

# UNBLJ FORUM:

## CURRENT ISSUES IN CANADIAN IMMIGRATION LAW

### Editors' Preface

Each year, the UNB Law Journal attempts to select a Forum topic that captures a timely legal issue that lends itself to a diverse range of opinions. Over the past year, compelling developments in Canadian Immigration Law have kick started such a dialogue among practitioners, academics, parliament and the courts.

We are pleased to present a forum that canvasses a wide variety of topics and opinions. This year's forum leads with a compelling article written by Rayner Thwaites on the topic of The Supreme Court of Canada's decision in *Charkoui I* and the Court's controversial use of procedure as a method to avoid the substantial concerns of the appellants. Additionally, this year's forum includes a number of interesting submissions on recent developments in Canadian Immigration Law including the controversial treatment of refugees who arrive by sea, the growing concern over fraudulent marriage licenses and potential legislative reform in light of Britain's experience.

Within this volume's article section we are exceptionally pleased to offer France Houle, Marilyn Emery and Anne-Claire Gayet's informative submission on the Quebec temporary worker program. It is the first time in several years that the Journal has included an article fully written in the French language. The article section then follows with Professor M.H. Ogilvie's thought provoking case comment on the decision of the New Brunswick Court of Appeal in *NAV Canada v Greater Fredericton Airport Authority Inc.* and its possible effects on the future of consideration in contracts.

In what is becoming an annual tradition, the Journal is honoured to publish this past fall's 18<sup>th</sup> annual Ivan C. Rand Memorial Lecture delivered by noted arbitrator and historian William Kaplan. We are pleased to present a written version of his lecture entitled, "How Justice Rand devised his famous formula and forever changed the landscape of Canadian Labour Law".

Academic legal writing is a fundamental component of the UNB Law program. Students are required to write at least one major research paper under the core curriculum, a degree requirement that naturally produces many student works of terrific quality. We are proud to publish two articles that showcase the best student writing Ludlow Hall has to offer. This year's student section includes Timothy Culbert's article on Mental Health Law Reform in the province of New Brunswick and Matthew Pearn's comment on the controversial Supreme Court decision in *R v Grant*.

We hope that Volume 62 of the UNB Law Journal will provide a valuable contribution to ongoing academic debates and stimulate further discussion. It has been a memorable experience preparing this year's Journal. We hope that you will enjoy this year's volume as much as we enjoyed working on the project.

Lee Lenkinski  
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*Editors-in-Chief, Volume 62*