

# Allan Manson:

## Sentencing expert has left the classroom behind, but not his quest for justice and fairness

BY KEN CUTHBERTSON

Allan Manson, one of the longest-serving and most well-respected professors at Queen's Law, will officially retire on June 30, 2016. He taught the final class in his distinguished 39-year career in December and then spent the winter term as the Keely Visiting Fellow at Oxford's Wadham College.

As Manson's colleague and friend, Justice Patrick Healy of the Court of Quebec, Criminal and Penal Division, says, "Allan is one of a small handful of legal scholars in Canada who are acknowledged experts in correctional law and sentencing. His influence in both areas is enormous. People heed his opinions; I often call him to seek his advice and hear his ideas."

Healy notes that Manson enjoys a "stellar" reputation in the Canadian legal community. In no small measure, this is because he writes clearly and well. Being as prolific as he is authoritative, Manson is the author of the seminal 2001 book *The Law of Sentencing*, co-author of a half-dozen other legal texts (including collaborations with Queen's Law colleagues Don Stuart and David Mullan), and he has also written scores of articles on thorny legal issues – particularly legal privilege and ethics.

Despite such exemplary scholarly credentials, Manson is no ivory tower academic.

After earning his LLB at Western in 1972 and LLM at the University of London in 1973, Manson articulated in his hometown of Toronto. There he toiled for two years as a sole practitioner (1975-1977) before coming to Queen's in 1977 at age 29 as a special lecturer and Associate Director of the Correctional Law Project (now Prison Law Clinic) started by Professor Ron Price in 1974. By 1975, that initiative had already grown to include a Clinical Correctional Law course that offered students opportunities to help provide free legal assistance to inmates in the five area prisons. Under the guidance first of Price and then Manson (1979-1981), the Project earned a national reputation, championing dozens of test cases on prisoner rights at various levels of the Canadian court system.

"Allan expanded the scope of the Correctional Law Project, taking it to a whole new level," recalls Don Stuart, who has been teaching criminal law at Queen's since 1975.

"He's an excellent teacher with a flair for the laws of evidence and an eye for legal detail. He also sees the bigger picture. Allan thinks well on his feet. He has a lively sense of humour, is dedicated, passionate, and can be feisty at times. It quickly became obvious, even in 1977, that Queen's needed to find a way to hire Allan and keep him here."

Then-Dean Bernie Adell evidently agreed, for he did exactly that. Practical experience and the kind of hands-on training Manson embraces have long been central to the Queen's Law curriculum and student experience.

Lisa Kerr, a newly hired faculty member who faces the daunting challenge of taking over the Sentencing and Imprisonment course Manson has taught in recent years, says "Professor Manson is a gifted teacher, not just because of his wealth of knowledge about criminal law, sentencing and evidence, but because he ties together everything he teaches with personal stories or observations

that ground theoretical principles in real-world experiences."

While Manson is a private person and Kerr has known him for only about three years, that's been long enough for her to discern he's neither mellowing nor becoming more conservative as the years pass. "Allan's politics are pure, and I imagine he's still as fired up about justice and fairness as he was on Day One of his Queen's Law career," she says.

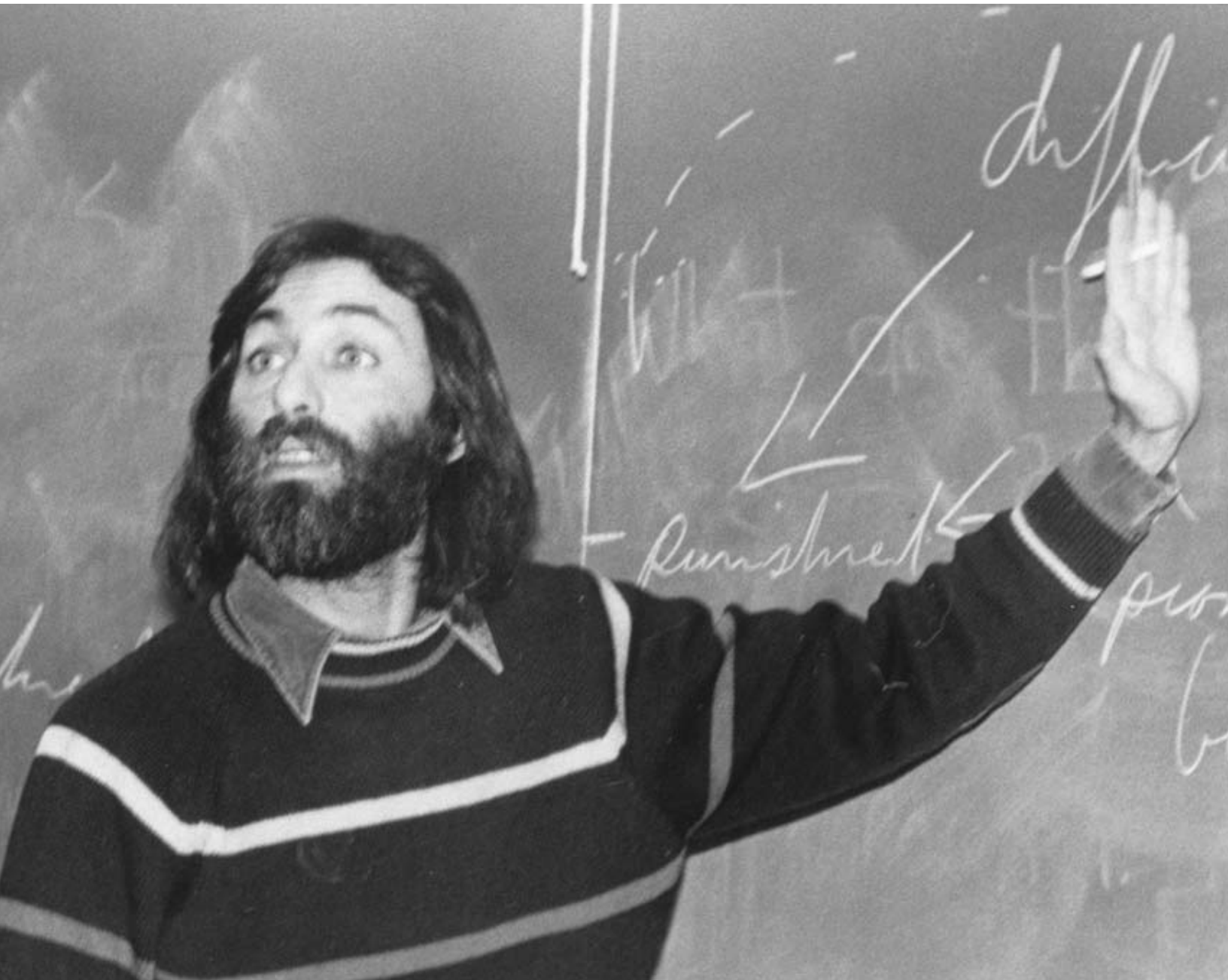
Manson's passion for pedagogy likewise remains undimmed. His colleagues and students alike recognize it, and he's a two-time winner of Law Students' Society teaching awards. Likewise, Manson wins kudos from his former students.

What Nathan Gorham, Law'03, a founding partner of Rusonik, O'Connor, Robbins, Ross, Gorham & Angelini – Canada's largest criminal law firm – best remembers about a Manson-taught class echoes Lisa Kerr's observations. Gorham recalls how Manson often shared anecdotes about visiting his clients in jail or prison. "Not only is he a knowledgeable and gifted teacher," says Gorham, "he's genuine and a truly sincere person."

Peter Wardle, Law'84, a partner in the Toronto firm Wardle, Daley, Bernstein LLP, agrees. And he recalls how Manson made students aware that most legal issues are

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*Professor Allan Manson teaching a Sentencing and Imprisonment class in the early 1980s.*

multi-dimensional by often ending a class with “a very definitive statement that was followed by a pause and a loud ‘BUT ...’”

Manson’s own diverse career experiences have informed his perspectives, leading him to consider the “big picture” when grappling with legal issues. His CV includes government consulting roles, a stint as a Deputy Territorial Court Judge in the Yukon, six years as an Ontario Human Rights Board of Inquiry panel adjudicator, five years as director of the Ontario Law Reform Commission’s study

of the coroners’ system, and significant contributions to education while on the University Senate and the Canadian Association of University Teachers’ Academic Freedom Committee.

In addition to all of this and to his inspired teaching and superb legal writings, Manson is a staunch defender of justice and equity in the legal system, in society, and in the workplace.

Among the many causes he has championed – a list far too lengthy to include here – Manson eloquently and ►

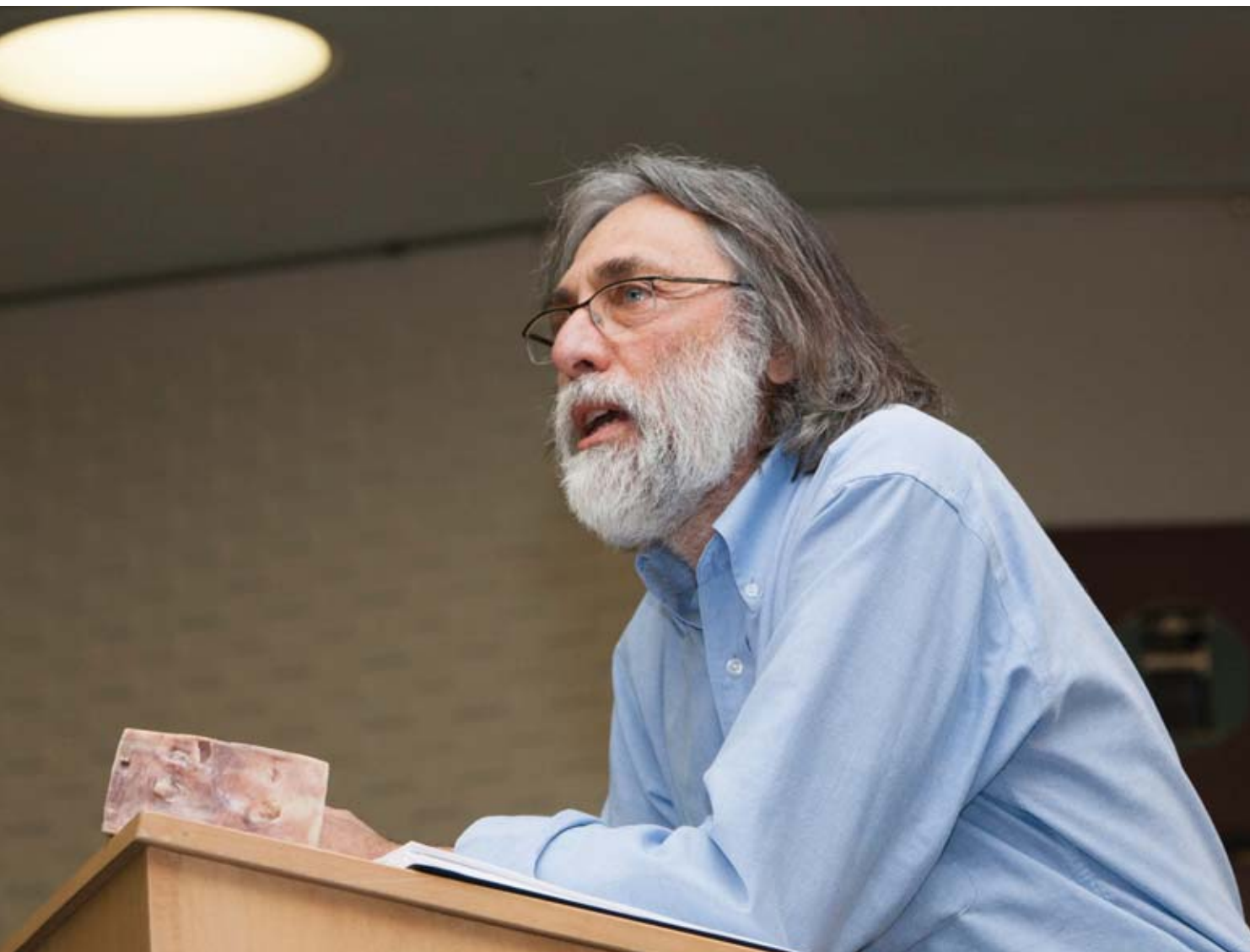
persuasively argued the case for granting inmates the right to vote. He fought for legal rights and humane treatment of inmates, particularly in the notorious and now-shuttered Kingston Penitentiary and neighbouring Prison for Women, and he vocally opposed the Harper government's controversial "life without parole" fixed sentencing.

"Allan led the fight to unionize the Queen's University Faculty Association in 1995," recalls Don Stuart. "Then he served as QUFA president for a time, negotiated the first collective agreement, and pushed for equitable and generous treatment of younger academics across the board at Queen's."

Manson's passion for doing what's "right" has been contagious. Peter Wardle remembers coming to law school not knowing what area he wanted to work in. "But when I took Professor Manson's classes I was so inspired by his enthusiasm, integrity, and dedication to the law that I decided to become a litigator."

What's more, 22 years into his own legal career, Wardle continues drawing upon lessons he learned in Manson-taught classes. His respect for his then-mentor was only buttressed when the two teamed up to represent clients at the Cornwall Public Inquiry (2005-2009) into the response of the justice system and other public institutions to allegations of on-going abuse of young people in that Ontario city. "Allan was well respected by all the lawyers who worked on the inquiry," Wardle recalls. "He always had an interesting and unique perspective on the issues."

While Allan Manson has officially left teaching and will soon have the "Professor *Emeritus*" honorific added to his credentials, it's likely that he will continue writing and speaking out on issues he feels passionate about. As current QUFA president Lynne Hanson, LL.M.'93 (Artsci'81, MA'85), one of Manson's teaching colleagues, puts it, "A commitment to social justice ... has been Allan's lifelong goal." **QLR**



GREG BLACK

*Professor Manson participates in a 2009 criminal law debate, displaying what former students call his "legendary" piece of cheese as evidence.*