

IRAN

August 20, 2007
Issue 1, A-I

President's Report 2007

Paying it forward

We may have first heard about the concept of pay it forward in the novel of the same title by Catherine Ryan Hyde which in the year 2000 Warner Brothers adapted into a film starring Kevin Spacey. However, in practice the philosophy of "pay it forward" incorporates a more general commitment to social responsibility, a desire to help others in recognition of the help one has received in the past, and the expectation that it will all come back around in the end. In so many ways and without being consciously aware of it, this is the approach that members of the ICLA Executive take. Helping the community, both the growing Iranian-Canadian legal community and the broader Iranian community is what drives us. While the ICLA Norooz party is now an annual tradition, ICLA did not organize an independent Norooz event this year, opting instead to lend our support and join the Iranian Canadian Network (ICN) in their first annual Norooz festivities. And on August 24th, ICLA will be hosting the First Colloquium on Law, Leadership, and the Iranian Diaspora led by our distinguished panel speakers, Professor Payam Akhavan, Mr. Babak Barin, Ms. Sudabeh Mashkuri and Ms. Fariba Sahraei, discussing the leadership role of Iranian Canadians in improving the social existence of Iranians in Canada and abroad. Details of this event can be found on www.icla.ca. I thank Dr. Bita Amani and Ms. Meysa Maleki for their tireless efforts in helping me plan this event. It promises to be an exciting evening of intellectual and social exchange! In closing, I hope that our members will find the time and make the effort to keep ICLA going by volunteering on committees, participating in and sponsoring events and spreading the word about ICLA; the key to success is being united!

Atoosa Mahdavian

From the Editor

2007 has been a busy public relations period for our organization. In the Spring, ICLA was apprised of discriminatory banking policies to which we issued an official statement on behalf of ICLA to the Royal Bank of Canada (RBC). The RBC responded by providing a public statement clarifying their practice in relation to Iranians opening US bank accounts. Since then, we have been in discussions with the RBC Vice President to seek further clarification and transparency of their policies. We have also voiced our concerns in correspondence with the Minister of Finance, Honourable James Flaherty. Also, please note that we have a newly revamped website which provides a directory listing of our members and their contact information. If you would like yours to be added, please contact the ICLA. We now turn our gaze to a different focus. With only a few days to go, the ICLA executive is in full force to ensure that our greatest and most ambitious event to date is a success! →

Your 2007 Executive



(Left to right, Top Row): Atoosa Mahdavian, President; Arghavan Gerami, Vice-President; Bobek Ebrahimzadeh, Treasurer;

Middle Row: Meysa Maleki, Membership Officer; Bita Amani, Director of Communications; Solmaz Separy, Secretary;

Bottom Row: Ali Samiian, Nazanin Aleyaseen, Ali Ghiassi,, Members at Large).

We need your support to make it happen! This is a not-to-be-missed event of the year, held centrally at the Hart House in Toronto. Clear your calendars ladies and gentlemen and come after work! Join us for ICLA's First Colloquium on Leadership. Continued on A-7

IRAN

August 20, 2007
Issue 1, A-2

Our Panel, Our Leaders:

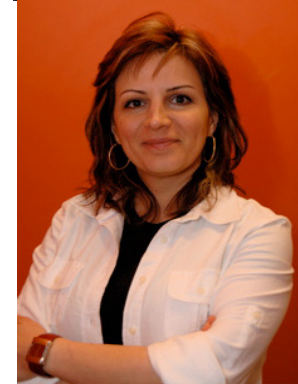
Babak Barin is a reputable commercial lawyer and arbitrator. In a 2006 article entitled “Leading Lights 45 under 45”, Babak was identified by Global Arbitration Review as one of 45 leaders under 45 in the field of International Commercial Arbitration. He has also been selected by his peers to be among The International Who’s Who of Commercial Arbitration 2007 and the International Who’s Who of Business Lawyers. He is a founding member of the Young Canadian Arbitration Practitioners (YCAP) and the Past Chair of the IBA Mediation Subcommittee on the UNCITRAL Model Law on International Commercial Conciliation. He is the Editor of the IBA Mediation Committee Newsletter and a member of the Editorial Board of *Dispute Resolution International* journal. Babak is now the co-head of the Dispute Resolution Group at BCF LLP in Montreal.



Dr. Payam Akhavan, Associate Professor of Law at McGill University, is world renowned for his contributions to public international law, human rights and multiculturalism. He was previously the Boulton Senior Fellow at McGill, Distinguished Visiting Professor at the University of Toronto Law Faculty, Visiting Lecturer and Senior Fellow at Yale Law School and at the Centre for International and Area Studies. Dr. Akhavan has published extensively; the International Library of Law and Legal Theory recognized one of his articles as one of “the most significant published journal essays in contemporary legal studies.” He is the author of the Report on the Work of the Office of the Special Advisor of the United Nations Secretary-General on the Prevention of Genocide (2005) and was the first Legal Advisor to the Prosecutor’s Office of the International Criminal Tribunals for Former Yugoslavia and Rwanda during which he played a key role in the development of its foundational jurisprudence.



Ms. Fariba Sahraei is a freelance journalist and broadcaster. Fariba holds a Masters degree in journalism from Azad University (1997) and was part of the editorial team at Hamshahry, the first Iranian colour newspaper, from 1991-2004. In 2004, she took over the Hamshahry’s student weekly paper which was the voice of Iranian University Students. Since coming to Canada in 2004-05, Fariba has studied Canadian journalism and has been drawing attention to the particular challenges of faced by Iranian immigrants and the Iranian Canadian community for Radio Zamaneh and BBC Persian.



Ms. Sudabeh Mashkuri is a lawyer with years of human rights experience and a firm commitment to social justice. She is an advocate who has represented marginalized clients, is very knowledgeable on diverse issues faced by women and has worked with the Barbara Schlifer Commemorative Clinic. She has spoken publicly on domestic violence and the challenges to health care. As a member of the Coalition for a Just Immigration and Refugee Policy, she has addressed the Standing Committee on Citizenship and Immigration (2001). Sudabeh is currently Vice President of the Board of Directors for METRAC (The Metropolitan Action Committee on Violence Against Women and Children) and is the province wide Project Coordinator for the Legal Aid Ontario Domestic Violence Response Training Project. For more information on METRAC, see page A-7 of this issue.



First Colloquium on Law, Leadership, and the Iranian Diaspora

ICLA's First Colloquium is a necessary and timely event designed to bring together our members with members of the broader Canadian community to discuss a matter of importance and relevance to us all. Iranian emigrants experience many challenges in their transition to a new country, new language and new life - many of which are legal and often shaped by their lack of political voices within their newly adopted country. These challenges are compounded by the nature of relations between Iran and other states as well as the role that Iranians play in global civil society. Iranians within the international community feel the consequences of these relationships worldwide on various aspects of their day to day lives.

Canada has often assumed leadership within the global arena in promotion of peace, justice, equality, diversity, and conciliation. Our panel members come from diverse backgrounds, representing community-based legal clinical practice, private commercial practice, university academia, and the media. Each will have a different opinion on what leadership entails and how best to achieve it, united by a common goal: to foster leadership as a way of improving the human experience. At a minimum, the evening will open the lines of discussion, encourage some thoughtful introspection on particularly timely and important issues and, we hope, show our members as well as our larger diverse audience how leadership within the Iranian Canadian community can make an important difference. We are privileged to have the participation of our wonderful panel leaders and hope that you will help us welcome them.

نخستین کنفرانس "ایرانیان در غربت: قانون و رهبری"

اولین کنفرانس "ایرانیان در غربت: قانون و رهبری" با هدف تعامل تجربیات و تبادل افکار در زمینه نقش رهبری ایرانیان در کانادا و راهکارهای تقویت مشارکت اجتماعی ایرانیان در جامعه جهانی و کشور کانادا به همت کانون وکلای ایرانی در کانادا، 24 آگوست در تورنتو برپا می شود.

در این نشست که با شعار "گفتمان مسالمت آمیز و روابط دوستانه" برپا خواهد شد، هر یک از سخنرانان ضمن ارائه دیدگاههای خود در زمینه عناصر رهبری، شیوه های تحقق آن را به عنوان راهی برای رشد و توسعه جوامع انسانی مورد بحث قرار خواهند داد و سپس جلسه پرسش و پاسخ برگزار خواهد شد.

بدیهی است، جامعه ایرانیان مهاجر با مشکلات و چالش های زیادی در کشور دوم خود دست و پنجه نرم می کنند که از آن جمله می توان به مشکل زبان و انطباق با فرهنگ، قوانین و زندگی جدید اشاره کرد. بی تردید بخشی از این چالش ها دارای ریشه های حقوقی و قانونی بوده و عمدتاً ناشی از عدم آگاهی لازم و شناخت درست از جامعه جدید است.

کانون وکلای ایرانی در کانادا (آی.سی.ال.ای) به عنوان نهادی معتبر با قریب به پنج سال تجربه، امیدوار است که در راستای اهداف اولیه خود با برگزاری این نشست بسترهای لازم را برای آگاهی رسانی به ایرانیان و آشنایی آنها با مسایل حقوقی کانادا فراهم کند و به راهکارهایی برای ارتقای مشارکت آنها در سازندگی اجتماعی، اقتصادی و سیاسی این کشور نایل آید.

این نشست یک روزه با حضور بابک برین، وکیل امور بازرگانی، پرفسور پیام اخوان، استاد حقوق بین الملل دانشگاه مک گیل، فریبا صحرایی، روزنامه نگار ایرانی و سودابه مشکوری، حقوقدان و وکیل عدالت اجتماعی

برگزار خواهد شد و با پرسش و پاسخ به کار خود پایان خواهد داد. بدیهی است این نشست فرصتی مغتنم خواهد بود تا با حمایت تمامی ایرانیان مقیم کانادا، اولین قدم ها را برای مشارکت هر چه بیشتر ایرانیان در جامعه کانادایی برداریم و شاهد حضور هر چه بیشتر و موثرتر ایرانیان در عرصه های رهبری اجتماعی، اقتصادی و سیاسی کانادا و اقصی نقاط دنیا باشیم.



IRAN

August 20, 2007
Issue 2, A-4

Paralegal Regulation in Ontario

Implementation, Reform, and the Challenges Ahead

By Arghavan Gerami

For a number of reasons, the most important of which is public protection, in the fall of 2006, the Ontario Legislature took steps to remedy the previous lack of paralegal regulation. This paper outlines (1) the need for this legislative reform; (2) the implementation of paralegal regulation; (3) the cost of paralegal regulation; and (4) the implications for the exercise of the Courts' inherent jurisdiction. It argues that the regulation of paralegals is a significant and positive development, and its overall benefits are worth the costs that the Law Society will incur for its implementation.

The Need for Legislative Reform

On January 22, 2004, the current Attorney General of Ontario, the Honourable Michael Bryant, attended a meeting of the Law Society of Upper Canada's ruling Board of Governors (Convocation) and advised that the Law Society was the appropriate authority to regulate paralegals. The Law Society agreed to take on this responsibility and to develop a regulatory structure for this purpose. The Treasurer of the Law Society established a working group, which in collaboration with the Ministry of Attorney General, developed detailed proposals for the regulation of paralegals in Ontario.

Up to this point, paralegals had provided a range of services to the public in Ontario, such as representation in Small Claims Court, without regulation or standardized accreditation. Paralegals conducted their business without educational standards, liability insurance, or a code of conduct, and were not accountable to a governing organization for their professional activities. Essentially, there was no regulatory authority to ensure that paralegals met the level of competence required to serve the public. This put the public at risk, since there was no protection in place in cases where something went wrong.

The *Access to Justice Act*[1], which was passed on October 19, 2006, introduced amendments to the *Law Society Act*[2] and put in place a new comprehensive scheme for the qualification and regulation of non-lawyers providing legal services in Ontario[3]. Whereas previously only barristers and solicitors could become Law Society Members, the concept of practicing law has now been somewhat broadened; the Law Society is now authorized to both license persons to practice law and license persons to provide legal services[4]. The types of conduct and activities that constitute the provision of legal services are set out in the new subsections 1 (5), (6) and (7) of the *Act*.

Continued A3, The Implementation

Remembering A Childhood

Inspired by Moshiri's "Soghateh Yad"
By Meysa Maleki

I returned to my grade school
I returned to find myself amidst the laughter of the children in the playground
I returned to find a trace of my childhood cry in the polluted air of time
I returned so that perhaps I could say hello to my friends
Whatever remained of their memories far behind
I heard the chime of recess
And the excitement of a million hearts pervaded the air once again
But there was no trace of my cry or none that I could still hear
It seemed that with time, the echoes had dissipated far behind
There was no trace of my friends except what remained etched in my mind
I came across the Janitor who seemed untouched by the cruelty of time
I whispered hello in his ear hoping he would recall my name
He was astonished at how time, had tamed my alacrity behind
He said, "My child, what of your mischievous eyes. What of the sparkle and hanker of a million dreams"
I looked into the eyes of the Janitor and hankered for a past I had left behind
I saw the little girl with her yellow bag behind, pencils in hand, marching through the familiar streets of a neighbourhood
Where a million and one dreams were waiting to be explored
I saw a revolution of a thousand and one hearts which had left emptiness behind
Oh, how I had thought time had healed the wounded heart
And now the Janitor's eyes had brought back a million and one thoughts
That had remained embedded in the deepest part of my heart
As the thousand and one yellow bags walked by, pencils in hand
And the gust of the wind brought back memories of plastic wrapped books
I fell nostalgically ill on the side of the road and wept
Oh, the cruelty of time
How I hanker for a past left behind

REMINDER

If you have an announcement to make, you've started your own firm or achieved one of life's great milestones, or simply have something you'd like to share with our members, drop us a line and we'll do our best to get your announcement in for the next issue of ICLA's IRAN!

IRAN

August 20, 2007
Issue 2, A-5

Paralegal, cont. form A4

The Implementation of Paralegal Regulation

The Law Society has put in place a Paralegal Standing Committee to take the lead in implementing paralegal regulation. The amendments to the *Law Society Act* allow the Law Society to require non-lawyer individuals to complete the necessary educational standards or equivalencies, to undergo mandatory licensing exams, to follow a transparent complaints and investigative process, and to attain mandatory professional liability insurance.

While a licensee is not allowed to practice law or provide legal services except to the extent permitted by his or her license^[5], the Society may make by-laws specifying classes of persons who are permitted to practice law or provide legal services without a license, and the circumstances and the extent to which they may do so^[6]. Legal services are defined as “conduct that involves the application of legal principles and legal judgment with regard to the circumstances or objectives of a person”^[7].

The Cost of Paralegal Regulation

In February 2007, the Law Society announced that the initial cost of regulating paralegals would be just over \$3.4 million. This will exceed projected revenues by \$1.5 million, and the Law Society will cover this shortfall through its cash reserves. However, paralegals will be required to repay this ‘loan’, with interest over a number of years (to be determined). As indicated by the discussion and debate among the Benchers at Convocation, at least some lawyers feel they should not have to pay the cost of regulating paralegals. In particular, a number of concerns were expressed, including:

The working capital reserve was meant to be held in trust for the profession and not intended for funding the regulation of paralegals; The re-payment strategy by paralegals will not amount to a refund, since the money will simply go back into the general fund; and this may be the beginning of a slippery slope, whereby lawyers will have to incur more and more over time. Benchers also expressed a number of other concerns, and indicated that additional funding will likely be required for the enforcement of paralegal regulation, as well as the cost of potential litigation resulting from prosecution of paralegals for misconduct. However, most Benchers recognized that it is clearly in the interest of lawyers to ensure their partners in the delivery of legal services are regulated. As well, the Law Society has accepted the statutory duty to regulate paralegals, which is both essential for maintaining the integrity of the legal profession, and ensuring the protection of the public. Thus, at the end of the day the Benchers voted in favour of using the reserve funds to cover the \$1.5 million shortfall in revenues. It was recognized that while there is an obvious cost associated with carrying out this important task, if the reserve money is not used, then the necessary funds will have to be borrowed, resulting in payment of additional interest on the loan

Implications for the Court's Exercise of its 'Inherent Jurisdiction'

What will be the impact of these amendments on the ability of the Court to exercise its ‘inherent jurisdiction’ to allow agent representation, for example, where a party seeks leave to be represented by a non-lawyer?

The Superior Court of Justice has an inherent jurisdiction to regulate their processes and proceedings to ensure a fair trial between the parties. This jurisdiction allows them to make rules of the Court, practice directions and rules of civil procedure^[8]. While this jurisdiction includes the authority to determine who has a right of audience to represent parties before the court, the Superior Court’s inherent power “cannot be exercised in a way that conflicts with a statute or rule of civil procedure enacted by Parliament, the Legislature or the Civil Rules Committee”^[9]. Moreover, Perell explains, “... if a rule of procedure enacted by the Legislature is comprehensive, then the inherent jurisdiction of the Superior Court is ousted. Inherent jurisdiction does not operate when the Legislature or the Civil Rules Committee has acted and not left any functional gap in its enactment”^[10].

This is quite significant, since the recent amendments to the *Law Society Act* have in fact filled the gap with respect to the regulation of non-lawyer agents or paralegals.

As noted earlier, it is under the *Law Society Act* that regulations may be put in place, specifying the classes of persons who are permitted to practice law or provide legal services without a license, and the circumstances and the extent to which they may do so. Thus, the Courts may no longer be able to exercise their inherent jurisdiction in this area, in a manner that is inconsistent with this Legislation.

Supporting Case Law

In *Equiprop Management Ltd. v. Harris*^[11] in the context of Rule 15.01(3) of the *Rules of Civil Procedure*, the Court found that while the court has inherent jurisdiction to control its own process, this jurisdiction may be exercised provided “it does not conflict with a statutory enactment, including a rule” ^[12]. Justice Lang noted that section 50 of the *Law Society Act* clearly prohibits non-lawyers from practising law unless authorized by law^[13].

In *Gagnon v. Pritchard*^[14] the Court agreed with Justice Lang’s findings and noted, “It would be both wrong and risky to interpret the court’s inherent jurisdiction to control its own procedures so as to, in effect, permit the court to issue licenses to practise law in its discretion. Rather, that discretion should be confined to the narrow circumstance where an individual who is self-represented requires assistance in expression in limited appearances before the court, and no further.” Similarly, in *Baxter Student Housing Ltd. v. College Housing Cooperative Ltd.*^[15], the Court found that the inherent jurisdiction of the Court of Queen’s Bench does not empower a judge of that Court to negate the unambiguous expression of the legislative will.

Continued A6, More recently

Paralegal, cont. form A5

More recently, in *L. (S.) v. N. (B)*[16] the Court reinforced the principle that the rules of practice and the court's inherent jurisdiction cannot conflict with a statute. In this case, the plaintiffs applied for an order to require the Attorney General, (not a party to the civil action) to produce criminal proceedings documents arising from the assault. The documents were not producible in accordance with the federal *Youth Criminal Justice Act*. The Ontario Court of Appeal determined that the plaintiffs were unable to rely on the Superior Court's inherent jurisdiction or the *Rules of Civil Procedure* to obtain the documents in question. Thus, as emphasized by Perell, "the inherent jurisdiction is relatively narrow and capable of being ousted by precisely worded or comprehensive legislation that ousts the court's jurisdiction"[17]. In this case, the court ruled that the limits on disclosure did not interfere with the core judicial functions of the Superior Court and as such did not offend the constitutional principles underlying section 96 of the *Constitution Act, 1867*[18].

Conclusion

While the regulation of paralegals will be costly, the Law Society nonetheless accepted the responsibility to regulate paralegals because it recognized there would be a long-term positive impact on the profession and the public. The alternative would have been to live with the lack of regulation, which also proved quite costly (considering all the prosecutions involving paralegals), and over time, the risk to the public was simply becoming unacceptable.

It is now crucial that this task is carried out effectively and the necessary resources are provided to ensure compliance and enforcement of the regulations. Once this new system is put into place, and paralegals are fully trained and licensed, one can expect fewer cases of misconduct and prosecution, which will result in considerable savings in the resources previously used up by the Law Society. Finally, since the Legislature has spoken and the Courts have been provided with specific and clear direction, the Courts will not be able to exercise their 'inherent jurisdiction' in this area, in a manner that is inconsistent with the intent of the legislature.

[1] http://www.ontla.on.ca/documents/Bills/38_Parliament/session2/b014ra_e.htm.

[2] R.S. O. 1990, CHAPTER L8, online: http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90I08_e.htm#BK2.

[3] Effective May 1, 2007, subsection (1) of the *Law Society Act* is amended by Statutes of Ontario 2006, chapter 21, Schedule C, subsection 2(5) as follows: 'licensee' means (a) a person licensed to practice law in Ontario as a barrister and solicitor, or (b) a person licensed to provide legal services in Ontario. Subsection 2(7) defines a person who is authorized to provide legal services in Ontario as: (a) a person who is licensed to provide legal services in Ontario and whose license is not suspended, or (b) a person who is not a licensee but is permitted by the by-laws to provide legal services in Ontario.

[4] Section 27 of the *Act*.

[5] Section 26.1(3).

[6] Subsection 62 (.1) of the *Law Society Act*, paragraph 25 indicates that the Convocation may make by-laws: "prescribing for the purposes of section 26.1, persons or classes of persons who are permitted to practise law in Ontario without being licensed to do so and persons or classes of persons who are permitted to provide legal services in Ontario without being licensed to do so, prescribing the circumstances in which persons who are not licensees are permitted to practise law or to provide legal services in Ontario, and prescribing the extent to which persons who are not licensees are permitted to practice law or to provide legal services in Ontario, including specifying the areas of law that such persons may practice or in which such persons may provide legal services and the legal services that such persons may provide".

[7] Section 1 (5).

[8] Paul Perell, "The Authority of the Superior Court of Justice, The Legislature and the Civil Rules Committee to make Rule of Civil Procedure," (2006) 31 *The Advocate Quarterly* 185 [hereinafter *Perell*]. Perell argues that the scope of this jurisdiction is "unclear, but arguably, it is narrow" (at 185-6). See also *MacMillan Bloedel Ltd. v. Simpson*, [1995] 4 S.C.R. 725, 130 D.L.R. (4th) 385.

[9] *Ibid.* at 192. Perell bases this conclusion on the following two cases: 1) *Glover v. M.N.R.* (1980) 29 O.R. (2d) 392, 113 D.L.R. (3d) 161, 16 C.P.C. 77 (C.A.), affd [1981] 2 S.C.R. 561, [1982] C.T.C. 29, 82 D.T.C. 6035; and 2) *Glover v. Bell Canada* (1980), 29 O.R. (2d) O.R. (2d) 401, 113 D.L.R. (3d) 174, 18 C.P.C. 107 (C.A.), affd [1981] 2 S.C.R. 563, 25 R.F.L. (2d) 334, 42 N.R. 472.

[10] *Perell*, supra note 8 at 193.

[11] *Equiprop Management Ltd. v. Harris* [2000] O.J. No. 4552 [hereinafter *Equiprop Management Ltd.*].

[12] *Ibid.* at para 53.

[13] Similarly, more recently in *Cherches v. Lacatus* [2003] O.J. No. 108, the Ontario Superior Court of Justice determined that section 50 of the *Law Society Act* is a complete bar to non-solicitors representing parties in civil matters, and this express statutory prohibition leaves the court without inherent jurisdiction to allow non-lawyers to represent parties before the court.

[14] [2002] O.J. No. 928; 58 O.R. (3d) 557.

[15] [1976] 2 S.C.R. 475 at 480; 57 D.L.R. (3d) 1.

[16] [2005] O.J. No. 1411 (QL), 252 D.L.R. (4th) 508, 195 C.C.C. (3d) 481 (C.A.).

[17] *Perell*, supra note 8 at 195.

[18] *Ibid.* Perell explains (at 195-199) that the Superior Courts' core jurisdiction is an aspect of the jurisprudence associated with the preamble and the judicature sections of the *Constitution Act, 1867*, which protect judicial independence, including security of tenure, financial security and administrative independence. However, core jurisdiction is primarily concerned with powers essential for the administration of justice and the maintenance of the rule of law. It is a "very narrow" jurisdiction, and includes "only critically important jurisdictions essential to the existence of a superior court of inherent jurisdiction and to the preservation of its foundational role within our legal system" (at 199).

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August 20, 2007
Issue 2, A-7

The letter

METRAC

By Bitā Amani

What a pleasant distraction I have now found!
Perhaps the best of "sterile remedies for fools"
Words so easily amble up and away unbound
by the political clutches of Malthusian tools.

What a privileged friend I consider myself to be
Enslaved by words at work,
yet with those of a friend set free
To dream

I dream of a different time that transcends my space
I find a happiness in that sunnier place
forged of grass, and grapes, of whatever kind
In different states that elevate your mind
All in a place by words created
Yet by no mallet to be abated;
Except perhaps death-
Well death's hammer is of a different kind.
But, it will not kill of course this rhyme
Which has been immortalized to print by page
Say what they may, the words will rage
Rage
Rage
Rage,

And not surrender to that good 'ol night.

Such talent for metaphors hitherto undiscovered
So long has contributed to private waste
Funny, how it has only been uncovered
For want of time to visit, and in great haste!
In our darkest hour,
We find the greatest power:
Humour.and.Abandon...
And the poignancy of the mighty pen!

Continued from A1, From the Editor

The evening we have planned is intended to both inspire and unite our community. With your support- and leadership- we hope it will become an ICLA tradition! Show your solidarity and intellectual curiosity and join us for this exciting and engaging social event. The reception will provide you with ample opportunity to catch up with old friends and build new networks while the panel will pique your scholarly and practical interests. This event is open to the larger community; encourage your friends, family, and colleagues to attend to enliven our conversations- we thank you! We hope you have enjoyed this second issue of ICLA's Iran now expanded from its original two pages to seven pages. As its founding and continuing editor, I hope to be able to continue providing you with this publication but require your content! Please forward your news, articles, and creative contribution to my attention. I look forward to hearing from you soon and seeing you sooner! August 24, 2007- Be there!

Dr. Bitā Amani

On January 29, 2007, ICLA member Sudabeh Mashkuri appeared before the Senate Standing Committee on Human Rights. She presented submissions from the Metropolitan Action Committee on Violence Against Women and Children (METRAC). The deputation was on the application of the United Nations *Convention on the Rights of the Child* (CRC) as it is applied in Canada and on "Who's in Charge Here? Effective Implementation of Canada's International Obligations With Respect to the Rights of Children" (a study by the Senate Standing Committee on Human Rights). Founded in 1984, METRAC is a not-for-profit, community-based organization dedicated to the right of all women and children to live their lives free of violence and the threat of violence. METRAC's programs seek to prevent and end all individual, institutional and systemic forms of violence. METRAC works collaboratively with a broad range of partners to develop strategies to end violence against women and children, and to build safer communities for everyone. Mashkuri, a social justice advocate and lawyer and a distinguished guest on our August 24th panel, appeared as the Vice-President of the Board of METRAC to put forward METRAC's position on the Convention of the Rights of the Child as it is applied in Canada. The deputation included a written brief presented to the Senate and an oral presentation by Ms. Mashkuri. The presentation focused on the following areas, which METRAC felt was important when looking at how the CRC is being applied in Canada. These issues included a) violence: impact of spousal violence on children and violence against children; b) child poverty; c) treatment and protection of children in the context of immigration and refugee law; and d) the gendered nature of violence and its impact on the lives of girls. The oral presentation was followed by series of questions from the Senators for the witnesses. Submissions to standing committees of the parliament is one of the very few ways in which community organizations are able to put forward issues that effect the daily lives of the most vulnerable and marginalized groups in Canadian society. The importance of having METRAC's views heard, in the context of interpreting international human rights instruments as it affects children in Canada, was evident from the positive feedback received from the Human Rights Committee during the question period. For those interested in learning more about METRAC's work and upcoming events check METRAC's website at www.metrac.org.