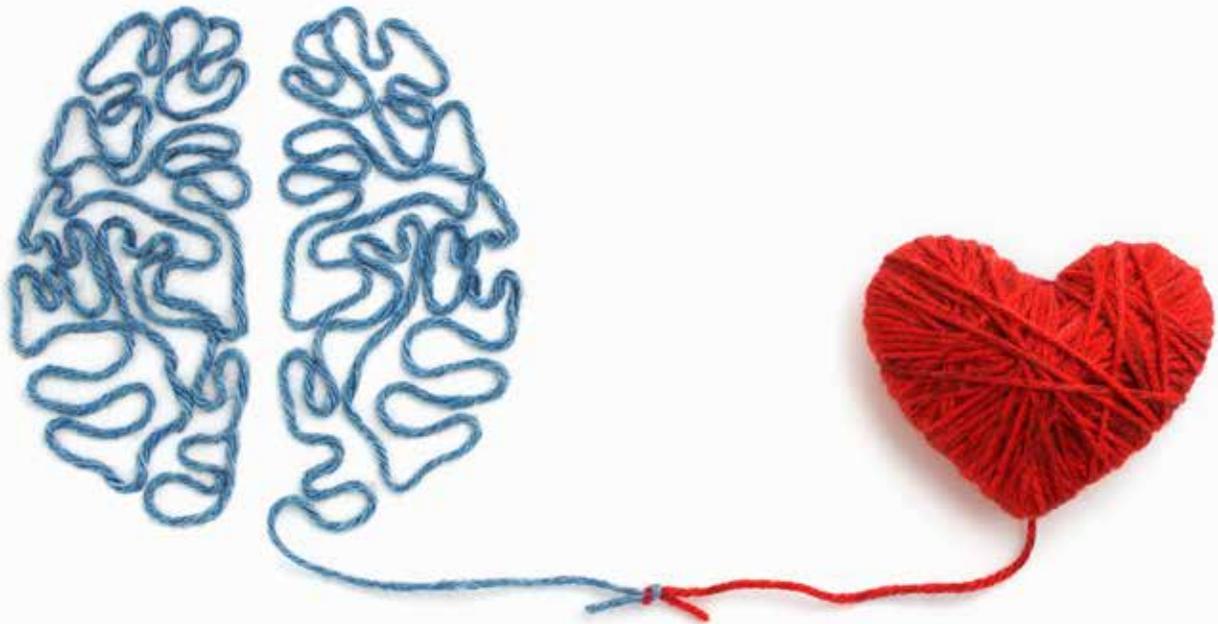




Society of Ontario Adjudicators and Regulators

# **SOAR's 33<sup>rd</sup> Annual Conference 2021: Administrative Justice REboot: REflect and REspond**



**Virtual Thursday November 4, 2021 9:00 a.m. – 2:55 p.m.**

9:00AM – 9:15AM

**WELCOME**

*Welcome from 2021 SOAR CONFERENCE CO-CHAIRS: NOELINE PAUL, Member, Condominium Authority Tribunal;  
and MICHELLE ALTON, Tribunal General Counsel, Workplace Safety and Insurance Appeals Tribunal*

*JOANNE DALLAIRE LL.D, Elder Indigenous Ceremonial Welcome*

SOAR

Society of Ontario Adjudicators and Regulators  
131 Bloor Street West, The Colonnade  
P.O. Box 22031 Toronto, Ontario M5S 1R0

9:15AM – 10:15AM

## OPENING PLENARY

### I'm Having Connection Issues: Opportunities to improve and reconnect

The pandemic has left us a legacy of new realities: working from home, on-line claims, digital adjudication, contactless dispute resolution. New technologies purport to improve administrative justice, but where exactly are the advances and are they all positive?

A far-reaching panel discussion to open SOAR's 2021 conference. A broader, more comprehensive follow-up to SOAR's earlier lively and provocative workshop on "Navigating Online Justice." How have we pivoted, pliéed, pirouetted? Where have we landed? Panellists from all sectors of our community will discuss enhancements and setbacks, bandwidth, backlogs and burnout. And the ultimate question: what have we done to Access to Justice?

**MODERATOR:** LINDSAY LAWRENCE, Vice Chair, Ontario Labour Relations Board

**SPEAKERS:** ANU BAKSHI, Lawyer, Income Security Advocacy Centre/part-time adjudicator, Toronto Licensing Tribunal  
ESI CODJOE, TurnpennyMilne, LLP, workplace law practitioner, investigator, trainer/former Vice-Chair -Human Rights Tribunal of Ontario  
BERNARD C. LeBLANC, Partner, Steinecke Maciura LeBlanc LLP

10:15AM – 10:35AM

## MORNING BREAK

10:35AM – 11:50AM

## CONCURRENT WORKSHOPS

### WORKSHOP #1 Reflecting on our own biases and raising our cultural competence

From reviewing and evaluating information, to applying standards and legal principles, to hearing evidence and assessing credibility, and writing the best decision you can – the work of a decision-maker requires an understanding of culture and its role in the decision-making process. This panel will discuss how implicit biases can affect the work of regulators and adjudicators and explore the skills that support greater cultural competence in your work. The panel will lead a discussion designed to:

- Examine the role of implicit bias, power and privilege;
- Draw connections between unconscious biases and structural inequities;
- Discuss how implicit biases may impact decision-making at every stage of the adjudicative process;
- Discuss strategies aimed at reducing risks and improving decision-making; and
- Develop the skills required to ensure processes are fair, inclusive and accessible.

*Eligible for 1 hour and 15 min of EDI CPD Requirement*

**MODERATOR:** GRACE KNAKOWSKI, Secretary to the Commission, Office of the Secretary, Ontario Securities Commission

**SPEAKERS:** KIRAN KANG, Lawyer, Goldblatt Partners LLP  
MICHELLE BIRD, Michelle Bird Workplace Consulting  
NICOLE S. BERNHARDT, Human Rights & Equity Specialist

## **WORKSHOP #2 Trauma Informed Practices and Responses**

This session will highlight the need for tribunals and regulators to gain a greater understanding of the neurobiology of trauma to engage effectively with individuals who have experienced trauma. Join this fascinating discussion with renowned clinical psychologist Dr. Lori Haskell. Dr. Haskell is an expert on trauma and abuse, trauma-informed approaches to service delivery and legal responses. Learn about the neuro-biological impact of trauma, how it affects memory, reactions and behaviour, and how to embed trauma-informed responses in our processes to support participants and the pursuit of administrative justice.

**MODERATOR:** CAROLYN GORA, Director, Professional Conduct, College of Nurses Ontario

**SPEAKERS:** DR. LORI HASKELL, Clinical Psychologist

11:50AM – 12:30PM

## **LUNCH**

12:30PM – 1:40PM

## **CONCURRENT WORKSHOPS**

### **WORKSHOP #3 Admin Law Blast: Re-calibrating in the post-Vavilov era**

Come to our annual administrative law session to hear about all of the latest developments you need to know about. Our two expert panelists will discuss the most exciting cases in the past year and provide practical tips for staff, counsel and adjudicators about where we are post-Vavilov, as well as the future of administrative law.

**MODERATOR:** MICHELLE ALTON, Tribunal General Counsel, Workplace Safety and Insurance Appeals Tribunal

**SPEAKERS:** NEGAR HASHEMI, Senior Counsel, Department of Justice  
STEPHEN RONAN, Partner, LERNERS LLP

### **WORKSHOP #4 Re-imagining access to justice for self-represented parties**

Increasingly, more parties are self-represented in adjudicative hearings and other processes for a variety of reasons. In order to ensure that self-represented parties are able to meaningfully participate in the tribunal or agency's proceedings, it is often necessary to take different steps to support these parties.

Taking a practical approach that incorporates insights from the perspectives of tribunals and their users, a panel of speakers will present, discuss and engage with workshop participants on a range of relevant issues, including:

- Who are self-represented parties and what are their needs?
- What are the ways in which self-represented parties can obtain information and help outside tribunals and agencies? What connections can tribunals make with outside resource groups and intermediaries who can assist?
- What kinds of resources, including navigational, can tribunals and agencies provide to enable self-represented parties to fully participate in processes? What are the best ways to provide information about law and procedure to self-represented parties?
- How can tribunals and agencies balance the requirements to provide accessible and inclusive justice with procedural fairness and efficiency? How is volume/caseload a factor to take into account when thinking about access to justice in the digital space?

***Eligible for 1 hour and 15 min of Professionalism CPD Requirement***

**MODERATOR:** **PROFESSOR LAVERNE JACOBS**, Professor of Law and Director of The Law of Disability & Social Change Project Windsor Law

**SPEAKERS:** **MARION OVERHOLT**, Executive Director, Community Legal Aid and Legal Assistance of Windsor  
**ELI FELLMAN**, Counsel, Tribunals Ontario  
**MOYA TEKLU**, Executive Director and General Counsel, Black Legal Action Centre (BLAC)

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1:40PM – 1:55PM

## **AFTERNOON BREAK**

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1:55PM – 2:55PM

## **CLOSING PLENARY**

### **A Conversation with Delia Opekokew**

Delia Opekokew, IPC, LSM, LLD, Barrister and Solicitor, will engage in a conversation reflecting on her life and career as an innovator and champion of Indigenous and human rights. A member of the Canoe Lake Cree First Nation and the first Indigenous woman lawyer called to the bar in Ontario and Saskatchewan, Ms. Opekokew has advocated for First Nations and the Indigenous community over a career spanning more than 40 years. She has served the Indigenous community and Canada in many roles, including as a Commissioner of Inquiry, Deputy Chief Adjudicator for the Indian Residential Schools Independent Assessment Process, and Chair of the Assembly of First Nations Independent Expert Panel on the Specific Claims Review. She is the recipient of numerous awards for her exemplary achievements.

**MODERATOR:** **Linda Gehrke**, Vice-Chair, Workplace Safety and Insurance Appeals Tribunal

*Eligible for 55 min of EDI CPD Requirement*

# 2021 SOAR CONFERENCE PLANNING COMMITTEE

## CONFERENCE CO-CHAIRS

**NOELINE PAUL**, Member, Condominium Authority Tribunal

**MICHELLE ALTON**, Tribunal General Counsel, Workplace Safety and Insurance Appeals Tribunal

## COMMITTEE MEMBERS

**DANIEL J. ABRAHAMS**, Professional Engineers Ontario

**ERIC BRUCE**, The College of Dental Hygienists Ontario

**MAUREEN CARTER-WHITNEY**, Immigration and Refugee Board of Canada

**LINDA L. GEHRKE**, Workplace Safety and Insurance Appeals Tribunal

**CAROLYN A. GORA**, The College of Nurses Ontario

**ANSHUMALA JUJAL**, Canadian Human Rights Commission

**GRACE KNAKOWSKI**, Ontario Securities Commission

**CECILE LANDON**, Tribunals Ontario

**LINDSAY LAWRENCE**, Ontario Labour Relations Board

**CYNTHIA PAY**, Immigration and Refugee Board of Canada

**GENEVIEVE PLUMMER**, Ontario College of Pharmacists

**JAY SENGUPTA**, Jay Sengupta Dispute Resolutions

**DAPHNE SIMON**, Society of Ontario Adjudicators and Regulators

**PREEYA SINGH**, The College of Audiologists and Speech-Language Pathologists of Ontario

**CAROLYN SLON**, Ontario Securities Commission

**VOY STELMASZYNSKI**, Society of Ontario Adjudicators and Regulators