

MINUTES OF SPECIAL CONVOCATION

Toronto – Tuesday, 19th June, 2007
9:00 a.m.

The Treasurer (Gavin MacKenzie), benchers and their guests proceeded to the auditorium at Roy Thomson Hall for the Call to the Bar ceremonies of 280 candidates listed in the Report of the Professional Development, Competence and Admissions Committee.

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CONVOCATION WAS CALLED TO ORDER AT 9:00 A.M.

A quorum of Convocation was present.

The body of the auditorium was occupied by the candidates and their guests.

The Treasurer asked all present to stand for the National Anthem sung by Genevieve Proulx.

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CONFERRING OF AN HONORARY DEGREE

Chief Justice McMurtry read the following citation:

“Treasurer, I ask that you and this Convocation confer, posthumously, the degree of Doctor of Laws, *honoris causa* upon the Honourable Justice Archie Gray Campbell.

Justice Campbell possessed a keen legal mind. Few can surpass his sense of legal history or his knowledge of the law.

Called to the Bar of Ontario in 1969, he had a distinguished legal career as the Director of Parkdale Community Legal Services, a law teacher, an advocate and a public servant.

In 1986, he was appointed to the Superior Court of Justice. Confidence in his judicial skills was demonstrated by his appointment as Commissioner of the Bernardo Investigation Review and the Sars Commission Inquiry.

Few others of his generation have achieved such distinction and served so well. I request you, Sir, to confer upon him the degree of Doctor of Laws, *honoris causa*.”

The Treasurer admitted The Honourable Justice Archie Gray Campbell to the degree of Doctor of Laws, *honoris causa*.

The Treasurer invited Mr. Doug Hunt to address the candidates and their guests.

“Chair/Treasurer, Chief Justice Smith, Chief Justice McMurtry, benchers, Honoured and Distinguished guests, new lawyers, families and friends.

Today is going to be an exciting and interesting day. For the new lawyers about to be called to the Bar, today marks the end of a long and arduous instructional process and the beginning of an exciting new stage in your lives. You can now begin to build and shape your legal careers and to establish your reputations in the communities that you will serve. Your families and friends, who have encouraged and supported your efforts, will today deservedly share in your excitement and pride of achievement.

You will always remember this day, or at least parts of it. I will guarantee one thing that you will not remember – who the speaker was. But I hope that you will remember that on the day that you were admitted to the Bar, the Law Society of Upper Canada posthumously bestowed an honorary Doctor of Laws degree on Mr. Justice Archie Gray Campbell. He was a remarkable person. Described recently by Chief Justice Winkler as “A lawyer’s lawyer, a judge’s judge and a character’s character.” I am sad that you will not have the opportunity during your careers to come to know him as so many lawyers and so many of his judicial colleagues have been so fortunate to do.

Justice Campbell passed away just two months ago. He was sitting on the Bench until a few weeks before his death and he delivered his last three reserved judgments from the hospital just six days before he passed away. He wouldn’t have had it any other way. He loved being a judge.

Before Archie Campbell died, the Treasurer informed him that the Honorary Doctor of Laws degree was to be bestowed upon him today. While Justice Campbell undoubtedly knew that he would not be present today to receive it, he was very pleased and excited. A healthy Archie Campbell would have relished the opportunity to speak to you today, even more than the pleasure of receiving this very prestigious award. For Archie Campbell loved the law and everything about it, including lawyers, especially new lawyers.

You may already be familiar with Justice Campbell because of the recent wide spread public acclaim given both nationally and internationally to his report on his investigation into the introduction and spread of the SARS. Justice Campbell released this report in January of this year. Much of it he wrote while his own health rapidly deteriorated.

In his SARS report he detailed the circumstances under which this terrifying respiratory disease entered Ontario’s hospitals and how our health-care system and the government responded to it. Justice Campbell shone a bright light on serious deficiencies in our health-care system and on the government’s lack of preparedness to deal with serious public health emergencies. He provided many well thought out and clearly articulated recommendations to health-care facilities, to the medical community and to the government to help them better identify and control the outbreak of infectious disease with the ultimate goal being to protect those who work in health-care institutions and the public. Requests are still being received today from public health organizations around the world that, unaware of Justice Campbell’s passing, want him to come and speak about his investigation the lessons to be taken from the handling of the SARS crisis.

But his world-renowned investigation into SARS was only one of his many undertakings in a lifetime devoted to public service. Let me tell you a little bit about Archie Campbell so that when you hear stories about him, as you undoubtedly will, or read judgments written by him on a wide array of topics, as you undoubtedly will, you will have a sense

of the man that Chief Justice McMurtry described as a "Giant of the legal world". When I have told you a little bit about him I want to close by telling you what I think he might have said to you today as you take your place as members of a profession that he truly regarded as a "noble profession".

For one thing, everyone knew him simply as Archie.

It is said that Archie always wanted to be a lawyer. During his last two years in high school he worked as a process server for the then law firm of Chief Justice McMurtry. While at Trinity College at the University of Toronto he studied history and modern languages and worked for Frontier College, where he taught literacy and English during the summers in logging and hydro camps in Northern Ontario.

After graduating from Osgoode Hall Law School and being called to the Bar, he became counsel in the Criminal Appeals and Special Prosecution's branch of the Ministry of the Attorney General. In addition to prosecuting criminal cases and arguing appeals in the Court of Appeal and Supreme Court of Canada, Archie took the Ministry lead in developing public policy on a wide variety of social issues for consideration by the Attorney General, who from 1975 to 1985 was Chief Justice McMurtry. Archie took a leave of absence from the Ministry to become Director of Parkdale Community Legal Services, a community legal clinic that provided legal aid to poor people. In addition, he taught law at Osgoode Hall Law School.

When he returned to the Attorney General's Ministry after Parkdale, he served as Assistant Deputy Attorney General responsible for policy development before being appointed by the Ontario government to the position of Deputy Minister of Correctional Services. After several years in that position, Archie came back home to the Ministry of the Attorney General as the Deputy Attorney General. He held that position for a number of years until his appointment to the Superior Court in 1986. He served on that court for over 20 years occupying the position of Regional Senior Justice for Toronto from 1993 to 1996.

For 20 years during his career as a lawyer and for 20 more as a Judge, Archie Campbell committed his professional life to serving the public. But that is by no means the true measure of the man. It was the values that he adhered to, his generous spirit and his personality that set Archie apart from all other lawyers and judges of his time.

First and foremost Archie Campbell loved people. He loved meeting with people, listening to people, talking to people, laughing with people, learning from people and teaching people. It was a defining quality of Archie that he had a genuine concern for everyone he dealt with and he treated each person with respect and courtesy no matter what their rank or status. This concern was mirrored by his profound sense of justice and his constant struggle to be certain that justice was administered fairly and evenly in every situation over which he had influence.

Archie Campbell was intensely curious about everything in the world around him. Samuel Johnson, the powerful 18th century English author, said this about "curiosity": "Curiosity is one of the most permanent and certain characteristics of a vigorous

intellect. [It] is, in great and generous minds, the first passion and the last."¹ An observation that is borne out in the case of Archie Campbell. His curiosity about literature, history, law, fishing, people and the ongoing drama of human life fed his vigorous intellect.

His enthusiasm for life and all that it brought to his doorstep was infectious. He loved to discuss issues great and small, all the better if they were thorny legal issues or complex factual situations that needed careful analysis. If one had a problem and sought his assistance he would set aside his own work and generously explore all facets of the problem in search of a solution. Many lawyers and judges who came to him for advice because of his sharp intellect, came away with not only a new perspective but also with an admiration for the way in which Archie had made them feel important by making them and their problem the center of his world while he guided them to new insights.

What do I think that Archie Campbell might have said to those of you who are so fortunate as to be embarking on the great adventure that is the practice of law? I think that he might exhorted each of you to embrace this new challenge with everything you have, but not to let it consume you to the exclusion of all of the other interesting aspects of life that make it rich and memorable. I think that he might have said that while you passionately pursue justice at every turn, continue to be open to all of the other delights in the world around you. He might have quoted a passage written by the 19th century Scottish novelist and poet Sir Walter Scott, who said: "A lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these, he may venture to call himself an architect."² I think Archie would have urged you to become legal architects and not merely legal mechanics.

I think that perhaps most of all he would have advised you to approach life and, in particular, the practice of law without taking yourself too seriously. Archie firmly believed that there are far too many people in the world that take themselves too seriously. It's sometimes not easy to keep a perspective on yourself and on life when immersed in the practice of law. Archie was able to do so and he may have had a unique way of maintaining it. You will hear stories about Archie's interesting choices of personal attire. He could be seen coming and going from Osgoode Hall in the summer resplendent in a linen suit and straw boater hat. In the winter he might startle you as he turned the corner looking like a large bear in a huge beaver hat with the ear panels pulled firmly down to protect against the wind. But he was most famous for his penchant for wearing Kodiak hiking boots, even, it is said, in Court. Another of our great Attorneys General, Ian Scott, once remarked that he thought that Archie dressed in such a unique style, in part, to remind himself not to take himself too seriously. If so, it worked.

And so, in closing, on behalf of Archie Campbell and all of those close to him, I thank the Law Society of Upper Canada for recognizing in such a significant way the true gem of a human being that was Archie Campbell, lawyer and Judge. I also wish to thank the Law Society for allowing me to participate on Archie's behalf on this very special occasion. To each new lawyer, and to your families and friends, I wish you the very best and as Mr. Justice Archie Gray Campbell would have undoubtedly said, "Have fun and laugh".

¹ Samuel Johnson (1709-84), *Rambler*, no. 150 (London, March 1751 and August 24, 1751; repr in *Works of Samuel Johnson*, vols. 4 and 5, ed. By W. J. Bate and Albrecht B. Strauss, 1969).

² Sir Walter Scott (1771-1832), *Guy Mannering*, ch. 37 (1815).

The Treasurer thanked Mr. Hunt who on behalf of Justice Archie Gray Campbell, was presented with the LL.D. hood and presentation case.

CALL TO THE BAR

Ms. Laurie Pawlitz, Ms. Heather Ross, Ms. Joanne St. Lewis, Mr. Alan Silverstein and Mr. Gerald Swaye presented to the Treasurer the 280 candidates for the Call to the Bar as follows:

280 CANDIDATES FOR CALL TO THE BAR

(List of candidates in Convocation file)

The Treasurer conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

The Treasurer addressed the new Barristers.

CONVOCATION ADJOURNED

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Following Convocation a Special Sitting of the Court of Appeal for Ontario and the Superior Court of Justice convened, with the Honourable Justice Heather J. Smith, Chief Justice, Superior Court of Justice presiding.

The candidates were presented to Madam Justice Smith before whom they took the Oath of Allegiance, Barristers Oath and Solicitors Oath and acknowledged their signatures on the Rolls in the presence of the Court.

Justice Smith then addressed the new Barristers and Solicitors.

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At the conclusion of the formal proceedings, the Treasurer and benchers held a reception and luncheon for their guests at Osgoode Hall.

Confirmed in Convocation this 20th day of September, 2007

Treasurer