

CHARLES CAMPBELL

Date of Birth: September 4, 1945

ILER, CAMPBELL

Barristers and Solicitors

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EDUCATION

- 1979-1981 New School for Social Research, New York
- M.A., Political Economy
- 1972 - 1973 Bar Admission Course
- 1968 - 1971 University of Toronto - Faculty of Law
- 1963 - 1967 University of Toronto - B.A., Political Science and Economics
- 1958 - 1963 Lawrence Park Collegiate Institute

EMPLOYMENT

- 1981 - Present Partner - ILER, CAMPBELL
- Partner with Brian Iler and later Murray Klippenstein
- Developed initial partnership to firm of 8 lawyers and associates
- General commercial and litigation services, especially to co-op,
 non-profit and progressive community, including corporate,
 real estate, wrongful dismissal, charitable status, libel, Charter,
 native, environmental, personal injury, construction litigation
- 1979 - 1981 Counsel - MARTIN, KAINER & FYSHE
- Part-time law practice
- 1974 - 1978 Jr. Lawyer and Partner - COPELAND, KING
- General litigation, focus criminal and family law
- 1973 - 1974 Self-Employed
- 1973 Employee - FISHER & HOLNESS
- 1971 - 1972 Student-at-Law - MINISTRY OF THE ATTORNEY-GENERAL
- 1970 - 1972 Emergency Night Duty Worker - METRO TORONTO CHILDREN'S AID
- 1967 - 1968 Reporter - FINANCIAL POST

PUBLICATIONS AND PRESENTATIONS

- 1995 - Colloquium, University of Toronto
Reforming the Law of Defamation
- 1994 - Canadian Bar Association - National Conference
Panelist - Equity Issues
- 1993 - Canadian Bar Association (Ontario) - Media Subsection
Reforming the Law of Defamation
- 1992 - York University Colloquium on Conflict of Interest
- 1985 - 1991 - Law Union News, "Charlie's Charter Chatter" - regular column
- 1984-1985 - "The Canadian Left and the Charter of Rights" in
Critical Perspectives on the Constitution, (ed.) R. Martin
- 1984 - Guelph Conference on Sexuality
Panelist - Censorship and Pornography
- 1984 - "Charter of Rights Could Lead Courts to a Political Role",
Globe and Mail, p.7
- 1983 - "Film Censorship", TKO Vol. 2
- 1977/1979 - House of Anansi, Divorce Children & Welfare: A Self-Help Guide,
1st and 2nd Editions
- Practice and Procedure in Charter Actions,
Co-Chair, Conference on the Canadian Charter of Rights and
Freedoms - A Legal Clinic Perspective
- Co-Chair - Law Society Continuing Education
- Nov. 23/76 - "Marriage Bill - Too Much Power for Judges",
Globe and Mail Editorial Comment, p. 7

CONFERENCES

- 1983 Harvard - Program of Instruction for Lawyers
- Non Credit Summer Program
- 1981 Police Misconduct, Law and Litigation,
National Lawyers Guild, New York

1973 National Lawyers Guild Annual Conference

1973 - 1995 - Law Union of Ontario Annual Conference

NOTEWORTHY CASES AND AREAS OF LEGAL INTEREST/SPECIAL SKILLS

Free Speech, Censorship

Ontario Film and Video Appreciation Society (OFAVAS) v. Ontario Board of Censors
 (Co-counsel with Lynn King)
 Constitutionality of film censorship administration
 Div. Ct. (1983) 41 OR (2d) 583 - unsuccessful
 OCA (1984) 45 OR (2d) 80 - successful (five member panel)

Ontario Film and Video Appreciation Society (OFAVAS) v. Board of Review
 Div. Ct. (1986) 57 OR (2d) 39 - successful appeal from Board decision

Canadian Committee Against Customs Censorship v. Ministry of Customs
Joy of Gay Sex (1988) (unreported) - successful at trial

Glad Day and Jearld Moldenhauer v. Canada MNR - Customs & Excise
 1992 O.J. No. 1466 - trial unsuccessful
 Procedural Motion - successful

- Advised many organizations on free speech issues

Libel and Slander

- Various reported motions:

Code v. Toronto Star 16 CPC (2d) 296 - Master - successful
Hill v. Church of Scientology (1985) 35 CCLT 72 - unsuccessful
Greenpeace v. Toronto Sun (1989) 69 OR (2d) 427 (H.C.) - successful
Jaffe v. Americans for International Justice 22 CPC (2d) 286 - successful

Beckingham and Doyle v. Sparrow, 27 OR (2d) 206 (OCA) - unsuccessful
Warner v. Earp (Unreported), jury \$75,000.00 for plaintiff
Bailey et al v. Peel Police (Unreported) - settlement \$95,000.00 for plaintiff

School Prayer*Zylberberg et al v. Sudbury Board of Education*

- Div. Ct., 55 OR (2d) 749 - unsuccessful
- OCA (1988), 65 OR (2d) 641 - successful (five member panel)
- Leave to appeal to SCC denied to intervenors
- Successful *Charter* application against compulsory school prayer

Environmental*Nippa v. C. H. Lewis Ltd.*, 82 DLR (4th) 417

- successful
- Injunction and damages for local farmer against land fill operator
- With Canadian Environmental Law Association

Police Issues*Johnson v. Adamson*

- Gen. Div. 32 OR (2d) 255 - unsuccessful
- OCA, 34 OR (2d) 236 - successful;
- leave to appeal to SCC denied to appellant/defendants
- Issue: damages to family of deceased after police shooting
- Motion to strike claim against Police Commissioners for negligence in "control, management and operation of police force"

Jane Doe v. Metro Police

- Gen. Div. [1989] OJ No. 471 - successful
- Div. Ct. App. 1990 5 CCLT (2d) 77 - successful
- Co-counsel with Mary Cornish
- Issue: duty to warn potential rape victims

Municipal Political/Legal Issues

- Numerous opinions on conflict of interest issues

Board of Health, Dan Heap et al v. Canada Metal (unreported)

- Alleged bias of Board of Health Members

Same Sex Benefits*Egan and Nesbit v. Her Majesty the Queen* - Supreme Court of Canada

- Co-counsel with Susan Ursel for Metropolitan Community Church Intervenors

Human Rights

- Proclaim Lesbian and Gay Pride Day

Dagg v. Ontario Human Rights Commission (1979) 26 OR (2d) 100 (Div. Ct.)

- unsuccessful

Y.C.C. No. 216 v. Dudnik (1991) 3 OR (3d) 360 (Div. Ct.)

- Divisional Court Appeal from Human Rights Board representing applicant/respondent unsuccessful
 - Issues: human rights remedies

Ad Hoc Committee for Reform of Human Rights Commission - 1992

- Successful appeal to Ontario Government to reform human rights administration

Family

Emin v. Emin 20 RFL 61 (Ont. S.C.) (Master) - successful

- Matrimonial Support

Sturgeon v. Children's Aid Society of Metro Toronto 26 RFL 68 (Div. Ct.)

- Child Welfare

Edmunds v. Dockerty Estate (unreported as of December 1994)

- Support for disabled common law partner by estate of deceased partner (successful)

Civil Procedure

Jaffe v. Sun Bank and Dearing (1988) 65 OR (2d) 113

- Conflict of laws

Lumbreras-Ximenez et al v. Allstate Insurance Co. of Canada et al

11 OR (2d) 639 - Conflict of laws

Dowell v. Mungen Institute (1983), 72 CPR (2d) 238

- Right of Privacy - unsuccessful

John A and James B v. Canada Life

- Litigating in the names of pseudonyms - ultimately successful
 - (1988) 6 OR (2d) 296
 - (1989) 33 CPC (2d) 44
 - (1989) 35 CPC (2d) 5
 - (1989) 35 CPC (2d) 1
 - (1989) 35 CPC (2d) 6

Ricketts v. Woods (1989) 69 OR (2d) 128 (C.A.) - unsuccessful
 - evidence issues at trial

Co-op

Neill-Wycik Co-operative College Incorporated ats Clive Roy (unreported)
 - corporate control and eviction trial (successful)

Los Andes of Hamilton Co-operative Inc. v. Robles et al (unreported)
 - corporate control trial - (successful)

Prophetic Non-Profit Homes et al ats Belmar Sheet Metal Company Ltd. (unreported)
 - corporate control/construction liens

OTHER INTERESTS

1987 - 1992 THEATRE PASSE MURAILLE - Board Member and President

1983 *CANADIAN RIGHTS REPORTER* - Associate Editor

1972 - 1982 LAW UNION OF ONTARIO, Founding Member
 Secretary, Steering Committee (1977),
 Various special project committees (1982 - 1992)

1977 CANADA CHINA FRIENDSHIP SOCIETY
 Delegation to the People's Republic, Delegation Leader 1977

- Theatre (drama), writing, politics, kayaking, gardening, reading, fitness