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Letters from the Law Commission of Canada

by Shauna Van Praagh, LCC President

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As Canada marks Labour Day and summer draws to a close, there is a feeling of “back-to-school” in the air. Teachers prepare for class, students set off with fresh school supplies and parents wave goodbye at the doors of kindergarten classrooms, at school bus-stops, or at college residences. Even for people who aren’t teachers, students or the parents of students, the back-to-school energy of this time of year generates a sense of transition, anticipation and renewed purpose.

As a law professor, I have welcomed students to the first year of their legal education every September for over three decades. Right from the start, they are encouraged to ask hard questions, to recognize the co-existing forms of response to tenacious challenges or disruptive change in Canadian society, to begin to explore the directions they might take to make contributions in all corners of Canadian society. Generation after generation of law students learns from the past, takes stock of their present, and participates in imagining the future.

Given the fact that I am not at the front of a classroom this fall, “la rentrée” feels very different. Perhaps, however, what I am experiencing early on in this role of leadership of the Law Commission of Canada is not so different from what students always feel as they turn up for school. Like them, I am in intense learning mode, writing in new scribbles, and adjusting to a fresh routine. Like them, the Law Commission is busy meeting new “friends” and creating an identity to project and refine through new interactions and relationships.



View of the shoreline from Charlottetown, PEI

Beyond this tangible experience of “back to school” renewal and restart, however, there are – or should be – clear and strong connections between the teaching and learning of law, on one hand, and the projects and promise of law reform on the other. Law students constantly engage



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in reflections and processes central to the ongoing evolution and dynamism of law. Their teachers incorporate those reflections and processes into the courses they teach and the scholarship they create. Over their legal education, jurists-to-be identify ways in which rules and procedures in various domains – including, for example, criminal justice, commercial practice, and family law – could be more effective, fair, responsive and consistent.

This last endeavour, perhaps the most obvious mode of engaging in law reform, is precisely what the Uniform Law Conference of Canada has engaged in for 105 years. My first trip as leader of the Law Commission was fittingly to the ULCC's annual meeting in August, held this year in Charlottetown, Prince Edward Island. Provinces and territories, along with Ottawa, send delegations of jurists to sit together for a week of intensive reviewing and rethinking laws across civil and criminal domains, with the double-pronged aim of modernization and harmonization. There will be other occasions for me to reflect on this impressive work and on the ways in which the Law Commission's own work might support and intersect with that of the ULCC. For now, I will share – as travellers often do – a special memory of my end-of-summer trip.

On my last morning in Charlottetown, I took myself out to breakfast before the last session of the conference was scheduled to begin. Happy to chat with locals at the next table at the Receiver Café on Victoria Row, I was delighted to make the acquaintance of two teachers from the University of PEI: one from Education and the other from Creative Writing. It didn't take long before we had found colleagues and interests in common. That breakfast encounter was a lovely reminder of the generosity of Canadians and the potential for connection when we spend a little time in conversation. It underscored the possibilities that come with openness to new places, new people and new projects. And it nicely captured the importance of realizing how the world can feel both enormous and very small, something that "back to school" is all about. I might not be in a classroom this fall, but I can try to infuse the work of the Commission with some of the energy and curiosity that characterizes "la rentrée" across this country.