

Jay De Santi

EDUCATION

Doctor of Philosophy, Law

Osgoode Hall Law School/Faculty of Graduate Studies, York University, Toronto, ON 2021-present

- Recipient of a 2022-2023, 2023-2024 OGS Doctoral Scholarship
- Recipient of the 2022, 2023 Hon. Willard Z Estey Teaching Fellowship
- Recipient of the 2021 Harley D Hallet Graduate Scholarship
- Dissertation working title: "Rethinking Extradition: Centering Rights Protections in Common Law Extradition Practices" (supervised by Professor Kate Glover Berger)

Master of Laws

Osgoode Hall Law School/Faculty of Graduate Studies, York University, Toronto, ON 2020-2021

- Recipient of the 2020 Harley D Hallet Graduate Scholarship
- Recipient of a 2020 Nathanson Graduate Fellowship
- Thesis title: "Executive Power, Territorial Jurisdiction, and the (Non-)Protection of Human Rights in Canadian Extradition" (supervised by Professor Craig Scott)
 - Passed oral exam without revisions 27 September 2021

Bachelor of Civil Law/Bachelor of Laws

McGill University, Faculty of Law Montreal, QC 2013-2017

- Research Paper: "Throwing out the Bathwater: Bail Hearings and Administration of Justice Offences in Montreal" (supervised by Professor Marie Manikis)
- Minor: English Literature

Honours Bachelor of Arts, Political Science

McGill University, Faculty of Arts, Montreal, QC 2009-2013

- Recipient of the A.S. Hill Scholarship for academic excellence (2009)
- Thesis: "European Court of Human Rights Case Law Citation in Supreme Court of Canada Charter Decisions 1984-2011" (Supervisor: Christopher P. Manfredi, Dean of Arts) (2012)
- Minor: World Religions

RESEARCH INTERESTS

Extradition Law; Criminal and Quasi-Criminal Law; Constitutional Rights Protections; International Law; Empirical Research Methods; Relationship between Law and Politics; Relationship between Law and Society

PUBLICATIONS

Jay De Santi, "Book Review: Asif Efrat, *Intolerant Justice: Conflict and Cooperation on Transnational Litigation* (New York: Oxford University Press, 2023), 317 pages." (forthcoming 2024 in the *Transnational Criminal Law Review*).

Jess De Santi and Marie Manikis, "Punishment and Retribution Within the Bail Process: An Analysis of the Public Confidence in the Administration of Justice Ground for Pre-Trial Detention," (2020) 35:3 Canadian Journal of Law and Society 413-435.

Jess De Santi and Marie Manikis, "Punishing while Presuming Innocence: A Study on Bail Conditions and Administration of Justice Offences" (September 2019) 60:3 Les Cahiers de Droit 873.

- Recipient of the 2018 Fondation du Barreau du Québec prize (article manuscript)
- Cited in *R v Zora*, 2020 SCC 14

Jess De Santi, "'Dancing is for Everybody': Street Dance and Cultural Rights in Montreal," (September 2016) 4:4 International Human Rights Internship Working Paper Series 1-29.

Jessica De Santi, "Pluralisms in law: India's place in the international refugee protection regime," (2015) 46 Refugee Watch 73-93.

PRESENTATIONS AND GUEST LECTURES

Jay De Santi, "Extradition and Repression: Canada's Response" forthcoming June 2024, at The Borderlands of Criminal Law Conference held by the Transnational Criminal Law Review at the University of Windsor.

Jay De Santi, "Human Rights in Extradition," forthcoming 1 February 2024, for the Transnational Criminal Law course taught by Prof Sara Warton at University of Windsor (Invited).

Jay De Santi, "Rethinking Territorial Jurisdiction in Canadian Extradition Law" 5 September 2023, for the *Rights and Justice: Theory and Practice* conference at the University of Worcester (Invited).

Jay De Santi and Marie Manikis, "COVID-19, Bail, and the Jail" 5 May 2023, for the *Fourth Biennial Conference on Criminal Law* at the Université Sherbrooke.

Jay De Santi, "Trans People and the Law" March 2023, for the Introduction to Human Rights and Equity studies course taught by ADA Maggie Quirt and Prof Tom Hooper.

Jay De Santi, "'No Basis to Interfere': Constitutional Rights, the Minister of Justice, and Appellate Jurisprudence in Canadian Extradition" 17 May 2022, at the ATLAS Mini-Agora held at Osgoode Hall Law School.

Jay De Santi, "Nothing About Us Without Us: Queer and Trans Rights and Justice in Canada" 10 March 2022, for the Theoretical Foundations of Human Rights and Equity Studies course taught by Prof Paul Brienza at York University (Invited).

Jay De Santi, "'No Basis to Interfere': Constitutional Rights, the Minister of Justice, and Appellate Jurisprudence in Canadian Extradition" 9 March 2022, for the Constitutions, Rights and Justice Research Group at University of Worcester.

Jess De Santi and Marie Manikis, “Retribution and Public Confidence in the Administration of Justice in the Context of Bail” 10 June 2019, for the Governors of the Fondation du Barreau du Québec at the Maison du Barreau.

Jess De Santi and Marie Manikis, “Retribution and Public Confidence in the Administration of Justice in the Context of Bail” 8 May 2019, for the *Third Biennial Conference on Criminal Law* at the Université de Montréal.

Jess De Santi and Marie Manikis, “Le rôle de la détention provisoire” 9 May 2017, for the 85e Congrès de l’Association canadienne-française pour l’avancement des sciences, at McGill University.

PODCAST APPEARANCES

“Episode #69: Transgender and Non-Binary Asylum Seekers in Canada” 7 September 2023, on the In All Fairness podcast published by the Canadian Institute for the Administration of Justice.

LEGAL RESEARCH AND WRITING EXPERIENCE

Law Office of Beth Bromberg

Junior Associate Lawyer, Hamilton, ON

March 2020-August 2020

- Represent clients facing criminal charges at various stages of the criminal justice process;
- Interview clients and sureties and assist with navigating the criminal justice system, particularly regarding bail matters;
- Conduct research in support of various files, particularly regarding sentencing;
- Review, summarise, and significant disclosure for an upcoming manslaughter trial;
- Contribute to the running of a small law firm and facilitate adaptations necessitate by the COVID-19 pandemic;
- Conditional member of the Criminal Law Legal Aid Panel

Bernstein Law Group

Junior Associate Lawyer, Hamilton, ON

Oct 2019-March 2020

- Represent clients facing criminal charges at various stages of the criminal justice process;
- Draft acts of procedure, including applications to exclude evidence, appeal facta, and various pre-trial motions;
- Interview clients and assist clients navigating the criminal justice system;
- Represent clients before the Consent and Capacity Board;
- Conditional member of the following Legal Aid Panels: Criminal Law, Consent and Capacity Board

Marie-Hélène Giroux Avocats Inc

Articling Student, Montreal, QC

July 2018-May 2019

- Compose and review appeal factums and other acts of procedure, before all levels of courts
- Represent (under supervision), clients in interactions with the criminal justice and immigration systems
- Interview clients and assist in preparation of hearings
- Main area of practice: criminal law including extradition, immigration law

- Articling supervisor: Me Marie-Hélène Giroux
- **National Articling Position qualifying for admission to the Law Society of Ontario**

Centre for Research-Action on Race Relations

Intern, Montreal, QC

Sept 2016-March 2017

- Primary areas of research: racial profiling by police; class action authorisations, transportation regulations
- Conduct research in support of various files
- Assist in client interviews
- Draft and edit procedural acts for the CDPDJ and the Police Ethics Commissioner; review editorials

Professor Manikis, McGill University Faculty of Law

Research Assistant, Montreal, QC

May 2016-Sept 2021

- Bail Hearings and Preventive Detention Project: collect, analyse, and interpret raw empirical data from live bail hearing observation and file research; conduct quantitative and qualitative analyses on the data
 - Co-author article on bail hearings research
- Victim Participation Research: conduct literature reviews on the foundations of and challenges to the public-private divide
- Confidence in the Administration of Justice Project: collect, analyse, and interpret empirical data collected from jurisprudence from across Canada focused on s 515(10)(c) Criminal Code
- COVID-19 Project: research and summarise emerging case law regarding bail and sentencing during the COVID-19 pandemic
- Proofread and review written articles prior to publication

Mahanirban Calcutta Research Group

Intern, Kolkata, WB, India

May-July 2015

- Conduct original research on international refugee law, India's refugee policy, and legal pluralisms
- Write an article of publishable quality and present research findings to members of the organisation
- Assist in legal research for other ongoing projects

McGill International Journal of Sustainable Development Law and Policy

Senior Editor, Montreal, QC

Sept 2014-August 2015

- Lead teams of editors in reviewing possible articles to recommend for publishing
- Edit text and footnotes of accepted articles, and Verify citations and sources of accepted articles
- Co-organise the second annual colloquium, on the theme of sustainable development and economic and social rights

Summer Office Manager, Montreal, QC

April 2014-Aug 2014

- Manage daily affairs of an academic, peer-reviewed journal
- Pioneer re-organisation of the online file system
- Co-develop a pilot project to reform the peer review process
- Conduct summer call for submissions

SELECTED EDUCATION EXPERIENCE AND COMMUNITY INVOLVEMENT

York University, Department of Socio-Legal Studies

Tutorial Assistant, SOSC 1375 "Introduction to Socio-Legal Studies", Toronto, ON Sept 2023-present

- Teach two tutorials per week
- Grade assignments as set by the course
- Meet with students during office hours to discuss course concepts and assignments to ensure understanding
- Facilitate, where needed, access to supports within York University
- Professor: reese simpkins

York University, Department of Criminology

Tutorial Assistant, CRIM 3652 "Ethnographies of Crime and Policing, Toronto, ON Sept-Dec 2022

- Teach two tutorials per week
- Grade assignments as set by the course
- Meet with students during office hours to discuss course concepts and assignments to ensure understanding
- Facilitate, where needed, access to supports within York University
- Professor: Myles Weiselman

York University, Department of Human Rights and Equity Studies

Tutorial Assistant, HREQ 1010 "Introduction to Human Rights and Equity Studies", Toronto, ON Sept 2022-April 2023

- Teach two tutorials per week
- Guest lectured March 2023, "Trans People and the Law"
- Grade assignments as set by the course
- Meet with students during office hours to discuss course concepts and assignments to ensure understanding
- Facilitate, where needed, access to supports within York University
- Professors: Maggie Quirt, Tom Hooper

York University, Osgoode Hall Law School

Secretary, Graduate Law Students Association, Toronto, ON Sept 2021-August 2023

- Take notes and maintain records of GLSA meetings
- Assist in planning events to encourage community and connection amongst graduate students
- Advocate for graduate students' interests in select academic committees
- Committee Membership: Research Graduate Studies Committee, Osgoode Hall Catalyst Fellowship Selection Committee

York University, Department of Human Rights and Equity Studies

Tutorial Assistant, HREQ 2030 "Theoretical Foundations of Human Rights", Toronto, ON Sept 2021-April 2022

- Teach two tutorials per week
- Guest lectured 10 March 2022, "Nothing About Us Without Us: Queer and Trans Rights and Justice in Canada"
- Grade assignments set by course

- Meet with students during office hours to discuss course concepts and assignments to ensure understanding
- Facilitate, where needed, access to supports within York University
- Professor: Paul Brienza

Law-Éducation-Connexion (L.E.X.) Program

Co-Coordinator, Montreal, QC

May 2016-May 2017

- Revise and update program curriculum; includes writing a new lesson plan and incorporating diversity and intersectionality issues into the curriculum
- Re-organise training to better equip volunteers to interact more effectively with high school students from underprivileged and/or racialized communities
- Organise recruitment for the 2016-2017 academic year
- Conduct a review of the 2015-2016 program to target areas of improvement

Team Leader, Montreal, QC

Sept 2015-May 2016

Volunteer, Montreal, QC

Sept 2014-March 2015

- Lead group discussions on contemporary issues in law and social justice with high school students
- Engage student interest in post-secondary education

Clinique Juridique Trans Legal Clinic

Volunteer, Montreal, QC

Sept 2015-August 2017

- Assist in client intake and highlighting clients' particular legal questions for meetings with lawyers
- Assist in communications: publicising clinics on social media

Innocence McGill

Volunteer, Montreal, QC

Sept 2015-April 2017

- Review applications of offenders claiming to have been wrongfully convicted
- Research and investigate claims of factual innocence
- Preparing reports regarding the strength of their claims and the feasibility of the case
- Assist in planning and hosting events, particularly the annual conference on wrongful convictions

Legal Information Clinic at McGill

Volunteer, Montreal, QC

May 2014-Dec 2015

- Provide legal information to clients in answer to their questions
- Create and host "Just Info" legal information presentations
- Co-develop an original presentation on HIV and Aging for AIDS Community Care Montreal
- Services provided in French and in English

Science North/ Science Nord

Science Demonstrator, Sudbury, ON

June 2007-July 2010

- Lead science workshops on a variety of subjects in technology, space, and human biology for a variety of ages and abilities, in both French and English
- Present live science demonstrations as part of the Discovery Theatre

- Trained on and delivered workshops and programming on the following subjects: moviemaking, including iStop Motion and iMovieHD; Lego Robotics; heart and eye dissections; soldering circuits
- Attend regular training sessions to maintain and develop my skills and knowledge related to the workshops and demonstrations I presented, as well as the appropriate safety procedures

PROFESSIONAL ASSOCIATIONS

Law Society of Ontario

Barrister & Solicitor

June 2019-present

- Member in good standing and possessing a L1 License

LANGUAGE SKILLS

English, French: Fluently bilingual, including for professional settings

Italian: beginner, oral and written communication and comprehension