

## ABlawg 2025 Impact Report

### JOURNAL ARTICLES

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
Shaun Stevenson & Dallas Hunt, “ <a href="#">Reconciliation as Endless Process: The Limits of Reconciliatory Politics and the Possibility of Indigenous Redress</a> ” (January 2025) 28:1 Theory & Event 42	Jan 2025	Unknown	Unknown	This article is not open-access, unable to read.
Kate Robb, Patricia Fitzpatrick, Alan P. Diduck, Bram Noble, & Greg Poelzer, “ <a href="#">Understanding Opportunities for Meaningful Engagement in Water Power Licensing</a> ” (23 January 2025) 51:1 Can Pub Pol’y 94	23 Jan 2025	<a href="#">Uncertainty and Indigenous Consent: What the Trans-Mountain Decision Tells Us about the Current State of the Duty to Consult</a>	Robert Hamilton	
Andrew Pilliar, “ <a href="#">Ahluwalia v Ahluwalia – Signalling Access or Closing a Door?</a> ” (2024) 75 UNBLJ 119	2024, CanLII says last modified 28 March 2025	<a href="#">BC Court of Appeal Recognizes the Myth of False Allegations of Intimate Partner Violence</a>	Deanne Sowter & Jennifer Koshan	
		<a href="#">Torts and Family Violence: Ahluwalia v Ahluwalia</a>	Jennifer Koshan & Deanne Sowter	
		<a href="#">Family Violence Torts and Their Limits in Alberta</a>	Jennifer Koshan	
Kent McNeil, “ <a href="#">Legal Pluralism in Canada and the Vitality of Indigenous Law</a> ” (Paper prepared for the General Congress of the International Academy of	Feb 2025	<a href="#">The Inherent Indigenous Right of Self-Government</a>	Kent McNeil	

Comparative Law, Asunción, Paraguay, 23-28 Octboer 2022), (February 2025) Osgoode Digital Commons 1				
Alyssa Huffman, “ <a href="#">Strategic Insights From Antarctic MPAs: Navigating the Future Framework for Hugh Seas MPAs Under the BBNJ Agreement</a> ” (7 April 2025) 32:2 U Miami Intl & Comp LRev 267	7 Apr 2025	<a href="#">UN General Assembly Resolution to Develop a New Legally Binding Instrument on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction</a>	Anna-Marie Hubert	
Meghan Mendelin, “ <a href="#">Authoritarian Neoliberalism and the Repression of Protest and Dissent in Canada: The Wet’suwet’en Land Defense Movement &amp; #ShutDownCanada</a> ” (2025) 19:1 Stud Soc Just 43	2025	<a href="#">Protests Matter: A Charter Critique of Alberta’s Bill 1</a>	Jennifer Koshan, Lisa Silver, & Jonnette Watson Hamilton	
David W. Poulton, “ <a href="#">How federal law enables and constrains biodiversity offsetting in Canada</a> ” (April 2025) Envntl L Rev 1	April 2025	<a href="#">Biodiversity Offsets and the <i>Species at Risk Act</i> (Canada)</a>	Shaun Fluker	
Maneesha Deckha and Alexa Powell, “ <a href="#">Bending the Rules? Including Animals in a Substantive Account of the Rule of Law</a> ”, 2025 70-3 <i>McGill Law Journal</i> 491	December 2025	<a href="#">What Did the Court Mean When It Said That UNDRIP ‘Has Been Incorporated Into the Country’s Positive Law’? Appellate Guidance or Rhetorical Flourish?</a>	Nigel Bankes and Robert Hamilton	

		<a href="#"><u>The Rule of Law in Canada 150 Years After Confederation: Re-Imagining the Rule of Law and Recognizing Indigenous Peoples as Founders of Canada</u></a>	Kathleen Mahoney	
Jeffrey Warnock, “Bill C-15’s Special Status - Assessing the Likelihood that An Act Respecting the United Nations Declaration on the Rights of Indigenous Peoples will be treated as Quasi-Constitutional”, 2025 7-1 <i>Lakehead Law Journal</i> 1	Sept 2025	<a href="#"><u>What Did the Court Mean When It Said That UNDRIP ‘Has Been Incorporated Into the Country’s Positive Law’? Appellate Guidance or Rhetorical Flourish?</u></a>	Nigel Bankes and Robert Hamilton	
		<a href="#"><u>Implementing UNDRIP: Some Reflections on Bill C-262</u></a>	Nigel Bankes	
Rosemary Cairns Way and Donna Martinson, “Including Public Stakeholders in Judicial Education: The Politics of Judicial Accountability”, 2025 103-1 <i>Canadian Bar Review</i> 267	June 2025	<a href="#"><u>#Don’tDisbelieveHer: Towards Recognition of Myths and Stereotypes about Intimate Partner Violence at the Supreme Court of Canada</u></a>	Jennifer Koshan	
		<a href="#"><u>The Myth of False Allegations of Intimate Partner Violence</u></a>	Jennifer Koshan	
Elyse Loewen, “Who Must Be Consulted under Section 35? An Indigenous Feminist Analytical Approach”, 2025 21-1 <i>Journal of Law &amp; Equality</i> 34	November 2025	<a href="#"><u>What Did the Court Mean When It Said That UNDRIP ‘Has Been Incorporated into the Country’s Positive Law’? Appellate Guidance or Rhetorical Flourish?</u></a>	Nigel Bankes and Robert Hamilton	

Gerard J Kennedy, "Deference and the Administrative-Legislative Paradox in Judicial Review", 2025 63-1 <i>Alberta Law Review</i> , 2025 CanLIIDocs 2602	October 2025	<a href="#"><u>City of Toronto v Ontario and Fixing the Problem with Section 3 of the Charter</u></a>	Colin Feasby	
Sarah Buhler, "Crim-eviction: Eviction and Social Control at a Residential Tenancies Tribunal", 2025 62-1 <i>Osgoode Hall Law Journal</i> 109	November 2025	<a href="#"><u>Expensive, Complex Appeals from Residential Tenancy Dispute Resolution Service Orders</u></a>	Jonnette Watson Hamilton	
Aubrey Abaya, Vincent Larochelle & Anna J. Lund, "Wright V Yukon: Safer Communities And Neighborhoods Legislation And The Charter", 2025 76 UNBLJ at p 150.	November 2025	<a href="#"><u>Human Rights, Police and Tenancy: A Troubling Mix?</u></a>	Linda McKay-Panos	
T. A Stadnyk (P.Eng), " <a href="#"><u>Water's for Fightin': Lessons on Water Management Learned through Serious Gaming</u></a> ", (2025), Journal of Water Resources Planning and Management, Vol 151, Issue 9	14 July 2025	<a href="#"><u>Alberta's Water Sharing "Agreements."</u></a>	Nigel Bankes	
R Schertzer, "The Contingent Nature of Intergovernmental Relations in a Complex Federation", CANADIAN FEDERALISM	15 July 2025	Unknown	Unknown	This article is not open-access, unable to read.
Paul Blyschak, "Interpreting "Materiality" in Modern M&A Agreements", (2025) 70 Can. Bus. L.J.	2025	Unknown	Unknown	This article is not open-access, unable to read.

Jiang Chengzhu, Wang Shuai, Zhang Tao, “ <a href="#">The current situation and implications of space management for CO2 geological storage</a> ”, (2025) China Mining Magazine, Vol 34, No. 9	September 2025	<a href="#">Alberta’s Carbon Capture &amp; Storage Land Grab And The Potential For Conflicts Of Subsurface Rights</a>	Nick Ettinger, Renée Matthews, and Rudiger Tscherning	
Justine Keefer, Matthew Murphy, Shaelyn Wabegijig, and Heidi Kiiwetinepinesiiik Stark, “ <a href="#">The Limitations and Transformative Potential of Indigenous-Led Environmental Impact Assessments in Canada</a> ”, (2025) <i>Canadian Public Administration</i> 68:3 503–518	1 October 2025	<a href="#">Blueberry River First Nation and the Piecemeal Infringement of Treaty 8</a>	Robert Hamilton and Nick Ettinger	
		<a href="#">Yahey v British Columbia and the Clarification of the Standard for a Treaty Infringement</a>	Robert Hamilton and Nick Ettinger	
Pahul Gupta, “ <a href="#">Private Wrongs, Public Impact: The Case for a Tort of Family Violence</a> ”, (2025) <i>Canadian Journal of Family Law</i> 36:2 186-243	2025	<a href="#">Family Violence Torts and their Limits in Alberta</a>	Jennifer Koshan	
		<a href="#">Torts and Family Violence: <i>Ahluwalia v Ahluwalia</i></a>	Jennifer Koshan & Deanne Sowter	
Frankie Young & Anna Lund, “The Uses and Limits of the Oppression Remedy in Indigenous Organizations”, (2025) <i>Canadian Business Law Journal</i> , Vol. 70, Issue 2, pp. 139-172	September 2025	Unknown	Unknown	This article is not open-access, unable to read.
Alan Bond, Angus Morrison-Saunders & A. John Sinclair, “Sustainability assessment: the state of the art in 2026” (2025) <i>Impact Assessment and Project Appraisal</i> , 1–11	25 November 2025	<a href="#">Bill C-5: move fast and make things, or move fast and break things?</a>	David Wright and Martin Olszynski	

Alexandra Flynn and Estair Van Wagner, " <a href="#">The Governance of Homeless Encampments in Canada</a> " (2025) IMFG Papers on Municipal Finance and Governance No. 73	2025	<a href="#">Edmonton's Encampment Litigation: A View from the Inside</a>	Anna Lund	
Paige Thombs, (2025)"Chapter 7 Trinity Western University Goes to Court: State and Non-state Interference in a Religiously Identified University". In <i>Religion in Modern Education</i> . Leiden, The Netherlands: Brill.	2025	Unknown	Unknown	This article is not open-access, unable to read.

## REPORTS

Alberta Law Reform Institute, [Residential Tenancies Act](#), 2025 CanLIIDocs 2644 (March 2025)

<b>ABlawg Article</b>	<b>ABlawg Author(s)</b>	<b>Page/Para Number</b>	<b>Comments?</b>
<a href="#">Tenant's Insurance, Ministerial Order No SA:005/2020 and Evictions of Residential Tenants</a>	Jonnette Watson Hamilton	At p 9	
<a href="#">Setting Aside and Varying Orders of the Residential Tenancies Dispute Resolution Service for Procedural Unfairness</a>	Jonnette Watson Hamilton	At p 9	
<a href="#">Alberta Amends the Residential Tenancy Dispute Resolution Service Regulation</a>	Amy Matychuk and Jo-Ann Munn Gafuik	At p 14	
<a href="#">Alberta's Residential Tenancies Dispute Resolution Service has a Complaint Process</a>	Jonnette Watson Hamilton	At p 14	

<a href="#"><u>Another Trap for Unwary Alberta Residential Tenants: Short, Rigid Appeal Periods</u></a>	Jonnette Watson Hamilton	At p 14	
<a href="#"><u>Street v Mountford Applied to Decide: A Residential Tenancy Agreement or License?</u></a>	Jonnette Watson Hamilton	At p 43, 51, 68, and 85	
<a href="#"><u>Recovering Increased Rent from a Residential Tenant After Serving a Termination Notice</u></a>	Nickie Vlavianos	At p 44	
<a href="#"><u>Landlords, Tenants, and Domestic Violence: Landlords' Power to Terminate Residential Tenancies for Acts of Domestic Violence (and an Argument for Publicly-Accessible RTDRS Reasons for Decisions)</u></a>	Jonnette Watson Hamilton	At p 44/45	
<a href="#"><u>Residential Tenancies in Alberta: Evictions for Non-Payment of Rent No Longer Suspended</u></a>	Jonnette Watson Hamilton	At p 46	
<a href="#"><u>Punitive Damages and the Residential Tenancies Act</u></a>	Jonnette Watson Hamilton	At p 51	
<a href="#"><u>Landlords, Tenants, and Domestic Violence: Who is a 'Tenant' under the Residential Tenancies Act?</u></a>	Jonnette Watson Hamilton	At p 90, 94	
<a href="#"><u>Landlords, Tenants, and Domestic Violence: Changing Locks and Barring Access</u></a>	Jonnette Watson Hamilton	At p 93, 95, 96	
<a href="#"><u>The Right of a Landlord to Withhold Consent to the Sub-</u></a>	Jonnette Watson Hamilton	At p 98	

<a href="#">leasing of Residential Premises</a>			
---	--	--	--

**Kyra Leuschen and Anya Manukyan, Access to Information: Increasing access and disclosure around environmental decision-making, Environmental Law Centre of Alberta 2025 CanLIIDocs 2475**

<b>ABlawg Article</b>	<b>ABlawg Author(s)</b>	<b>Page/Para Number</b>	<b>Comments?</b>
<a href="#">Lets Talk About Access to Information in Alberta: Part One</a>	Shaun Fluker & Drew Yewchuk	At p 42	
<a href="#">An Example of How Government Delays Access to Information Requests: Pretending to not Understand Them</a>	Drew Yewchuk	At p 49	
<a href="#">The New Office of the Information and Privacy Commissioner Approach to Time Extensions for FOIP Requests</a>	Drew Yewchuk	At p 52	
<a href="#">Freedom of Information in Alberta: The Troubles with the OIPC</a>	Drew Yewchuk	At p 67	
<a href="#">New Alberta Access to Information Law Part 1: More Secrecy</a>	Drew Yewchuk	At p 86	
<a href="#">New Alberta Access to Information Law Part 2: More Obstacles to Seeking Government Records</a>	Drew Yewchuk	At p 86	

**Heather Ganshorn, [“Challenging ‘Parental Rights’ A Primer for Parents, Students, Educators, and Advocates”](#) (September 2025)**

<b>ABlawg Article</b>	<b>ABlawg Author(s)</b>	<b>Page/Para Number</b>	<b>Comments?</b>
<a href="#">UCP Grievance and Culture-War Politics Enter Schools</a>	Shaun Fluker and the JD Students in the	No in text citations or footnotes to indicate this	

	Public Interest Law Clinic		

## BOOKS/BOOK CHAPTERS

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
Chi Iliya-Ndule, “ <a href="#">Unitization in Canada</a> ” chapter 5 in Eduardo G. Pereira, Marianthi Pappa, & Damilola S. Olawuyi, eds, <i>National Approaches to Hydrocarbon Development</i> (London: Routledge, 19 January 2025)	19 Jan 2025	<a href="#">An Operator of Gas Processing Facilities Does Not Have a Possessory Lien Under the <i>Possessory Liens Act</i></a>	Nigel Bankes	
Allan Ingelson & Carter Czaikowski, “ <a href="#">CCUS in Canada</a> ” Chapter in Eduardo G. Pereira, Alberto J. Fossa, & Thomas L. Muinzer, eds, <i>Sustainable Development Goals Series</i> (Palgrave Macmillan, 30 March 2025)	30 Mar 2025	<a href="#">Alberta’s Carbon Capture &amp; Storage Land Grab And The Potential For Conflicts Of Subsurface Rights</a>	Nick Ettinger, Renée Matthews, & Rudiger Tscherning	
		<a href="#">The Crown Pore Space Lease and Pore Space Unit Agreement</a>	Nigel Bankes	
Vanessa Brown & Alan Okros, “ <a href="#">Shifting the Spotlight: Institutional and Structural Contributors to</a>	25 June 2025	<a href="#">Bill C-77 and the Quiet Revolution in Military Justice</a>	Jeffrey N. Westman	This book is not open-access, unable to read, but citations are available.

<p><a href="#">Unprofessional Conduct in the Military</a>” Chapter in Waruszynski, B.T., Yanakiev, Y., McDonald, D.P. (eds) “Team Diversity and Inclusion in Defence and Security. The Military and Society”</p>				
<p>David Wright, “<a href="#">Decarbonization infrastructure and Indigenous communities: Consultation, consent, and complexities</a>”(at p 95) Chapter in Romany M. Webb, “Research Handbook on Climate Change and Infrastructure Law”</p>	<p>4 November 2025</p>	<p><a href="#">British Columbia Free Entry Mining System Triggers Duty to Consult and Must Change: <i>Gitxaala v British Columbia (Chief Gold Commissioner)</i></a></p>	<p>David Wright</p>	

## CASE LAW

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
<p><i>Durham Creek Energy Ltd v Chimera Management Group Ltd</i>, <a href="#">2025 ABKB 246 (CanLII)</a></p>	<p>22 Apr 2025</p>	<p><a href="#">The Legal Status of a Gross Overriding Royalty Carved out of a Crown Lease</a></p>	<p>Nigel Bankes</p>	<p>Para 13</p>

<i>R. v. Sheppard-Jones</i> , <a href="#">2025 CanLII 86832 (NL PC)</a>	2 Sept 2025	<a href="#">Myths, Stereotypes, and Substantive Equality</a>	Jennifer Koshan	Para 62
<i>Northback Holdings Corporation v Alberta</i> ( <i>Environment and Protected Areas</i> ), <a href="#">2025 ABKB 617</a>	27 Oct 2025	<a href="#">Freedom of Information in Alberta: The Troubles With the OIPC</a>	Drew Yewchuck	Para 33
		<a href="#">Information Shall be Released: The Long Wait for Access to Government Information in Alberta</a>	Drew Yewchuck	Para 48
<i>McGean v. Andrews</i> , <a href="#">2025 NSSC 344 (CanLII)</a>	30 Oct 2025	<a href="#">The Myth of False Allegations of Intimate Partner Violence</a>	Jennifer Koshan	Para 42
<i>Chief Electoral Officer of Alberta v Sylvestre</i> , <a href="#">2025 ABKB 712 (CanLII)</a>	5 Dec 2025	<a href="#">Provincial Referendum Legislation, Citizen-Led Secession Proposals, and Non-Derogation Clauses</a>	Nigel Bankes	Para 186
<i>Gitxaala v. British Columbia</i> ( <i>Chief Gold Commissioner</i> ), <a href="#">2025 BCCA 430 (CanLII)</a>	5 Dec 2025	<a href="#">The Legal Status of UNDRIP in British Columbia: Gitxaala v. British Columbia (Chief Gold Commissioner)</a>	Nigel Bankes	Para 90
<i>C.D. v S.D.</i> , <a href="#">2025 BCSC 2523 (CanLII)</a>	19 Dec 2025	<a href="#">The Myth of False Allegations of Intimate Partner Violence</a>	Jennifer Koshan	Para 47

## NEWS & BLOGS

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
“Breeding Digest: Can He Keep Piling On The Coal?” (March 2025) Ground News	Mar 2025	Unknown	Unknown	There is a paywall to reading the article, unable to access.
David Thomas, “ <a href="#">Appeal court issues contradictory rulings on whether Alberta must divulge reasons for cabinet coal policy chaos</a> ” (21 March 2025) online: Crowsnest Headwaters	21 Mar 2025	<a href="#">The Public and The Coal Corporations Want to Know: What Was Government Thinking While Messing With Coal Policy?</a>	Drew Yewchuk	

## THESES/DISSERTATIONS

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
Chidinma Maureen Duruiheoma, “ <a href="#">Analyzing the Privacy, Racial and Gender Concerns in Facial Recognition Technology for Effective Regulation</a> ” (2025) (Master’s Thesis, University of Calgary)	15 April 2025	<a href="#">#AI Facial Recognition Technology in the Retail Industry</a>	Gideon Christian	
Joy Anne Braun, “ <a href="#">Protecting vulnerable persons : a socio-legal study of elder abuse response</a> ”, (2025) (Ph.D. Dissertation,	11 November 2025	<a href="#">JH v Alberta Health Services: The Constitutional Implications of Indefinite</a>	Kaye Booth and Heather Forester	

University of British Columbia)		<a href="#">Psychiatric Detention</a>		
Emma Griggs, “ <a href="#">Developing and applying a framework to evaluate the efficacy of cumulative effects management in policy</a> ” (2025) (Master Thesis, Simon Fraser University)	Summer 2025	<a href="#">Counting Straws: <i>Yahey v British Columbia</i> and the Future of Cumulative Effects Management in Canada</a>	Martin Olszynski	
Mariam Abdul Majeed, “ <a href="#">Federalism and Climate Governance: Assessing the Effectiveness of Canada’s Carbon Pricing Policy within the Framework of the Paris Agreement</a> ” (2025) (Masters Thesis, Memorial University of Newfoundland)	October 2025	<a href="#">Raising Questions About the Use of an Offset for Compliance with Carbon Emission Reduction Obligations</a>	Shaun Fluker	
Bryce, Jardine-Pelletier, “ <a href="#">Traditional Ecological Knowledge in the Canadian Impact Assessment Process</a> ” (2025) (Doctoral Thesis, University of Calgary)	13 November 2025	<a href="#">Wait, What!? What the Supreme Court Actually Said in the IAA Reference</a>	Martin Olszynski, Nigel Bankes, and David Wright	
Camille Malorie Bontems, “ <a href="#">Recognition Of Indigenous Peoples’ Inherent Jurisdiction In The Act Relating To First Nations, Inuit And Métis Children, Youth And Families: A Step Towards The Institutionalization Of Canadian Pluralism?</a> ”,	2025	<a href="#">Can the Federal Government Compel Provincial Authorities to Respect an Indigenous Right of Self-Government?</a>	Robert Hamilton	
		<a href="#">Legislative Reconciliation and Indigenous</a>	Robert Hamilton	

(2025) (Masters Thesis, University of Toronto, Faculty of Law)		<a href="#"><u>Rights of Self-Government: Reference re An Act respecting First Nations, Inuit and Métis children, youth and families</u></a>	
		<a href="#"><u>With a Little Help from the Feds: Incorporation by Reference and Bill C-92</u></a>	Kerry Wilkins
		<a href="#"><u>What Did the Court Mean When It Said that UNDRIP ‘has been incorporated into the country’s positive law’? Appellate Guidance or Rhetorical Flourish?</u></a>	Nigel Bankes & Robert Hamilton

**LEGISLATIVE RECORD/PARLIAMANTARY USE**

<b>Citation</b>	<b>Date of Publication</b>	<b>ABlawg Article</b>	<b>ABlawg Author(s)</b>	<b>Comments?</b>
Alberta Hansard, Legislative Assembly of Alberta, 31 <sup>st</sup> Legislature, 2 <sup>nd</sup> Session (27 November 2025)	27 November 2025	<a href="#"><u>The Nuclear Option: An Update on Alberta’s Legislation Targeting Trans and Gender Diverse Youth</u></a>	Jennifer Koshan	Post was tabled in the Legislative Assembly by MLA Janis Irwin


## OTHER MEDIA

Citation	Date of Publication	ABlawg Article	ABlawg Author(s)	Comments?
Facebook page, “ <a href="#">Protect Alberta’s Rockies and Headwaters</a> ” post by Michael Sawyer	31 Dec 2024	<a href="#">ABlawg Year in Review 2024</a>	Admin	

## COMMENTARY FROM COMMUNITY

ABlawg Article	ABlawg Author(s)	Comments
<a href="#">Provincial Referendum Legislation, Citizen-Led Secession Proposals, and Non-Derogation Clauses</a>	Nigel Banks	Comment from Gray Taylor, J.D., M.Ed., UE: <i>“This is extremely good reading Nigel. And extremely helpful (as was Hamilton's piece). The members of my two "old men's book clubs", none of whom are lawyers but all of whom are centre/centre right successful intelligent people with modest influence, get the benefit of your thinking, dumbed down through me, on the many issues I read about in ABlawg and particularly your pieces. Keep it up pls. I learn lots and that is your purpose ultimately. Also your articles are models of legal thinking and writing. Thanks!”</i>

<a href="#"><u>Bill C-5: Move Fast and Make Things, or Move Fast and Break Things?</u></a>	David Wright and Martin Olszynski	Comment from David Thurton, Senior Reporter CBC Parliamentary Bureau: <i>"Thanks for writing this"</i>
--	-----------------------------------	--