

Recent Tables of Contents – December 2019 & January 2020

The Advocates' Quarterly – Volume 50 no. 3 (December 2019)

Banking & Finance Law Review/Revue de droit bancaire et de finance – Volume 35 no. 1 (December 2019)

Canadian Business Law Journal – Volume 62 no. 3 (December 2019)

Canadian Criminal Law Review/Revue canadienne de droit pénal – Volume 24 no. 3 (October 2019)

Canadian Family Law Quarterly/Cahier trimestriel de droit de la famille Canada – Volume 38 no. 3 (November 2019)

Canadian Journal of Comparative and Contemporary Law – Volume 5 no. 1 (2019)

Canadian Journal of Family Law/Revue canadienne de droit familial – Volume 32 no. 1 (2019)

Canadian Journal of Women and the Law/Revue femmes et droit – Volume 31 no. 2 (2019)

Canadian Labour & Employment Law Journal - Volume 22 no. 1 (2019)

Canadian Public Administration/Administration publique du Canada – Volume 62 no. 4 (December 2019)

Canadian Public Policy/Analyse de politiques – Volume 45 no. 4 (December 2019)

The Criminal Law Quarterly – Volume 67 no. 3

Dalhousie Journal of Legal Studies – Volume 28 (Fall 2019)

Estates Trusts & Pensions Journal – Volume 39 no. 1 (December 2019)

Intellectual Property Journal/Revue de propriété intellectuelle – Volume 32 no. 1 (December 2019)

Journal of Environmental Law and Practice – Volume 32 no. 3 (December 2019)

McGill Law Journal/Revue de droit de McGill - Volume 63 no. 3 (March 2018)

McGill Law Journal/Revue de droit de McGill - Volume 63 no. 4 (June 2018)

Relations industrielles/Industrial relations – Volume 74 no. 4 (Fall 2019)

Review of Constitutional Studies/Revue d'études constitutionnelles – Volume 24 no. 1 (2019)

The Advocates' Quarterly

Volume 50 no. 3 (December 2019)

ARTICLES

- To Record or Not to Record : The Implications of Secret Recordings
 - Stephen Thiele, 235-
- Contractual Limitation Period Clauses in Canada : Drafting and Litigation Considerations
 - Michael Shortt, 257-
- Revisiting Limitations and Passing Accounts in Ontario : A Comment on *Wall v. Shaw*
 - Daniel Zacks and Matthew Farrow, 279-
- Legacy of Groia : Civilizing the Legal Profession
 - Margarita Dvorkina, 298-

Banking & Finance Law Review/Revue de droit bancaire et de finance

Volume 35 no. 1 (December 2019)

INTRODUCTION

- Banking, Technology and the Law at the Launch of the BFLR
 - C. Ian Kyer, 1-

ARTICLES

- Transforming the Financial Advice Market – The Roles of Robo-advice, Financial Regulation and Public Governance in the UK
 - Iris H-y Chiu, 9-
- A New Approach for “Cryptoassets” Regulation
 - Israel Cedillo Lazcano, 37-
- Cryptocurrency Offerings in Canada : Why and How We Should Modernize the Securities Law Framework
 - Catherine Rousseau, 63-

RECENT DEVELOPMENTS

- Regulating FinTech : The Case of Singapore
 - Lin Lin, 93-
- Open Banking and the Rise of FinTech : Innovation Finance and Functional Regulation
 - Christopher C. Nicholls, 121-
- Crypto Asset Trading in Canada : Entering a New Era of Regulation
 - Shaela W. Rae and Lorraine Mastersmith, 153-
- Japan’s New Policy for Testing Innovative Propositions for Growth with Government : The Regulatory Sandbox
 - Shuhei Kataoka, 187-

CASE NOTES AND COMMENTS

- The Insolvency of Cryptocurrency Exchanges : Lessons from the *BitGrail* case – Reification of Coins, *Pari Passu* Ranking, and Nominalism
 - Renato Mangano, 197-
- Computerised Mistake and Proprietised Bitcoin : *B2C2 v Quoine Pte Ltd*
 - Jeremiah Lau, 205-
- 3iQ Corp. and the Bitcoin Fund
 - Carol E. Derk, Chelsea Papadatos and Jacqueline Ting, 213-
- Costs, Communication, and *Quadriga* : Key Factors in Appointing Representative Counsel
 - Gregor Azeff, Gavin MacDonald and Asim Iqbal, 219-

Canadian Business Law Journal

Volume 62 no. 3 (December 2019)

ARTICLES

- Fraud on a Power, Improper Purpose and Fiduciary Accountability : Part II
 - Robert Flannigan, 249-
- Interceptive Subtraction, Juristic Reasons and Constructive Trusts : Unjust Enrichment in the Supreme Court of Canada
 - Mitchell McInnes, 277-
- Correcting Corrections : Resolving Confusion over the Public Correction Requirement in the *Ontario Securities Act*
 - Adil Abdulla, 310-

COMMENTARIES

- *Ipsa Facto* Clauses and the Limits of Freedom of Contract in Insolvency : *Capital Steel v. Chandos Construction*

- Alfonso Nocilla, 337-

Canadian Criminal Law Review/Revue canadienne de droit pénal

Volume 24 no. 3 (October 2019)

ARTICLES

- Introduction
 - Patrick Healy, 249-
- Comment on Y. Morissette, "Querulous and Vexatious Litigants as a Disorder of a Modern Legal System"
 - Donald J. Netolitzky, 251-
- Querulous and Vexatious Litigants as a Disorder of a Modern Legal System
 - Yves-Marie Morissette, 265-
- Does the Royal Prerogative of Mercy Offer Hope for Murderers? Further International Guidance for Interpreting the *Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act*
 - Derek Spencer, 313-
- Driving While Innocent : Curbing the Excesses the "Traffic Stop" Power
 - Steven Penney, 339-

CASE COMMENT

- Fault and "Reasonable Steps" : The Troubling Implications of *Morrison and Barton*
 - Hamish Stewart, 379-

Canadian Family Law Quarterly/Cahier trimestriel de droit de la famille Canada

Volume 38 no. 3 (November 2019)

ARTICLES

- Surreptitiously Obtained Electronic Evidence in Seven Simple Steps
 - Martha Shaffer, 259-
- *O.C.L. v. Balev* : Not an 'Evisceration' of the *Hague Convention* and the International Custody Jurisdiction of the CLRA
 - Nicholas Bala, 301-
- Messy "Excluded Property" in the BC *Family Law Act* : Excluded Property Transferred into the Name of the Other Spouse or Jointly Should Remain Excluded
 - Jimmy Peterson, 359-

Canadian Journal of Comparative and Contemporary Law

Volume 5 no. 1 (2019)

BEYOND HUMANITY : NEW FRONTIERS IN ANIMAL LAW

- Foreward
 - Honourable Senator Murray Sinclair, Senate of Canada, i-

ARTICLES

- Beastly Dead
 - Vaughan Black, 1-

- You Don't Need Lungs to Suffer : Fish Suffering in the Age of Climate Change with a Call for Regulatory Reform
 - David Cassuto & Amy O'Brien, 31-
- The Save Movement and Farmed Animal Suffering : The Advocacy Benefits of Bearing Witness as a Template for Law
 - Maneesha Beckha, 77-
- Feminist Jurisprudence for Farmed Animals
 - Jessica Eisen, 111-
- Not Quite Property, Not Quite Persons : A "Quasi" Approach for Nonhuman Animals
 - Angela Fernandez, 155-
- Friends of Every Friendless Beast : Carceral Animal Law and the Funding of Prosecutors
 - Justin Marceau & William Dewey, 233-
- Religious Slaughter and Animal Welfare Revisited : CJEU, *Liga van Moskeeën en islamitische Organisaties Provincie Antwerpen (2018)*
 - Anne Peters, 269-
- Canada's Experiment with Industry Self-Regulation in Agriculture : Radical Innovation or Means of Insulation?
 - Peter Sankoff, 299-
- The Whale, Inside : Ending Cetacean Captivity in Canada
 - Katie Sykes, 349-

Canadian Journal of Family Law/Revue canadienne de droit familial

Volume 32 no. 1 (2019)

ARTICLES

- Les Amoureux Sur les Bancs Publics : Le Traitement Juridique Du Polyamour En Droit Québécois
 - Michaël Lessard
- Hong Kong's *Children's Proceedings (Parental Responsibility) Bill* : Comparative Family Law and Multidisciplinary Collaboration
 - Katherine Lynch, 77-

CASE COMMENT

- *McCain v McCain* and *Barton v Sauvé* : A New Approach to Autonomous Domestic Contractual Bargaining in Ontario
 - Mark Cornish, 195-

RETROSPECTIVE

- In Memoriam : The Canadian Research Institute for Law and Family, 1987-2018
 - John-Paul E. Boyd, 221-

Canadian Journal of Women and the Law/Revue femmes et droit

Volume 31 no. 2 (2019)

ARTICLES

- The Merits of Restricting Provocation to Indictable Offenses : A Critical Analysis of Provocations Law Reform in Canada and New South Wales, Australia
 - Kate Fitz-Gibbon and Elizabeth Sheehy, 197-

- United by the Problem, Divided by the Solution : How the Issue of Indigenous Women in Prostitution Was Represented at the Deliberations on Canada's Bill C-36
 - Zoë Goodall, 232-
- The "Statutory Rape" Myth : A Case Law Study of Sexual Assaults against Adolescent Girls
 - Isabel Grant and Janine Benedet, 266-
- Assessing Sexually Harassing Conduct in the Workplace : An Analysis of BC Human Rights Tribunal Decisions in 2010-16
 - Bethany Hastie, 293-
- The Spousal Support Advisory Guidelines, Soft Law, and the Procedural Rule of Law
 - Jodi Lazare, 317-
- Toxic Conceptions : The Assessment and Regulation of Male-Mediated Transgenerational Effects of Chemical Exposures
 - Lara Tessaro, Alana Cattapan, Jennie Haw, and Roxanne Mykitiuk, 346-

REPORT

- Vulnerable Targets : Trans Prisoner Safety, the Law, and Sexual Violence in the Prison System
 - Yvonne Boyer, Ayoola S. Odeyemi, Erin Fletcher, and Jade Fletcher, 386-

BOOK REVIEWS

- "Now That We Are Voting Citizens" : A Canadian Suffragist's "Excellent Book" Turns 100 ; A Review of *Handy Guide to the Laws of Ontario* (Toronto : Copp, Clark Company, 1918) Edith Hollington Lang.
 - Amy Kaufman, 413-
- *Putting Trials on Trial : Sexual Assault and the Failure of the Legal Profession* (Montreal and Kingston : McGill-Queens University Press, 2018) Elaine Craig.
 - Josephine L. Savarese, 423-
- *Common Sense and Legal Judgment : Community Knowledge, Political Power, and Rhetorical Practice* (Montreal and Kingston : McGill-Queen's University Press, 2017) Patricia Cochran.
 - Lucinda Vandervort, 427-

Canadian Labour & Employment Law Journal

Volume 22 no. 1 (2019)

- Who Bears the Burden of Enforcement? The Regulation of Workers and Employers in Canada's Migrant Workers Programs
 - Sarah Marsden, 1-
- Career-Derailing Discrimination and the Duration of Compensation for Lost Wages
 - Duncan Kennedy, 47-
- Ontario's Construction Sector in an Era of Change : Characteristics and Causes of Jurisdictional Disputes
 - Richard P. Chaykowski & Robert S. Hickey, 79-

COMMENTARY ON CASES, LEGISLATION AND POLICY

- Autonomy, Pluralism, Centralism, and Schism : James Dorsey and the Nova Scotia *Health Authorities Act*
 - Andrew Taillon, 117-

Canadian Public Administration/Administration publique du Canada

Volume 62 no. 4 (December 2019)

SPECIAL ISSUE ON CANNABIS LEGALIZATION AND PUBLIC POLICY

- A word from the editor
 - Evert A. Lindquist, 531-
- Beyond prohibition : The legalization of cannabis in Canada
 - Jared J. Wesley, 533-

ARTICLES

- Cannabis policy diffusion in Ontario and New Brunswick : Coercion, learning, and replication
 - Andrew Train and Dave Snow, 549-
- Cannabis legalization and the machinery of government
 - Jared J. Wesley and Geoff Salomons, 573-
- Evidence-based policy development for cannabis? Insights on preventing use by youth
 - Andrew Hathaway, 593-
- Suspension not expungement : Rationalizing misguided policy decisions around cannabis amnesty in Canada
 - Samantha McAleese, 612-
- Contesting cannabis : Indigenous jurisdiction and legalization
 - Andrew Crosby, 634-
- The state must compete : Optimal pricing of legal cannabis
 - Jason Childs and Jason Stevens, 656-
- Taxing the tempted : Personal addictions, sustainable revenues and the public good
 - Malcolm G. Bird, Patrice Dutil and Christopher Stoney, 674-
- The J.E. Hodgetts Award, 697-
- The Vanier Medal, 698-

Canadian Public Policy/Analyse de politiques

Volume 45 no. 4 (December 2019)

ARTICLES

- Social Security Retirement Policy in Canada and the United States : Different Reforms, Different Outcomes
 - Denis Latulippe and John A. Turner, 393-
- New Canada Pension Plan Enhancements : What Will They Mean for Canadian Seniors?
 - Bonnie-Jeanne MacDonald, 403-
- Introduction of Formal Child Care Services in Inuit Communities and Labour Force Outcomes
 - Donna Feir and Jasmin Thomas, 428-
- Training and Skills Development Policy Options for the Changing World of Work
 - Alix J. Jansen, Linda A. White, Elizabeth Dhuey, Daniel Foster, and Michal Perlman, 460-
- What to Expect from Toronto's Poverty Reduction Strategy : Lessons from the Global South
 - Paul Shaffer and Ricardo Tranjan, 483-
- "It's Not Just Helping Your Kid With Homework Anymore" : The Challenges of Aligning Education Policy with Parents and Teachers
 - Cathlene Hillier, Emily Milne, and Janice Aurini, 497-

The Criminal Law Quarterly

Volume 67 no. 3

NOTES AND COMMENTS

- The Legal Ethics Implications of the SNC-Lavalin Affair for the Attorney General of Canada
 - Andrew Flavelle Martin, 161-
- *Wang et al. v. Canada (Attorney General)* : Reaffirming the Cornerstone of Liberty Beyond the Four Corners of a Prison Cell
 - Reem Zaia, 180-

ARTICLES AND ADDRESSES

- Sentencing, Proportionality, Denunciation and Deterrence : Community Impact Statements and General Harm
 - Tyrone Kirchengast, 185-

Dalhousie Journal of Legal Studies

Volume 28 (Fall 2019)

ARTICLES

- *Moneyball* in the Era of Biometrics : Who Has Ownership Rights Over the Biometric Data of Professional Athletes
 - Christopher Casher, 1-
- Statutory Recognition of Indigenous Custom Adoption : Its Role in Strengthening Self-Governance Over Child Welfare
 - Celeste Cuthbertson, 29-
- Insurance Coverage in a Climate Changed Canada : How Can Canada Pay for Loss and Damage from Anthropogenic Climate Change?
 - Eric Dwyer, 61-
- Finding Harmony : *Law Society of British Columbia v Trinity Western University*
 - Sancho McCann, 95-
- The Quadrangulation Project : Reconciling International Modes of Liability with Domestic Liability for Genocide, War Crimes, and Crimes Against Humanity
 - Chelsea Rubin, 107-
- The Power of Prevention : The Extent of Environmental Authority in the Context of Local Government
 - Colleen Thrasher & Jeremy Power, 139-
- Corrective Justice and the Unlawful Means Tort : Is There a Right to Trade?
 - Kerry Sun, 167-
- A School Divided : A Historicist Legal Analysis of *Good Spirit School Division No 204 v Christ Teacher Roman Catholic Separate School Division No 212*
 - Edward R (Ted) Lewis, 207-
- "Greening" the *Charter* : Section 7 and the Right to a Healthy Environment
 - Lauren Worstman, 245-

Estates Trusts & Pensions Journal

Volume 39 no. 1 (December 2019)

FROM THE LAW REPORTS

- Hope and False Promises Invalidating Wills
 - John E.S. Poyser and Krista Clendenning, 1-

- *Barford v. Street* : Understanding and Applying the Rule to Collapse a Trust
 - Charles Wagner and David Elmaleh, 12-
- *Gully v. Gully* : A Cautionary Tale
 - Aubrie U. Girou, 22-

ARTICLES

- Missing Participants : Various Approaches But No One Solution
 - Andrea Boctor, Bas Dieleman, Kobus Handekom and Kevin L. Walsh, 56-
- After the Will Signing : "Alterations" to Valid Wills
 - Alison Minard, 70-

Intellectual Property Journal/Revue de propriété intellectuelle

Volume 32 no. 1 (December 2019)

NOTE

- From Start-up to Scale-up Innovation
 - Giuseppina (Pina) D'Agostino, 1-

ARTICLES

- Conflicted Regulation, the Public Interest and Canadian Patent Agency – Patent Agent Regulation at a Crossroads (Part I)
 - Wissam Aoun, 7-
- Having Enough : From Sufficiency to Non-domination in International IP Law
 - Dr. Johan Rochel, 35-
- Is the Sky Falling for the Canadian Artificial Intelligence Industry? A Case Study on the Impact of Canadian Copyright Law Reform on the Commercialization of Legal Technology Using Artificial Intelligence Technologies
 - Cameron McMaster, 77-

Journal of Environmental Law and Practice

Volume 32 no. 3 (December 2019)

ARTICLES

- Funding Environmental Projects with Regulatory Prosecutions : Transparency and Accountability in Creative Environmental Sentencing
 - Shaun Fluker, Janice Paskey & Fiona L. Balaton, 243-
- The Prairie Resilience : Myth or Reality?
 - Adebayo Majekolagbe, 273-
- Canadian Public Trust Doctrine at Common Law : Requirements and Effectiveness
 - Vladislav Mukhomedzyanov, 317-

McGill Law Journal/Revue de droit de McGill

Volume 63 no. 3 (March 2018)

ARTICLES

- Droit et culture : une approche distributive de l'identité
 - Pascale Fournier, 41-

- La compétence concurrente en matière d'immigration : rendre aux provinces canadiennes ce qu'elles ont perdu
 - Jesse Hartery, 487-
- Is "Truth-telling" Decontextualized Online Still Reasonable? Restoring Content to Defamation Analysis in the Digital Age
 - Karen Eltis, 553-
- David a déjà vaincu Goliath...L'efficacité de la protection contre les clauses abusives selon un paradigme de prévention : inspirations de droit beige
 - Marie Annik Grégoire et Andrée Puttermans, 585-

McGill Law Journal/Revue de droit de McGill

Volume 63 no. 4 (June 2018)

SPECIAL ISSUE : FIDUCIARIES OF HUMANITY AND INTERNATIONAL LAW

ARTICLES

- Preface : The Words of Fiduciary Theory
 - Frédéric Mégret, 627-
- Explaining International Acts
 - Chimè I. Keitner, 649-
- Extra-Territorial "Fiduciary" Obligations and Ensuring Respect for International Humanitarian Law
 - Kimberley N. Trapp and Edmund Robinson, 677-
- In Praise of *Jus Cogens'* Conceptual Incoherence
 - Jens David Ohlin, 701-
- The Private Law State
 - Seth Davis, 727-
- The Internal Morality of International Law
 - Evan Fox-Decent and Evan J. Criddle, 765-

THESIS SURVEY

- 785-

Relations industrielles/Industrial relations

Volume 74 no. 4 (Fall 2019)

ARTICLES

FRANÇAIS

- Représentations savantes de la négociation collective et travail de négociation
 - Christian Thuderoz, 621-
- Qualité du travail et de l'emploi et nature de la mobilité professionnelle : quels liens en France entre 2006 et 2010 à partir de l'enquête *Santé et itinéraire professionnel?*
 - Camille Signoretto, 643-
- Quand la perception des employeurs à l'égard des personnes immigrantes influence leurs pratiques de gestion de la diversité
 - Catherine Beaudry, Mélanie Gagnon et André-Anne Deschênes, 674-
- Des obstacles à la construction de l'identité professionnelle des sexologues
 - Lyanna Després et Manon Bergeron, 697-

ANGLAIS

- Workers' Knowledge and Views on Interaction with Health and Safety Representatives : An Exploratory Qualitative Study
 - Lai Ollé-Espluga, Montse Vergara-Duarte, María Menéndez-Fuster, Joan Benach and María-Luisa Vázquez, 719-
- A Comparison of Contemporary Human Resource Management and Employment Relations Practices of Japanese and US Multinational Corporation Subsidiaries : Evidence from Four Countries
 - Timothy Martram, Duncan Adam, Tony Edwards, Patrice Jalette, John Burgess and Pauline Stanton, 742-
- Job Insecurity and Abusive Supervision
 - Hsiao-Yen Mao, Yuan-Yu Chien and An-Tien Hsieh, 780-

BOOK REVIEWS

FRANÇAIS

- *Sept ans de vie professionnelle des jeunes : entre opportunités et contraintes* (Toulouse : Octares éditions, 2018) dirigé par Arnaud Dupray et Emmanuel Quenson.
 - Sylvain Bourdon, 809-

ANGLAIS

- *The Economics of Trade Unions : A Study of a Research Field and its Findings* (London : Routledge, 2017) Hristos Doucouliagos, Richard B. Freeman and Patrice Laroche.
 - Bruce E. Kaufman, 811-
- *Reducing Inequalities in Europe : How Industrial Relations and Labour Policies Can Close the Gap* (Cheltenham, UK / Northampton, USA : Edward Elgar Publishing, 2018) edited by Daniel Vaughan-Whitehead.
 - Michael Quinlan, 814-
- *Private Government : How Employers Rule our Lives and Why We Don't Talk About It* (New Jersey : Princeton University Press : 2019) Elizabeth Anderson.
 - Roy J. Adams, 816-
- *Beyond the Noise of Solemn Assemblies : The Protestant Ethic and the Quest for Social Justice in Canada* (Montreal/Kingston : McGill-Queen's University Press, 2018) Richard Allen.
 - James Thwaites, 819-

Review of Constitutional Studies/Revue d'études constitutionnelles

Volume 24 no 1 (2019)

SPECIAL ISSUE : TREATY FEDERALISM

ARTICLES

- *UNDRIP, Treaty Federalism, and Self-Determination*
 - Michael Asch, 1-
- *UN Declaration on the Rights of Indigenous Peoples and Treaty Federalism in Canada*
 - James [Sa'ke'j] Youngblood Henderson, 17-
- *Indigenous Peoples and Interstitial Federalism in Canada*
 - Robert Hamilton, 43-
- *Constitutional Reconciliation and the Canadian Charter of Rights and Freedoms*

- Amy Swiffen, 85-
- Legal Pluralism and *Caron v Alberta* : A Canadian Case Study in Constitutional Interpretation
 - Ryan Beaton, 123-

BOOK REVIEWS

- *Braiding Legal Orders : Implementing the United Nations Declaration on the Rights of Indigenous Peoples* (Waterloo, Ontario : Centre for International Governance Innovation, 2019) John Borrows, Larry Chartrand, Oonagh E. Fitzgerald, and Risa Schwartz, eds.
 - Nigel Banks, 155-
- *Law's Indigenous Ethics* (Toronto : University of Toronto Press, 2019) John Borrows.
 - Ferdinand Gemoh, 165-