Archivaria

Number 69 Spring 2010

This publication is printed on acid-free paper.

Letter to the Editor	
A Commentary on Patrizia Gentile's "Resisted Access? National	
Security, the Access to Information Act, and Queer(ing) Archives"	
DANIEL GERMAN	1
From the Guest Editors: Archives and the Law	_
JEAN DRYDEN and LORYL MACDONALD	5
Articles	
Custody, Control, and Confusion: Legal, Historical, and Territorial	
Aspects of Court Records in Ontario	
TOM BELTON	9
"Ocular Proof": Photographs as Legal Evidence	
RODNEY G.S. CARTER	23
From Peruvian Guano to Electronic Records: Canadian E-Discovery	
and Records Professionals	
DONALD C. FORCE	49
What Canadian Archivists Know About Copyright and Where They Get	
Their Knowledge	
JEAN DRYDEN	77
Victoria: The Keep-It-All State? The Impact on Archives of the <i>Crimes</i>	
(Document Destruction) Act 2006 and the Evidence (Document	
Unavailability) Act 2006	
KATHY SINCLAIR	117
Counterpoint	
Returning Evidence to the Scene of the Crime: Why the Anfal Files	
Should be Repatriated to Iraqi Kurdistan	
BRUCE P. MONTGOMERY	143
Notes and Communications	
"Always Follow the Money": A Call to Investigate Financial Records	170
VICTORIA L. LEMIEUX	173

Book Reviews	
MENZI L. BEHRND-KLODT, Navigating Legal Issues in Archives	
(Jean Dryden)	189
ANTOINETTE BURTON, ed., Archive Stories: Facts, Fictions, and	
the Writing of History (Deirdre Bryden)	192
CHRISTOPHER J. PROM and ELLEN D. SWAIN, College and	
University Archives: Readings in Theory and Practice (Shelley	
Sweeney)	195
STEVE MACKINNON, KAREN TEEPLE, MICHELE DALE,	
Toronto's Visual Legacy: Official City Photography from 1856	
to the Present (Lilly Koltun)	197
DAPHNE SLEIGH, The Man Who Saved Vancouver: Major James	
Skitt Matthews (Robin Keirstead)	200
SASKIA E. WIERINGA, ed., Traveling Heritages: New Perspectives	
on Collecting, Preserving and Sharing Women's History	
(Lara Wilson)	203
YVON LEMAY et LOUISE GAGNON ARGUIN, L'archiviste:	
Constructeur, gardien et communicateur. Mélanges en hommage	
à Jacques Grimard 1947-2007 (Karima Kafif)	205
MARIE-ANNE CHABIN, Archiver et après? (Aida Chebbi)	208
Our Contributors	213
Advice to Authors of Submissions / Avis aux auteurs	217
Archives – Contents of Recent Issues	
Through agreement with the Association des archivistes du Qué	bec
Archivaria and Archives have agreed to publish each other's most re	cent
tables of contents. A one-year subscription to Archives (four issues) costs	\$50
and a single issue \$14. The address is: Association des archivistes du Qué	bec
CP 423, Sillery, QC, G1T 2R8.	
Subscriptions and Sales of Back Issues Inside back c	over
Cover Illustration: "In front of the Judicial Committee of the Privy Couentrance on Downing Street," 13 July 1948.	ıncil

Description: The photograph depicts the Rt. Hon. J.L. Ilsley, K.C., Cyril F.H. Carson, and L.G. Goodenough. The occasion was a hearing in London, England of the Attorney General for Saskatchewan, Attorney General for Canada, and the Mortgage Loans Association regarding the *Farm Security Act* of Saskatchewan. Unlike judges in most other Commonwealth countries, Canadian judges and lawyers do not wear wigs; their use was abolished in the early twentieth century, although the exact date varies from province to

province. The three Canadians depicted here sport wigs in keeping with the sartorial traditions of the British Judicial Committee of the Privy Council.

Credit: Law Society of Upper Canada Archives, 991.001-01P, Cyril F.H. Carson fonds.

Copyright

Archivaria has completed a review of its current copyright policy in the course of developing a strategy for electronic publication. It has been seeking the assignment of intellectual property rights for the articles, reviews, notices, and letters that it publishes since issue #56. Inquiries seeking permission to copy articles from issues #1–55 should continue to be directed to individual authors.

The Archival Imagination:

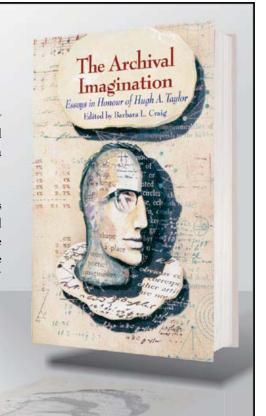
Essays in Honour of Hugh Taylor, Barbara L. Craig, Editor

This collection was presented to Hugh Taylor by his colleagues to acknowledge the impact he had on archival writing and thought during a remarkable archival career.

This classic features eleven eclectic essays honouring Hugh Taylor's intellectual legacy and builds upon his ideas. Written by some of the foremost archival scholars, topics covered include appraisal, archival education, and the history of archives and records-keeping.

ACA (1992) 263 pp., ISBN 1-895382-06-8 Available in soft or hard cover.

For pricing or to place an order, visit the ACA website at http://www.archivists.ca/content/list-publications



The Power and Passion of Archives:

A Festschrift in Honour of Kent Haworth Reuben Ware, Marion Beyea, Cheryl Avery (editors)

In this collection of fifteen essays, colleagues of Kent Haworth remember his influential career and explore those ideas he so passionately and effectively advocated: accountability; access and users of archives; descriptive standards.

ACA (2005) 269 pp., ISBN 1-895382-26-2

For pricing or to place an order, visit the ACA website at http://www.archivists.ca/content/list-publications

