

## B.C. recruits noted constitutional lawyer for court action over Trans Mountain expansion

Posted by Joan Russow  
Tuesday, 13 March 2018 06:45 -

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<http://www.cbc.ca/news/canada/british-columbia/trans-mountain-kinder-morgan-court-joseph-arvay-1.4573634>

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**Joseph Arvay has made arguments in several headline-grabbing court cases**

By Liam Britten, [CBC News](#) Posted: Mar 12, 2018 10:12 PM PT Last Updated: Mar 12, 2018 10:12 PM PT



Joseph Arvay will be developing a reference case on behalf of the B.C. government as to whether or not the province can restrict bitumen exports. (Darryl Dyck/Canadian Press)

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A high-profile constitutional lawyer will represent British Columbia in an upcoming court action over Kinder Morgan's Trans Mountain pipeline expansion.

The province announced Monday that Joseph Arvai has been appointed external counsel for B.C. in a reference case that could establish whether or not B.C. can restrict bitumen transported through the province.

[A reference case](#) is where the court is asked to weigh in on a particular legal matter, often when the constitution or division of powers between the federal and provincial governments is involved.

- [Kinder Morgan CEO unsure when construction will start on Trans Mountain expansion](#)

Premier John Horgan announced plans to [refer a constitutional question to the courts](#) last month to resolve questions over B.C.'s legal rights in the latest development in the ongoing dispute over the Trans Mountain pipeline.

That announcement followed [Alberta temporarily boycotting B.C. wines](#) in response to the B.C. government's proposed [temporary ban on bitumen export increases](#) through B.C.

- [Threats and power politics &mdash; Notley's big pipeline gamble](#)

Arvai has been a participant in several headline-grabbing legal cases over the years.

In 2015, he [successfully argued the Carter case](#), which led to the end of laws forbidding medically assisted death in Canada.

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In years past, he has represented [now-convicted polygamist Winston Blackmore](#), as well as [student protesters during the APEC inquiry](#).

He was appointed to the Order of Canada in 2017.

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whether Joseph Arvey will be developing a reference case. (Daily Okanagan Valley Press)

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