



Society of Ontario Adjudicators and Regulators

SOAR 31st Annual Conference

Thursday, November 7th, 2019

Strengthening the Core: FUNdamental Concepts and Skills

Welcome and Opening Remarks from Conference Co-Chairs: Caroline King, Vice-Chair, Assessment Review Board, Tribunals Ontario; and Cynthia Pay, Member, Refugee Appeal Division, Immigration and Refugee Board of Canada



EVENT LOCATION:

Toronto Marriott Downtown Eaton Centre Hotel
525 Bay Street, Toronto

TRADITIONAL OPENING CEREMONY AND WELCOME

JOANNE DALLAIRE, LL.D., Elder for Ryerson University and Ryerson's Aboriginal Education Council, will provide a Traditional opening ceremony with a song and a prayer.

****WE ASK THOSE ATTENDING THE CONFERENCE TO BE SEATED PROMPTLY AND OBSERVE SILENCE DURING THIS CEREMONY. ****

MORNING PLENARY

Fundamentals of Self-Care: Using mindfulness to successfully navigate work and life challenges in today's administrative law world

Working in the administrative law field requires an ability to deal with challenges, change, and high stakes conflict. Mindfulness can help you strengthen your core to deal with this hectic new reality successfully. Learn about the science behind mindfulness, does it really work? This session explores mindfulness and self-care practices to provide concrete strategies to help you keep centered and empowered. The session culminates with a guided meditation as a way to introduce you to the benefits of mindfulness for both your professional and personal life. **CPD = 1 hr Professionalism Hours**

Moderator: **CYNTHIA PAY**, Member, Refugee Appeal Division, Immigration and Refugee Board of Canada
Speaker: **RANDI-MAE STANFORD-LEIBOLD**, Counsellor and Mindfulness Educator

CONCURRENT MORNING WORKSHOPS

WORKSHOP #1 Loose Canons: Taking a Shot at Statutory Interpretation

Learn the basic rules and conventions used by courts and administrative tribunals in reading, interpreting and applying legislation. What are the common aids and maxims for the construction of legislation? What is the role of the *Legislation Act*? Does the same word mean the same thing throughout a statute? What happens when French and English versions of the same statute seem to mean different things? A popular, award-winning professor and author unlocks the mysteries of interpretation for non-legally trained tribunal members as well as those seeking a refresher of their interpretive skills.

CPD = 1 hr + 15 min Substantive Hours

Moderator: **VOY STELMASZYNSKI**, Retired Solicitor, OLRB
Speaker: **PROFESSOR RANDAL GRAHAM**, University of Western Ontario, Faculty of Law

WORKSHOP #2 Telephone Talk: Adaptive Approaches to Early Resolution

This workshop will explore how regulators and tribunals are responding to current realities by using innovative approaches to enhance their service delivery, improve efficiency and increase accessibility. A panel of experienced adjudicators, mediators and staff will discuss different approaches taken by regulators and tribunals with a focus on the art of telephone mediation. This session will examine how early resolution benefits participant satisfaction and the safeguards needed to protect accessibility for all service users.

CPD = 1 hr + 15 min Professionalism Hours

Moderator: **CECILE LANDON**, Dispute Resolution officer, Landlord Tenant Board, Tribunals Ontario
Speakers: **CAMERON VALE**, Nurse Investigator/Mediator, College of Physicians and Surgeons of Ontario (CPSO), **CINNIE NOBLE**, Lawyer/Mediator, **JEANIE THEOHARIS**, Vice Chair, License Appeal Tribunal, Tribunals Ontario

CONCURRENT MORNING WORKSHOPS (cont'd)

WORKSHOP #3 **Enhancing Regulators' Transparency – Open Data, Social Media and more...**

An expert panel will discuss how regulators can and should enhance the transparency of and public access to the information they hold and decisions they make. How can regulators communicate to build trust in the regulator and stay relevant? How can they actively engage the public and those that they regulate to obtain input into regulatory initiatives and enhance mutual learning? What are the tools and techniques that can be used? Pitfalls and practical tips for regulators and the public perspective will be highlighted in the discussion among the panelists and with the audience.

Moderator: **PREEYA SINGH**, Director, Professional Conduct and General Counsel, CASLPO

Speakers: **CRISTINA DE CAPRIO**, Lobbyist Registrar, City of Toronto, **MARK FARMER**, Senior Digital Media Strategist, Ontario College of Teachers, **MICHAEL SALVATORI**, CEO/Registrar, Ontario College of Teachers, **ANNETTE MCKINNON**, Patient Advisor, Member, Citizens Advisory Group

CONCURRENT AFTERNOON WORKSHOPS

WORKSHOP #4 **Meeting Client and Stakeholder Needs on the Frontlines - Practical Tips for Addressing Conflict and Crisis**

In this workshop, an expert and diverse panel drawn from the worlds of investigations and mental health will enhance our understanding of how and why conflict arises on the frontlines of our work and how it can be contained and managed. Despite the obstacles and interpersonal challenges we sometimes encounter, we still need to get our jobs done and provide the best possible service within our respective mandates. With some practical tips derived from their understanding of and experience with conflict, this workshop panel will help show us how.

CPD = 1 hr + 15 min Professionalism Hours

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

Speakers: **JUDY TSAO**, Outreach Counsellor/Case Manager, Parkdale Queen West Community Health Centre, **LUKE BROWN**, Interim Director, Ombudsman Toronto, **ELAINE STONE**, Manager, Investigations & Resolutions Division, College of Physicians and Surgeons Ontario (CPSO)

WORKSHOP #5 **Decision Writing: Top Tips and Tackling Common Road Blocks**

Writing decisions that are organized, well thought out and relatable can be a challenge. Join our knowledgeable panel to learn about how you can improve your decision writing skills. The panel will provide practical guidance and advice on how to prepare clear, concise, accessible and timely decisions that assist the parties and public in understanding the issues considered and decision made. The panel will also identify common barriers to decision drafting and discuss strategies for success.

CPD = 1 hr + 15 min Professionalism Hours

Moderator: **ANSHUMALA JUYAL**, Senior Counsel, Legal Services, Immigration and Refugee Board of Canada

Speakers: **TIM MOSELEY**, Vice-Chair, Ontario Securities Commission, **SUSAN E. OPLER**, Ombudsman, Ombudsman Toronto, **JENNIFER KHURANA**, Vice-Chairperson, Canadian Human Rights Tribunal

CONCURRENT AFTERNOON WORKSHOPS (cont'd)

WORKSHOP #6 **Admin Law 2019: (R)evolution?**

Will the Supreme Court of Canada's review of *Dunsmuir* lead to a revolution, or will things stay the same? Join us to learn about new administrative law developments in 2019 arising from both provincial and federal decisions and hear the different perspectives of advocates and decision-makers about the best way to approach judicial review, particularly as administrative agencies strive to fill the "access to justice gap" in the Canadian legal system.

CPD = 1 hr + 15 min Substantive Hours

Moderator: **MAUREEN CARTER-WHITNEY**, Member, Condominium Authority Tribunal

Speakers: **MICHELLE ALTON**, Tribunal General Counsel, Workplace Safety and Insurance Appeals Tribunal, **ANDREW LOKAN**, Partner, Paliare Roland, **AUDREY MACKLIN**, Professor and Chair in Human Rights Law, University of Toronto, Faculty of Law

AFTERNOON PLENARY

Balancing Justice: Assessing Credibility and Evidence

This session explores how evidence and credibility are assessed in the administrative and regulatory contexts. What factors should and should not inform such assessments? What is the role of expert and opinion evidence? What are best practices and procedural safeguards that can be applied in administrative and regulatory proceedings? Does the format of the proceeding have an impact on how we approach and make assessments? This session provides tools and tips for regulators and adjudicators in balancing the interests of justice.

CPD = 1 hr + 15 min Substantive Hours

Moderator: **JAY SENGUPTA**, Human Rights Commissioner, Peel District School Board

Speakers: **MARK J. SANDLER**, Senior Partner, Cooper, Sandler, Shime & Bergman LLP, **JUSTICE WILLIAM LEMAY**, Superior Court of Justice

CLOSING PLENARY

Making Sense of the Successes and Failures of Human Memory

Memory? You don't have a "thing" called memory, you in fact have several systems that store and continually use previous experience to make sense of current experience. Professor Joordens will introduce you to your memory systems and highlight the way they work to make sense of our experience, current experience and our recreation of past experiences, the latter of which is what we collegially call "Memory". These processes can lead to inaccuracies of memory, or biases in perception, but knowledge is power, and by understanding why and how this occurs you will be in a stronger position to understand memory inaccuracies should they occur in your context, and to control the biases in your own decision making (e.g., the judicial hunch).

CPD = 1 hr + 15 min Substantive Hours

Moderator: **CAROLYN SLON**, Senior Legal Counsel, Ontario Securities Commission

Speaker: **PROFESSOR STEVE JOORDENS**, Ph.D., Professor of Psychology, University of Toronto Scarborough