

## **Louise Arbour and Marie Henein Share Their Personal Reflections on Unconscious Bias in Litigation**

**December 9, 2020**

In this transformative age when actions against unconscious bias and social injustice have swiftly gathered momentum, two legal phenoms engage in an enlightening Q & A on what this means for us as people, as a profession, and as propellers for change.

Hear Louise Arbour and Marie Henein tell us how they have approached unconscious bias and how to combat it.

Topics will include the following:

- personal experiences with power, privilege and unconscious bias
- how to prevent bias and discrimination in workplaces
- bias, discrimination and underrepresentation as viewed through a judicial lens
- why the existence and consequences of unconscious bias are important to the bench and bar.

### Speakers

**The Honourable Louise Arbour**, C.C., G.O.Q., Senior Counsel at Borden Ladner Gervais LLP

The Honourable Louise Arbour is Senior Counsel and jurist in residence at BLG in Montreal. She provides strategic advice on litigation, governance and international disputes. She is an active mentor of younger lawyers.

She recently completed her mandate at the UN as Special Representative of the Secretary-General on International Migration, which led to the adoption of the Global Compact for Migration. She has also held other senior positions at the United Nations, including High Commissioner for Human Rights (2004-2008) and Chief Prosecutor for The International Criminal Tribunals for the former Yugoslavia and for Rwanda (1996 to 1999).

She formerly sat as a justice of the Supreme Court of Canada from 1999 to 2004, on the Court of Appeal for Ontario and the Supreme Court of Ontario. She chaired an inquiry commission that investigated events at the Prison for Women in Kingston, Ontario, and has also served as a member of the Global Commission on Elections, Democracy and Security.

Madam Arbour also formerly served as an ad hoc judge in the International Court of Justice and as a member of the Advisory Panel to the Minister of Defence on Canada's Defence Policy Review. She is currently a member of the Global Commission on Drug Policy, the International Commission Against the Death Penalty and the Advisory Board of The Coalition for the International Criminal Court.

Madam Arbour has received numerous honorary doctorates and awards. Most noteworthy, she has been a Companion of the Order of Canada since 2007, a Grand Officer of the Ordre national du Québec since 2009 and a Commander of the Légion d'honneur. She has been decorated by Spain, Colombia and Belgium.

**Marie Henein**, Senior Partner - Henein Hutchison LLP

Ms. Henein is a senior partner at Henein Hutchison LLP recognized in Canadian Lawyer as one of the country's Top Ten Litigation Boutiques. She has been counsel on numerous high profile cases. Her experience includes a wide range of criminal, regulatory, quasi-criminal and cross border litigation representing individual, corporate and institutional clients both at the trial and appellate level. She acts in an advisory capacity in a range of complex matters. Ms. Henein has frequently argued at all levels of court including the Ontario Court of Appeal and the Supreme Court of Canada.

She received her LL.B. in 1989 from Osgoode Hall Law School and her Masters in Law from Columbia University in 1991. Ms. Henein is the Past President of The Advocates' Society, a fellow of the American College of Trial Lawyers and a member of the Supreme Court Advocacy Institute. She is a founder of the Ontario Court of Appeal's Appellate Pro Bono Program, a program that provides free appellate services to unrepresented individuals at the Court of Appeal. Ms. Henein has lectured extensively throughout the country and is the editor of numerous publications.

Ms. Henein has been repeatedly recognized as one of the Top 25 Most Influential Lawyers by Canadian Lawyer Magazine and was the 2013 recipient of the Law Society of Upper Canada's Laura Legge Award. Most recently in 2017, she was awarded The Law Society Medal.

Moderators

**Surina Sud**, Kostyniuk & Greenside Lawyers

During law school at the University of Leicester Ms. Sud was the Chief Officer of the Pro Bono Committee and founded the "Asylum Project", a program that continues to assist individuals seeking Asylum in the United Kingdom to this date.

Ms. Sud was called to the Bar in 2017, after Articling at Kostyniuk & Greenside, where she continues to practice. Ms. Sud advocates on behalf of Plaintiffs, Defendants and insurers on a wide range of civil litigation matters at all levels of Ontario Courts and Tribunals while remaining an active member of the Toronto Lawyers Association Education Committee.

**Mark Gannage**, Litigation Counsel, TLA Board Director, Education Committee Chair

MARK GANNAGE, previously of Goodmans, McCarthy Tétrault, Stikeman Elliott, and Torys, is a litigator, deputy judge, certified adjudicator, mediator, TLA Board Director and Education Committee Chair. He is the author of Gannage's Ontario Civil Litigation Commentary and Checklist (Thomson Reuters), three chapters in Bullen & Leake & Jacob's Canadian Precedents of Pleadings (Thomson Reuters), published articles in the Annual Review of Civil Litigation, The Advocates' Quarterly and other journals, and two federal law reform works. He is a Contributing Editor of the Toronto Law Journal. A former full time and adjunct law professor, Mr. Gannage conceived, designed and taught U of T Law School's first course in Advanced Legal Research, Analysis and Writing. Mr. Gannage was the first (and last!) Head of Legal Research and Analysis of the now deceased Bar Admission Course.

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