemic.

"Their responsive, insightful and timely actions enhanced the public confidence in the justice system," she said. "With Chief Justice Strathy as the architect, with the pillars of the justice system — Chief Justice Morawetz, Maisonneuve and Attorney General Downey — and with support from colleagues, stakeholders, the law society and legal professions, we can and are building a better justice system."

Donnelly also underlined the importance of mental health for all those working in the system. "Addressing mental health, wellness and addiction issues in the legal professions is a priority for the law society and a personal priority for me," she added. "We need to look after ourselves. We need to look after and look out for each other. We cannot continue our important work in the justice system without self-care, our health and being mindful of the impacts individually and collectively."

"It will take more — much more — to build a better justice system than simply more computers and more video screens," he added. "I believe we must radically rethink the process we use to achieve justice. We need to examine the way we do justice in criminal, family and civil cases and ask ourselves whether there is a more just, cost-effective and cost-efficient way to do things at every stage of the proceeding."

COURT CITES 'PREJUDICES' TO BLACK TENANTS IN OVERTURNING LANDLORD'S EVICTION BID

John Schofield
Originally published in The Lawyer's Daily,

In a case involving commercial leasing, an Ontario Superior Court judge has concluded that a Toronto landlord and property manager consciously or unconsciously displayed "racial stereotyping" when they terminated a tenant's lease and tried to evict the owners of the Caribbean restaurant from their shopping plaza.

In Elias Restaurant v. Keele Sheppard Plaza Inc. 2020 ONSC 5457, Superior Court Justice Ed Morgan granted the application for relief from forfeiture to the husband and wife owners of 8573123 Canada Inc., operating as Elias Restaurant, and enjoined the landlord, Keele Sheppard Plaza Inc., from evicting them from the plaza near Downsview Park in the city's northwest end. Under the ruling, they will continue to pay the base rent plus HST.

During the trial, lawyer Bruce Bussin, who served as counsel for the landlord and the property management company, Castlehill Properties Inc., objected strongly to allegations that the landlord or manager were racially motivated. Bussin of Toronto-based Bussin Law Professional Corporation did not respond to a request for an interview.

"For this reason, whether or not the Landlord and its agents were cognizant of their own subconscious attitudes is not the Court's focus in weighing the prejudices to the Tenant," wrote Justice Morgan in his Sept. 11 decision. "Identifying a family-run restaurant as not family-friendly, and impugning a restaurant-bar for serving 'liquor' and having smokers stand outside the premises, all point to a mindset that condemns the minority population for what is considered normal behaviour for the majority population."

Justice Morgan likened the landlord's bias to the attitude of some jurors towards Black

defendants described in the landmark Ontario Court of Appeal decision in R. v. Parks [1993] O.J. No. 2157.

"On this point, the Court of Appeal has observed that although racial stereotyping may not be conscious, it is nevertheless real," he noted.

"The testimony of the Landlord and his contractor as to the 'unattractive' nature of the Tenant's clientele to other users of the Plaza bears close resemblance to these longtime, well-known biases," he added. "The urgency of recognizing these societal facts has only increased since the Parks decision some 25 years ago.

"While a single adjudication dealing with a discreet conflict between a commercial Landlord and Tenant cannot possibly address society's many challenges with respect to racial justice, it equally cannot ignore them," he added. "At the very least, the societal realities pertaining to Black businesspeople like the Tenants must be factored into the exercise of the Court's discretion in considering equitable remedies like injunctions and relief from forfeiture.

"The equities, as well as the balance of convenience," concluded Justice Morgan, "weigh in the Tenant's favour."

The licensed, 1,500-square-foot Caribbean restaurant opened in the shopping plaza in 2013 and, soon after, the owners spent $150,000 on leasehold improvements, according to the facts of the case detailed in the decision. They built up a large and loyal clientele and, even during the COVID-19 lockdown, maintained a strong takeout business and never missed paying any base rent or additional rent.

"While a single adjudication dealing with a discreet conflict between a commercial Landlord and Tenant cannot possibly address society's many challenges with respect to racial justice, it equally cannot ignore them," he added. "At the very least, the societal realities pertaining to Black businesspeople like the Tenants must be factored into the exercise of the Court's discretion in considering equitable remedies like injunctions and relief from forfeiture.

The restaurant took over a five-year lease that ran to July 31, 2017, and during the course of its tenancy in 2016, the ownership of the plaza changed. Under the terms of the lease, the husband and wife owners of the restaurant had an option to renew for two additional five-year terms, but were obliged to provide written notice of their desire to renew six months before the end of the lease.

No written notice was provided by the tenant prior to the cutoff date. However, the tenants tried numerous times before and after the cutoff date of Jan. 31, 2017, to contact the landlord and the property manager by telephone. Their messages were never returned. After almost a year of unanswered calls, the tenant's leasing lawyer wrote to the plaza manager to indicate that the tenant wanted to renew. Although the plaza manager knew the lawyer, it demanded proof that he was authorized to represent the restaurant.

"As it turns out," wrote Justice Morgan, "the Landlord and Manager did not want the Tenant to continue to occupy the Premises, despite the fact that it had never missed a rental payment."

In an affidavit, the landlord said it didn't want the restaurant in the plaza because it wasn't attracting "like-minded, family-oriented customers" — even though there had never been any complaints about the restaurant or its clients from any other tenant or shoppers. The landlord and the property manager also provided an affidavit from a contractor who had worked at the plaza more than a year previous. He testified how he had seen people standing in the hallway of the plaza during his time there who were smoking, drinking, gambling and doing other undesirable things, and he assumed they were customers of the restaurant.

"It is the Tenant's view," Justice Morgan noted, "that the Landlord's real point is not that families do not eat at restaurants or consume wine and beer with their meals, but rather that the 'wrong' kind of families eat at this particular establishment."

In a responding affidavit, the landlord shifted focus from the character of the restaurant to the potential rent that the premises could attract by attaching a document indicating a doctor's office was willing to pay about $4,300 a month. But as an overholding tenant renting at a 125 per cent premium on a

month-to-month basis, the restaurant owners had been paying about $6,600 a month since the end of the lease — and had still not missed a payment. In August 2019, they wrote to the landlord offering to pay even more, proposing $7,500 a month in hopes of finalizing a new lease.

There was still no response from the landlord. Then, in late May 2020, after allowing the restaurant owners to remain as overhold tenants for almost three years, the landlord delivered a letter to them through their lawyer terminating the monthly lease.

The restaurant owners responded with an application for an injunction and relief from forfeiture, citing their significant investment in the business.

Justice Morgan agreed, pointing to *Velouté Catering Inc. v. Bernardo* 2016 ONSC 7281.

"There is little to balance on the Landlord's side of the equation other than the Landlord's subjective view of what it called an 'unattractive' Tenant," he wrote. "With respect, this is precisely what legal scholars have identified as the 'Othering' of minority people … in the guise of legal method."

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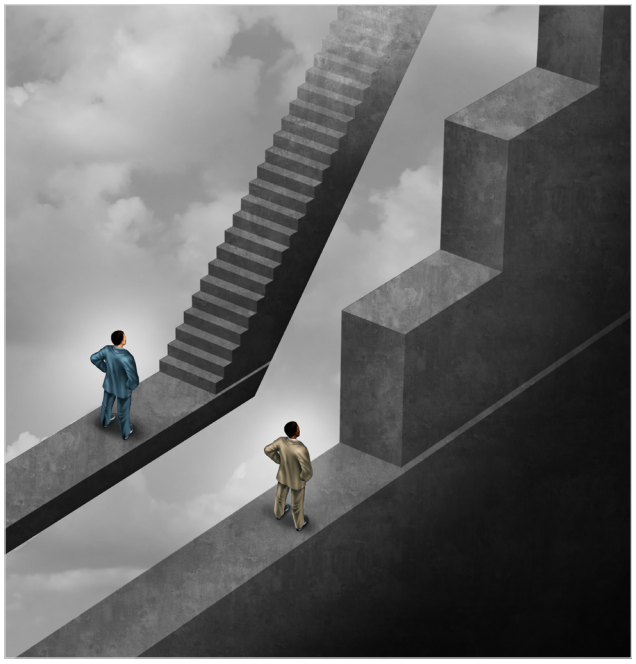
Miguna Miguna, the founder and managing partner of Toronto-based KMM Lawyers who served as counsel for the restaurant owners, called it a "seminal decision" and the first, to his knowledge, in which a Superior Court judge found sufficient evidence to conclude that a commercial landlord and its management company allegedly engaged in discrimination.

"All the other cases previously that the Human Rights Commission or the landlord-tenant tribunal have dealt with have been in relation to the tenancy between individuals and a landlord, not a commercial landlord relationship," Miguna told The Lawyer's Daily. "In the commercial realm, it's always been taken that a landlord can do whatever they want. And that was the position that this landlord took."

Discrimination against minority businesses may be happening more frequently, but is not attracting legal attention, said Miguna.



"The reason why this case is so important," he added, "is that it should go out there to all business people, all entrepreneurs, from people of colour, knowing that it is not up to the landlord to whimsically terminate their leases and that they have no option and no recourse to the law."

In the decision, Justice Morgan quoted a recent comment by Prime Minister Justin Trudeau at a ceremony launching the new, $221-million Black Entrepreneurship Program. Black entrepreneurs, he said Sept. 9, require "justice against a system that has locked out far too many Black entrepreneurs and denied them the same opportunities as other Canadians."

Nick Poon, a commercial litigation associate with Toronto-based Gilbertson Davis LLP, said that it's likely the restaurant owners would have been granted relief of forfeiture even without drawing the judge's attention to alleged racial discrimination.

"This is like the dream tenant here — a tenant that never misses a rent payment and a tenant that even offered to pay more," Poon told *The Lawyer's Daily*. "Relief of forfeiture is an equitable remedy, which basically means what's fair under the circumstances. So if you're looking at equity and clean hands, even without the racism undertone here, it appears that the landlord was not acting with clean hands."

The landlord also left itself open to allegations of racism by submitting weak evidence, added Poon. "Acting in good faith is probably the number one tip," he added. "Know what the law is, know what the facets are in relief of forfeiture and get the evidence in properly."

Still, lawyers shouldn't hesitate to call out racism when solid evidence exists, said Poon.

"Lawyers should be mindful that these issues exist in our society and consider raising them on behalf of their clients to advocate for their client's interests, where appropriate," he advised. "The Black Lives Matter movement has brought this issue to the forefront of our society, and it is encouraging to see that efforts have been made, including by the judiciary, to take notice and attempt to correct the course our society has taken, which I am sure will be a continuing and long-standing struggle."

WRONGFUL CONVICTIONS: MUCH WORK REMAINS TO BE DONE

Ron Dalton & Kirk Makin
Originally published in The Lawyer's Daily,

Ron Dalton and Kirk Makin are co-presidents of Innocence Canada. In 1988 Ron Dalton was a 32-year-old bank manager when he was wrongfully convicted of murdering his wife. It took the next 12 years to prove his innocence, restore his freedom and return him to his family, including the couple's three children. Kirk Makin is a veteran journalist and author of Redrum the Innocent, about the murder of Christine Jessop and the subsequent wrongful conviction of Guy Paul Morin

It is that time of year again when the seasonal fall of leaves and the frosty air reminds us all of the pending Canadian winter, it is also the time we pause to recognize that, despite our collective best efforts, wrongful convictions continue to occur in this country and that many individuals remain incarcerated for crimes they did not do or even, in some instances, for crimes which never occurred.

While Canada can be proud of its history of belatedly recognizing the phenomena of wrongful convictions and acting to correct those most grievous errors in over two dozen cases, there remains much work to do to ease our national shame for imposing such suffering on innocent persons as well as, in many cases, allowing guilty individuals to remain unpunished and free to continue committing further crimes.

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Innocence Canada is a national non-profit organization devoted to the correction of wrongful convictions and a source of inspiration and hope for those of us who have personal experience with the destructive effects of such fundamental failures of our justice system.

As co-presidents of the organization, we feel an obligation to formally recognize Wrongful Conviction Day which occurs in the first week of October each year and to provide a brief update on the work our organization continues to perform.

Wrongful Conviction Day was the brainchild of Innocence Canada's director of client services, Win Wahrer, who also happens to be one of the founders of the organization. Several years ago Wharer promoted the idea of setting aside a day each year to formally recognize the tragic fact wrongful convictions happen all over the planet and to encourage people to be aware and supportive of ongoing efforts to correct such mistakes in the interests of justice.

The concept has taken on a life of its own as innocence organizations around the world quickly recognized the universal truth of Wharer's message and, even in these days of COVID-19, many individuals and organizations are taking the time to hold educational events to bring attention to the cause.

The universality of the problems which lead to wrongful convictions is reflected by the variety of people who annually reach out to seek solutions to the problem. We count students, exonorees, legal practitioners, law enforcement officers, judicial officials, political leaders and, perhaps most importantly, mothers and other family members among the many supporters of the Wrongful Conviction Day call to justice.

During the past year or so our organization has participated in the exoneration of Glen Assoun, a Nova Scotia man who suffered one of the most scandalous wrongful convictions in our national history. Assoun spent 17 years in prison and a further five years on bail awaiting his long overdue acquittal. He continues to suffer the indelible scars of that experience as he fights for compensation for the horrific experience he and his family endured. Innocence Canada and Assoun's lawyers fought for some 17 years to overturn his wrongful conviction and we currently have 10 more cases awaiting review by the federal justice minister, all with the hope of joining Assoun as exonerated

> The fact is, there is more effort needed to correct the many miscarriages of justice in this country than our small organization can handle but until there is a better alternative, we cannot bring ourselves to abandon the wrongly convicted men and women who need our help, as to do so would only bring further disrepute to our system of justice.

victims of wrongful conviction.

In addition to working tirelessly behind the scenes to overturn wrongful convictions in this country our organization continues to press the federal minister to follow through on the commitment to create a publicly funded independent body to review alleged cases of wrongful conviction.

The fact is, there is more effort needed to correct the many miscarriages of justice in this country than our small organization can handle but until there is a better alternative, we cannot bring ourselves to abandon the wrongly convicted men and women who need our help, as to do so would only bring further disrepute to our system of justice.

In closing, we encourage readers to acquaint themselves with the wrongful conviction movement in our country and invite them to explore the work being done by Innocence Canada on behalf of all Canadians, especially at this Thanksgiving season.

JESSOP FILE: IT IS NEVER TOO LATE TO CORRECT A WRONG

Bhavan Sodhi
Originally published in The Lawyer's Daily,

Two hundred and 10 years is a long time. Comparatively, 210 years ago was 57 years before the confederation of what is now Canada; it was more than a century before both world wars; 172 years before the introduction of our *Charter of Rights and Freedoms*; and it is a duration spanning over 28 different Canadian prime ministers. Two hundred and 10 is also the total number of years that 23 Canadians have collectively spent in prison for crimes they did not commit.

Notably, that number is only a portion of the multiple wrongful convictions overturned in this country over the past three decades. Now, another Canadian might join this ever-growing and shameful club.

On Tuesday, Oct. 13, Phillip Tallio, assisted by his counsel Rachel Barsky, stood before the British Columbia Court of Appeal for the first time since his 1983 guilty plea for the sexual assault and murder of his 22-month-old cousin, Delavina Mack. Since his conviction, Tallio has maintained his innocence and, if overturned, his 37-year prison term would be the longest any Canadian has served for a crime they did not commit. This week, Tallio has been granted the opportunity to tell his story, on his own, for the first time.

However, Tallio is not alone.

> "Over the past three decades, the problem of wrongful conviction has become an accepted reality of our Canadian criminal justice system."

A number of factors contribute to wrongful conviction and imprisonment, including erroneous eyewitness identification and testimony, police and prosecutorial misconduct, false confessions, over-reliance on in-custody informants, and unsound forensic science or its misuse.

This recognition is in part thanks to the efforts of Innocence Canada, a non-profit organization dedicated to identifying, advocating for and exonerating individuals convicted of a crime that they did not commit. Since 1993, Innocence Canada has been instrumental in exonerating 23 wrongly convicted

Canadians — including Guy Paul Morin, David Milgaard, Steven Truscott, Glen Assoun and eight victims of disgraced pathologist Charles Smith. In fact, at this very moment, Innocence Canada's team of staff counsel and pro-bono lawyers are currently reviewing approximately 90 claims of innocence.

For the past three years, I have had the privilege and opportunity to serve as the head of the case team at Innocence Canada. In that capacity, I have worked on a number of wrongful conviction cases and understand firsthand, the time and resources that are required to put together a single claim of innocence. It is with that experience in mind, that I can confidently say that, it is never too late to correct a wrong.

> "That being said, Innocence Canada simply cannot function without public support."

In fact, the best example of that notion came yesterday afternoon, as I worked on this very article. Like so many others, I tuned into the Toronto Police Service's announcement, that they had made a major investigative break in the 1984 murder of 9-year-old Christine Jessop. As many of you may know, Guy Paul Morin was wrongly convicted of Jessop's murder and it was in the effort to advocate for and overturn Morin's conviction that Innocence Canada came to be.

It is the only national, non-governmental organization working to exonerate the wrongly convicted and urgently requires donations and funds in order to continue providing these services. Please take some time to make an online donation here. Every donation helps and is greatly appreciated.

Bhavan Sodhi is director of the Innocence Project and case management counsel at Innocence Canada.

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