

1-2019

52(1) Front Matter

Follow this and additional works at: <https://commons.allard.ubc.ca/ubclawreview>

Recommended Citation

(2019) "52(1) Front Matter," *UBC Law Review*. Vol. 52: Iss. 1, Article 1.

Available at: <https://commons.allard.ubc.ca/ubclawreview/vol52/iss1/1>

This Front Matter is brought to you for free and open access by the Journal and Peer-Reviewed Series at Allard Research Commons. It has been accepted for inclusion in UBC Law Review by an authorized editor of Allard Research Commons. For more information, please contact petrovic@allard.ubc.ca, elim.wong@ubc.ca.

UBC LAW REVIEW

Volume 52 • Number 1 • January 2019

Published by the UBC Law Review Society
University of British Columbia, Vancouver, Canada

Website: www.ubclawreview.ca

Email: lawrev@interchange.ubc.ca

© 2019 UBC Law Review Society; all rights reserved. Permission to reprint excerpts from any issue of the *UBC Law Review* must be obtained in advance from the UBC Law Review Society.

The *UBC Law Review* is a peer-reviewed journal published by JD students in the Peter A. Allard School of Law at the University of British Columbia. The opinions expressed herein are those of the individual authors and are not necessarily representative of the views of the Editors, the Faculty of Law, or the University. The *UBC Law Review* is in the *Index to Canadian Legal Literature*, as of Volume 19 (1985) (cited as UBC L Rev). Printed in Canada by West Coast Reproduction Centres Ltd, Vancouver, BC.

SUBSCRIPTIONS: Three issues comprise a volume of the *UBC Law Review*. Periodic special issues are received by subscribers at no extra cost. The annual subscription price is \$60 in Canada and \$65 elsewhere. These prices are subject to taxes and may change without notice. PLEASE NOTE: Subscriptions are automatically renewed annually. Advance notice of cancellation is required.

PROFESSIONAL NOTICES AND ADVERTISING: Notices of any size may be placed in the *UBC Law Review*. Please address all inquiries to the UBC Law Review Executive Business Manager at lawrev@interchange.ubc.ca.

PATRONS: Donations are important in defraying publication costs and are greatly appreciated. Patrons' contributions also support the annual scholarship offered in their name, and entitle the donor to a complimentary subscription to the *UBC Law Review*.

TABLE OF STATUTORY LIMITATIONS: The UBC Law Review Society also publishes the annual *Table of Statutory Limitations* ("*TSL*") for British Columbia. This looseleaf publication contains the verbatim limitation provisions of all statutes for the commencement of actions and appeals, applications for judicial review, and numerous other notices required by statute. The 42nd edition of the *TSL* (updated to 1 January 2018) is available at a cost of \$80. Updates are automatically sent to existing subscribers. Prices are subject to applicable taxes and may change without notice.

COMMUNICATIONS: Please forward correspondence to the Editors-in-Chief, UBC Law Review Society, 1822 East Mall, Vancouver, BC, V6T 1Y1. Email: lawrev@interchange.ubc.ca.

SUBMISSIONS: Articles should not exceed 20,000 words, case comments should not exceed 10,000 words, and book reviews should not exceed 2,000 words. Suggested word counts are inclusive of footnotes. Manuscripts must be submitted electronically in Microsoft Word format and must include an abstract of no more than 250 words. Text and citations must conform to the *Canadian Guide to Uniform Legal Citation*, 9th ed, and the *Chicago Manual of Style*, 17th ed. The Editors reserve the right to make such editorial changes in manuscripts as are necessary to ensure correctness of grammar, clarification of obscurities, and conformity to style and the Canadian spelling of words. Please note that the *UBC Law Review* does not accept simultaneous submissions.

BACK ISSUES: Copies of back issues may be obtained from: William S Hein & Co Inc, 1285 Main Street, Buffalo, NY 14029. Back issues are also available electronically on www.heinonline.org and on LexisNexis Quicklaw. The five most recent issues may also be obtained directly from the Law Review office.

ISSN 0068-1849

UBC LAW REVIEW

Volume 52 · Number 1 · January 2019

BOARD OF DIRECTORS 2018–19

- EDITORS-IN-CHIEF: Alison Colpitts, Julia Riddle
EXECUTIVE EDITOR: Hannah Rawling
EXECUTIVE BUSINESS MANAGER: Sherry Yu
ASSOCIATE EDITORS: Melanie Alcorn, Cristina Borbely,
Chelsea Gardner, Katrin Iacono,
Pujan Modi, Patricia Neijens
ASSOCIATE BUSINESS MANAGER: Julianna Ivanyi
SUBMISSIONS MANAGER: Alexander Bres
PATRONS & SPECIAL PROJECTS: Dylan Braam
SUMMER EDITORS: Katrin Iacono, Hannah Rawling
SUMMER BUSINESS MANAGER: Patricia Neijens

MEMBERS 2018–19

- ASSISTANT EDITORS: Cole Bailey, Navid Bayat, Kara
Bodie, Cindy Chen, Hyemin
Cho, Adrian Christ, Jessica
Dorfmann, Sarah Ferencz, Karson
Fritzler, Shanna Gu, Monika
Gulyas, Paul Jon, Anika Klassen,
Lara Kolody, Eunize Lao, Isabelle
Lefroy, Kate McInnes, Gray
Morfopoulos, Marie Ong,
Connor Punch, Sherry Rath,
Cassandra Rizzotto, Larissa
Sakumoto, Jaclyn Salter, Emma
Seckel, Christian Spillane, Kiera
Stel, Deepna Sunder, Conner
Wylie

FACULTY ADVISORS 2018–19

Professor Elizabeth Edinger

Professor Benjamin Goold

Professor & Associate Dean Bruce MacDougall

Instruction Librarian George Tsiakos

PATRONS

The *UBC Law Review* wishes to extend its sincere thanks to the following patrons for their generous support:

Alexander Holburn Beaudin + Lang LLP

Hunter Litigation Chambers

Norton Rose Fulbright Canada LLP

Sangra Moller LLP

Singleton Urquhart Reynolds Vogel LLP

CONTENTS

VOLUME 52, NUMBER 1, 2019

ARTICLES

- Judicial Misconduct in the Sexual Assault Trial
Janine Benedet 1
- Forensic Bitemark Identification Evidence in Canada
Jason M. Chin & D'Arcy White 57
- The Trouble with Wigmore: A New Approach to Implied Waiver
of Solicitor-Client Privilege
Brad Cramer 109

CASE COMMENTS

- Human Rights and Precarious Workplaces: A Comment on
British Columbia Human Rights Tribunal v Schrenk
Bethany Hastie 169
- The Attorney General's Forgotten Role as Legal Advisor to the
Legislature: A Comment on *Schmidt v Canada (Attorney General)*
Andrew Flavelle Martin 201

SPECIAL SECTION: CANADA AND CLIMATE CHANGE

- The Science, Law, and Politics of Canada's Pathways to Paris:
Introduction to *UBC Law Review's* Special Section on Canada and
Climate Change
Jason MacLean, Meinhard Doelle, & Chris Tollefson 227
- The Role of Science in Contemporary Canadian Environmental
Decision Making: The Example of Environmental Assessment
*A.R. Westwood, M. Olszynski, C.H. Fox, A.T. Ford, A.L. Jacob,
J.W. Moore, & W.J. Palen* 243

In Search of an Ecological Approach to Constitutional Principles and
Environmental Discretion in Canada

Lynda Collins & Lorne Sossin

293