

# RULE OF LAW REPORT

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## FOREWORD

Anand Ablack  
Vice-President, Content  
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Welcome to the third issue of the Rule of Law Report by LexisNexis Canada. This newsletter showcases the combined expertise of our Content, Editorial Production and Marketing teams. More important, it gives us a chance to advance our corporate social mission: promoting the rule of law and access to justice.

Our previous issues featured Innocence Canada and Lawyers Feed the Hungry, two of our Canadian charity partners. This issue turns the spotlight on our corporate parent RELX and its support for charitable organizations around the world. Jay Brecher, our Director of Subscription Content, writes about the RE Cares corporate social responsibility program. Jay also describes his experience in South Africa in October 2017, where

 This issue turns the spotlight on our corporate parent RELX and its support for charitable organizations around the world.

he and other RE Cares leaders shared their knowledge and volunteered with local charities.

We are also proud to republish a thought-provoking essay by Justice David Stratas of the Federal Court of Appeal. His Honour's reflections on the rule of law first appeared in Canada at 150: Building a Free and Democratic Society, published in 2017 to mark the 150th anniversary of Confederation and the 35th birthday of the *Canadian Charter of Rights and Freedoms*. The essay is illustrated with images of Osgoode Hall.

Thank you for spending time with the Rule of Law Report.

A handwritten signature in black ink, appearing to read 'Anand Ablack', written in a cursive style.

## THE RULE OF LAW

Two people are in precisely the same position before a judge, but the judge – applying the same law – treats one person differently from the other for no reason.

A rent control board is supposed to follow rules set under a law, but instead it only decides in favour of those who support the party in power.

A person privileged by power or wealth drives way over the speed limit and the police turn a blind eye.

The Honourable  
David Stratas  
Federal Court of Appeal



A government sets up a tribunal, appoints its members and gives it important things to deal with, but forbids any review of its decisions by an independent court.

These things aren't supposed to happen in Canada, because we are governed by the rule of law.

The rule of law is nothing new: we inherited it from the United Kingdom, the country that brought Canada into existence in 1867. Right at the beginning of the 1867 law that gave birth to Canada – then known as the *British North America Act*, now known

📖 The rule of law is nothing new: we inherited it from the United Kingdom, the country that brought Canada into existence in 1867

as the *Constitution Act, 1867* – we are told that we have a “Constitution similar in Principle to that of the United Kingdom.” At the heart of that constitution is the rule of law, a principle won through centuries of struggle and occasional bloodshed.

📖 in the opening words of the *Constitution Act, 1982* is this binding statement: “Canada is founded upon principles that recognize...the rule of law.”

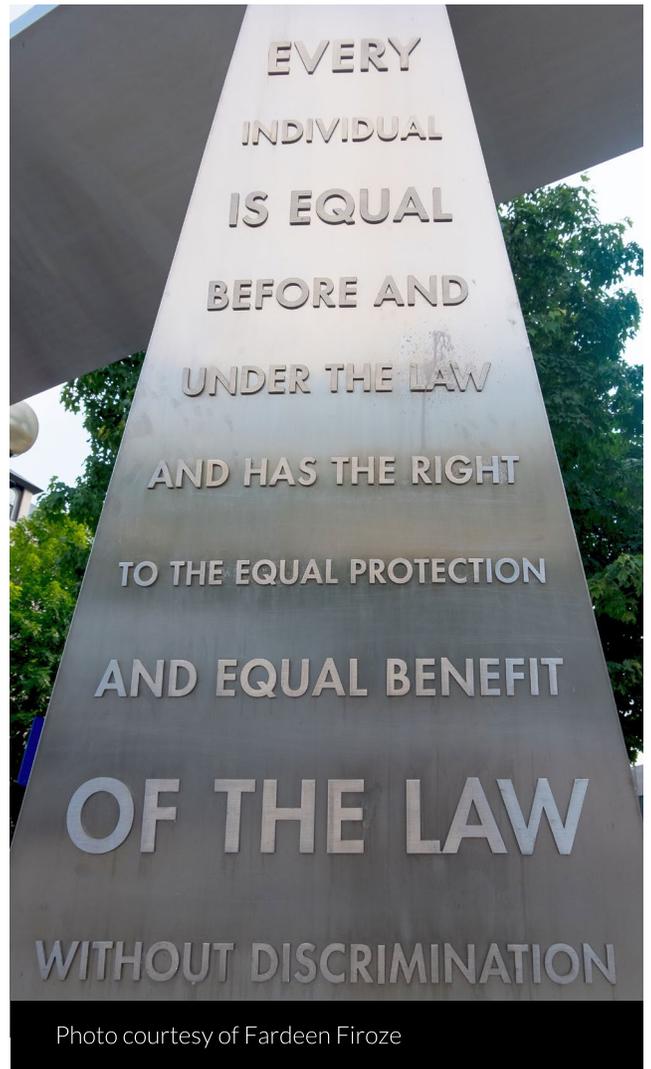
The rule of law embodies a number of principles, which tend to overlap and buttress each other. A system of laws must be maintained to ensure order and regulate the relationship between the individual and the state. The law rules us all, regardless of our position or power: the privileged and the paupers, the governors and the governed.

The law must be enforceable: there must be independent courts accessible to the public. And the courts must be able to review the decisions of public officials to ensure that they exercise their powers according to the law – not irrationally or according to personal whim.

Those who decide legal cases and disputes – judges and members of boards and tribunals – must follow the laws on the books, interpreting them in light of their text, context and purpose. And those who apply those laws – our public servants and police – must follow them too, dispassionately, without fear or favour.

Might this central principle disappear one day? Not as long as we keep our Constitution. For in the opening words of the *Constitution Act, 1982* is this binding statement: “Canada is founded upon principles that recognize...the rule of law.”

May we always respect, defend and follow the rule of law.



## THE GLOBAL IMPACT OF RE CARES

When I first joined Quicklaw, it was a small, family-run business. It was headed by a law professor who used modern technology to provide lawyers with better access to legal information. Then Quicklaw was acquired by LexisNexis, and I suddenly found myself working for a large, multinational corporation (RELX) with 30,000 employees in 40 countries.

One of the great things about working for RELX is RE Cares, its robust corporate social responsibility program. The RE Cares Mission is to promote the education of disadvantaged

Jay Brecher  
Director,  
Subscription Content  
LexisNexis Canada



Serving lunch to people in need with other RELX employees in Durban, South Africa.

young people. Every full-time employee can volunteer up to two working days per year, during regular business hours. RE Cares hours do not count against one's vacation entitlement.

Many business units within RELX also have employee gift-matching programs. LexisNexis Canada matches employee donations to registered charities, up to \$1,000 (USD) per employee, per calendar year.

In addition, employees are encouraged to support their favourite charities by applying

 The RE Cares Mission is to promote the education of disadvantaged young people.

for RELX grants. Each year, the company disburses hundreds of thousands of dollars to recipient organizations around the world. To be eligible, an organization must advance the education of disadvantaged young people. Despite our relatively small size within RELX, LexisNexis Canada has successfully applied for several of these grants. Our recipients have included CLEW (Cambodian Legal Education for Women), Level and the equality effect.



Cambodian law students expressing their appreciation after receiving a RELX grant for CLEW.

In 2011, under the leadership of RELX Director of Corporate Responsibility Marcia Balisciano, the company launched a global program called Recognizing Those Who Care. Each year, RELX chooses eight employees who are especially dedicated to the RE Cares Mission. The group spends a week in a developing country (such as India, Ghana and Honduras), working with some of the local non-governmental organizations (NGOs) supported by RELX. Participants also share ideas with colleagues from around the world, and learn from senior business leaders. YS Chi, the Chairman of Elsevier, has taken time out of his busy schedule to

☞ This trip of a lifetime gave us the opportunity to work with some extraordinary charitable organizations.

attend every one of these trips.

I was among the fortunate employees selected for last year's Recognizing Those Who Care trip. We spent a week in Durban, where LexisNexis South Africa is based. This trip of a lifetime gave us the opportunity to work with some extraordinary charitable organizations. For example, we delivered toys and toothbrushes to the children at a crèche (orphanage) operated by iThema Lethu. The crèche is nestled in the picturesque Valley of a Thousand Hills, which also hosts the Comrades Marathon – the world's oldest and largest ultramarathon.



Delivering toys and toothbrushes to the teachers at an orphanage.

We also met with Open Door Crisis Care Centre founder Thora Mansfield and her extraordinary team of social workers. Open Door provides counselling and other resources for victims of domestic violence and child abuse. I never would have predicted that I would be singing and dancing with them, both in their office and at a community outreach event.



Working with the amazing team at the Umgeni Community Empowerment Centre.

One of my personal highlights was our visit to the Umgeni Community Empowerment Centre (UCEC), where we helped to cook and serve lunch to people in need and handed out bags of groceries. I have volunteered at soup kitchens for nearly 20 years, but I had never seen so many homeless people, especially children, at one meal. It was heartbreaking, but it affirmed the importance of UCEC's work.

During lunch, I agreed to give a motivational speech about my years volunteering with

Lawyers Feed the Hungry in Toronto. I told them that some of our guests needed help to make ends meet for a while, but they eventually got jobs and became financially self-sufficient. I talked about the lessons I've learned from running marathons: keep pushing yourself towards the finish line, and never give up. That seemed to resonate with the audience, including one man who told me that he wanted to run Comrades one day.

After my talk, the guests asked me very thoughtful questions. Some of them stumped me; I had to admit that I didn't know Canada's GDP off the top of my head! The intelligence and eloquence of the guests at

UCEC are what I've come to expect from my time spent in soup kitchens.

**Another highlight of this trip was meeting extraordinary colleagues from around the world.**

Another highlight of this trip was meeting extraordinary colleagues from around the world, including the U.S., U.K., Germany, Netherlands and the Philippines. One

member of the group suggested that we continue to support the NGOs we had visited in Durban after we all returned home. Shortly after I got back to Toronto, LexisNexis Canada raised \$1,000 for Open Door with an office potluck. And this past June, we successfully applied for a RELX grant for UCEC. They received \$15,000 USD to conduct a national education and awareness campaign against human trafficking.

September is Global RE Cares Month, when RELX employees are encouraged to use their volunteer hours to support their favourite charities. This year, LexisNexis Canada will offer its employees a variety of volunteer and fundraising activities. I will participate in many of them, but I will also be thinking about the great charitable work being done by my friends and colleagues around the world, whom I met last fall in South Africa.



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