



Society of Ontario
Adjudicators and
Regulators

**NEW
LOCATION!**

CHESTNUT
RESIDENCE AND
CONFERENCE
CENTRE, TORONTO,
ONTARIO

Silver Jubilee:

25 Years of Education, Networking & Innovation

NOVEMBER 7, 2013

Toronto, Ontario

- Still your best value in tribunal training!
- Qualifies for CPD hours
- New post-conference networking reception
- Sessions specifically for regulators
- Early registration fee extended to Oct. 18th

SOAR'S 25TH ANNUAL CONFERENCE OF ONTARIO BOARDS & AGENCIES (COBA)

www.soar.on.ca

2013 CONFERENCE THEME

Silver Jubilee: 25 Years of Education, Networking and Innovation

Significant developments have taken place over the past 25 years in Ontario's dynamic and evolving administrative justice system. Increased tribunal networking, technological developments, clustering, and developments in the law continue to influence the state of administrative justice in the province. This year's conference will feature interactive sessions where we will consider where we have come from, present challenges and opportunities, and where we hope to go in the future. Join us for a post-conference reception at our new conference location, to continue the networking and building of an administrative justice community. Come celebrate 25 years of education, networking and innovation!

8:15-9:00 AM

REGISTRATION & CONTINENTAL BREAKFAST

Ballroom Foyer (2nd Floor), Chestnut Residence and Conference Centre.

9:00-9:15 AM

CONFERENCE OPENING AND WELCOME

CONFERENCE CO-CHAIRS: **Heather Gibbs**, ELTO-Environmental Review Tribunal and **Brian Cook**, SJTO-Human Rights Tribunal of Ontario.

SPEAKER: **John Gerretson**, Ontario Attorney General (Invited)

9:15-10:15 AM

OPENING PLENARY

25 Years: Time to Celebrate or Time to Renovate?

MODERATOR: **Mr. Justice Kevin Whitaker**, Superior Court of Justice

SPEAKERS: **Ron Ellis**, Toronto, ON; **Debra Roberts**, Former Deputy Chief of Staff, Human Resources and Public Appointments, Office of the Premier of Ontario; **Dean Lorne Sossin**, Osgoode Hall Law School-York University

A lot has changed in 25 years. Disparate boards and regulators have become an administrative justice community. Administrative justice has become more responsive to parties, and to expectations of accountability, transparency and efficiency. Each member of this panel has played a transformative role in the administrative justice sector. They will share government, academic, adjudicator and management perspectives on achievements, and thoughts for the future. The session will stimulate our thinking about the administrative justice sector as a whole, and how we can contribute to its continuing improvement. These themes will be further developed in the interactive plenary session that concludes the conference.

10:15-10:30 AM

REFRESHMENT BREAK

10:30 AM-12:00 PM

CONCURRENT SESSIONS

SESSION 1: Sound Decision-Making: Into the Mind of the Decision-Maker

SPEAKERS: **Sam Laredo**, SJTO-Landlord and Tenant Board; **Dr. Lilian Ma**, SJTO-Landlord and Tenant Board

In this session, we will first look at how humans make decisions and what neuroscientists and psychologists have taught us about learning as well as rational and intuitive thinking. We will then explore the role of intuitive thinking in tribunal adjudications and the pitfalls associated with it. This session, intended principally for adjudicators, will consist of brief lectures and table discussions that will enhance participants' awareness about their brain's workings when making decisions in a tribunal setting.

SESSION 2: Social Media 1.01: A Primer

MODERATOR: **Liz Nastasi**, Financial Services Commission of Ontario

SPEAKER: **John Gregory**, Ministry of Attorney General

Unintentional Shared Intimacies - the realities of information in a digital world. Who is really watching and listening to your proceedings and what to do about it. Intentionality - the blurring of private and public information and the implications for adjudicators and staff. Uses, abuses and excesses of information.

10:30 AM-12:00 PM

CONCURRENT SESSIONS - CONT'D

SESSION 3: Can You Believe It? Evidence Law and Credibility

MODERATOR: **Christina Sokulsky**, Environment and Land Tribunals Ontario

SPEAKER: **Andrew Lokan**, Paliare Roland Barristers; **Ronald Murphy**, Dalhousie University, Schulich School of Law and Ontario Ministry of the Attorney General

Assessment of credibility can be one of the most challenging tasks in a hearing. This interactive and engaging workshop will provide expert guidance on what the law requires adjudicators to consider on this and other evidence issues. This session is designed to build on previous SOAR sessions on evidence.

SESSION 4: Ethics: Herding Cats

MODERATOR: **Catherine Bickley**, SJTO-Human Rights Tribunal of Ontario

SPEAKERS: **Matthew Wilton**, Matthew Wilton & Associates; **David Wright**, Law Society Tribunal

This workshop will explore how to control unethical or unruly behaviour by parties or their representatives while respecting a party's right to full participation and vigorous representation at hearings. Topics may include professional codes of conduct, tribunal rules, when to declare a person to be a vexatious litigant, complaint procedures, and case specific directions. The workshop will examine these issues from the perspective of both adjudicators and representatives.

12:00-1:15 PM

SOAR MEDAL AND VOLUNTEER THANK YOU PRESENTATIONS, BUFFET LUNCH

Colony Ballroom, Chestnut Residence and Conference Centre

Join us and pay tribute to exemplary individuals whose contributions to the administrative justice community and to SOAR have been outstanding. Network with colleagues while enjoying delightful cuisine in a sit-down, comfortable luncheon environment.

1:15-2:45 PM

CONCURRENT PLENARIES

PLENARY A Administrative Law Blast 2013: At the Crossroads of Continuity and Change

MODERATOR: **Bob Butterworth**, ELTO-Assessment Review Board

SPEAKERS: **Jeff Cowan**, WeirFoulds; **Professor Laverne Jacobs**, Faculty of Law-University of Windsor; **Justice Tom Lederer**, Superior Court of Justice

The Administrative Law Blast, traditionally a highlight, is presented with the theme "At the Crossroads of Continuity and Change." Join this impressive administrative law panel for an annual review of legislative changes and leading decisions from the courts and tribunals in the field of administrative law. Hear legal and practical ideas on dealing with current challenges facing adjudicators in Ontario and Canada, focussing on human rights issues in Ontario, immigration and refugee issues federally, the notion of civility in a world trending to active adjudication and a view from the bench.

1:15-2:45 PM

CONCURRENT PLENARIES – CONT'D

PLENARY B Staff Issues Blast 2013: Does Anyone Have a Spark Plug?

MODERATOR: Grace Knakowski, Law Society of Upper Canada

SPEAKERS: Lynn Norris, Ministry of Attorney General; Victoria Peace, Criminal Injuries and Compensation Board; Gary Yee, SLASTO-License Appeal Tribunal

What do you do when you reach an impasse on a file and how do you work to ensure that the limited resources available are nimble enough to respond? Did you ever wish you had a magical spark that could ignite action in difficult circumstances? Our experienced panel will present different perspectives and innovative ideas from across the agency sector, providing observations on how synergy between adjudicators and staff can benefit process; how strategic policy and procedure can mitigate against delay; and how being ready for change and uncertainty results in service delivery that is predictable, accountable, and practical. Target Audience: Staff, possibly adjudicators or legal counsel who liaise regularly with case management staff.

PLENARY C Regulatory Blast 2013: Risk Management in the Public Sector

MODERATOR: Monica Kowal, Ontario Securities Commission

SPEAKERS: Peter Heimler, KPMG; Freya Kristjanson, Cavalluzzo Hayes Shilton McIntyre & Cornish; Andy Rankine, Strategic Management Solutions Unit-Ministry of Agriculture, Food and Rural Affairs

This session on Enterprise Risk Management (ERM) in the public sector will talk about why risk management in the public sector matters and some of the fundamentals; Ontario government's accountability directives; OMAFRA's experience in introducing ERM and the OSC's risk management initiative; risk of regulatory liability (e.g. claims of regulatory negligence) and recent developments in the law; and some techniques for managing litigation risk.

2:45-3:00 PM

REFRESHMENT BREAK

3:00-4:20 PM

CLOSING PLENARY: AN INTERACTIVE REFLECTION ON THE ROLE AND FUTURE DIRECTION OF TRIBUNALS AND AGENCIES

MODERATOR: Dean Lorne Sossin, Osgoode Hall Law School-York University

Join this unique opportunity to converse with other adjudicators, regulators and those integral to the administrative justice community about the issues that matter today and the challenges for us in the future. Participants will choose from a variety of topics up for discussion then join that particular round table for an interactive session. Each round table will have a SOAR volunteer to facilitate the group discussion and Dean Sossin will gather the commentary from each group and report back to the plenary in his closing remarks.

4:20-4:30 PM

CLOSING REMARKS

Conference Co-chairs **Heather Gibbs** and **Brian Cook**

4:30-4:45 PM

SOAR ANNUAL GENERAL MEETING AND ELECTION RESULTS

Join the President Gary Stanley and the Board of Directors to review SOAR's mission and service to the administrative justice community. Highlighting SOAR's work in the past year and looking toward the future, the AGM will include a review of our new website, strategic plan and By-laws. This is your opportunity to learn about the value SOAR offers to its members. Meet your new Board of Directors as the meeting will conclude with the results of the 2014 SOAR Elections.

4:45-6:00 PM

POST CONFERENCE NETWORKING RECEPTION

Colony Ballroom, Chestnut Residence and Conference Centre

A wonderful opportunity to get-together with friends and colleagues at SOAR's first-ever, immediate post conference networking reception including complimentary hors d'oeuvres, music and a cash bar.

THANK YOU 2013 CONFERENCE PLANNING COMMITTEE VOLUNTEERS

HEATHER GIBBS (CO-CHAIR), ELTO - Environmental Review Tribunal

BRIAN COOK (CO-CHAIR), SJTO-Human Rights Tribunal of Ontario

CATHERINE BICKLEY, SJTO-Human Rights Tribunal of Ontario

BOB BUTTERWORTH, ELTO-Assessment Review Board

LORI COLEMAN, Health Boards Secretariat

JERRY DEMARCO, ELTO - Environmental Review Tribunal

TOM KELLY, Health Professions & Health Services Appeal & Review Boards

GRACE KNAKOWSKI, Law Society of Upper Canada

MONICA KOWAL, Ontario Securities Commission

SAM LAREDO, SJTO-Landlord and Tenant Board

DR. LILIAN MA, SJTO-Landlord and Tenant Board

LIZ NASTASI, Financial Services Commission of Ontario

CHRISTINA SOKULSKY, Environment and Land Tribunals Ontario

GARY STANLEY, Ontario Highway Transport Board

JANICE VAUTHIER, Health Professions & Health Services Appeal & Review Boards

HOW TO REGISTER

- Visit the SOAR website at www.soar.on.ca.
- From the home page select "Events".
- From the "Events" page, select "SOAR's 25th Annual Conference".
- Select "REGISTER NOW" button.
- Early registration fee available to October 18th.

CONTACT US

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IMPORTANT NOTES

1. Written materials are not provided for conference presentations. Any papers or notes provided by speakers will be available on the SOAR website after the conference at www.soar.on.ca. This is being done to reduce SOAR's carbon footprint and keep pace with the technological/electronic distribution of documents.
2. **NEW EVENT LOCATION:**
Chestnut Residence and Conference Centre -
89 Chestnut Street, Toronto, ON, M5G 1R1, 416-977-0707
<http://chestnutconferencecentre.utoronto.ca/about-chestnut>
Room locations for each session and activity will be outlined in the final program upon on-site registration. Registration desk will be located on the 2nd floor in the Ballroom foyer (top of escalator), in the Chestnut Conference Centre.

HOTEL ACCOMMODATION

The following hotel is located directly across from the Chestnut Residence and Conference Centre. Please note that SOAR does not endorse any specific hotel. Conference attendees are responsible for undertaking their own research and reservations directly.

Metropolitan Hotel Toronto

(near corner of Armoury and University Ave)
108 Chestnut Street Toronto, Ontario, CANADA M5G 1R3
Tel. 416-977-5000 Fax. 416-977-9513 Email: reservations@tor.metropolitan.com
Website: <http://metropolitan.com/toronto/>

2013 SOAR CONFERENCE PROGRAM-AT-A-GLANCE

Silver Jubilee: 25 Years of Education, Networking and Innovation

November 7, 2013

NEW EVENT LOCATION: Chestnut Residence & Conference
Centre 89 Chestnut Street, Toronto, ON, M5G 1R1

TIME	EVENT	MODERATORS / SPEAKERS
8:15-9:00 am	REGISTRATION & CONTINENTAL BREAKFAST Ballroom Foyer (2nd Floor), Chestnut Residence and Conference Centre	
9:00-9:15 am	CONFERENCE OPENING AND WELCOME	CONFERENCE CO-CHAIRS: Heather Gibbs , ELTO-Environmental Review Tribunal Brian Cook , SJTO-Human Rights Tribunal of Ontario SPEAKER: John Gerretson , Ontario Attorney General (Invited)
9:15-10:15 am	OPENING PLENARY: 25 Years: Time to Celebrate or Time to Renovate?	MODERATOR: Mr. Justice Kevin Whitaker , Superior Court of Justice SPEAKERS: Ron Ellis , Toronto, ON Debra Roberts , Former Deputy Chief of Staff, Human Resources and Public Appointments, Office of the Premier of Ontario Dean Lorne Sossin , Osgoode Hall Law School-York University
10:15-10:30 am	REFRESHMENT BREAK	
10:30 am-12:00 pm	CONCURRENT SESSIONS: 1. Sound Decision-Making: Into the Mind of Decision-Makers 2. Social Media 1.01: A Primer 3. Can You Believe It? Evidence Law and Credibility 4. Ethics: Herding Cats	SPEAKERS: Sam Laredo , SJTO-Landlord and Tenant Board Dr. Lilian Ma , SJTO-Landlord and Tenant Board MODERATOR: Liz Nastasi , Financial Services Commission of Ontario SPEAKER: John Gregory , Ministry of Attorney General MODERATOR: Christina Sokulsky , Environment and Land Tribunals Ontario SPEAKER: Andrew Lokan , Paliare Roland Barristers Ronanda Murphy , Dalhousie University, Schulich School of Law and Ontario Ministry of the Attorney General MODERATOR: Catherine Bickley , SJTO-Human Rights Tribunal of Ontario SPEAKERS: Matthew Wilton , Matthew Wilton & Associates David Wright , Law Society Tribunal
12:00-1:15 pm	SOAR MEDAL AND VOLUNTEER THANK YOU PRESENTATIONS, BUFFET LUNCH Colony Ballroom, Chestnut Residence and Conference Centre	Gary Stanley , SOAR President
1:15-2:45 pm	CONCURRENT PLENARIES: PLENARY A Administrative Law Blast 2013: At the Crossroads of Continuity and Change PLENARY B Staff Issues Blast 2013: Does Anyone Have a Spark Plug? PLENARY C Regulatory Blast 2013: Risk Management in the Public Sector	MODERATOR: Bob Butterworth , ELTO-Assessment Review Board SPEAKERS: Jeff Cowan , WeirFoulds Professor Laverne Jacobs , Faculty of Law-University of Windsor Justice Tom Lederer , Superior Court of Justice MODERATOR: Grace Knakowski , Law Society of Upper Canada SPEAKERS: Lynn Norris , Ministry of Attorney General Victoria Peace , Criminal Injuries and Compensation Board Gary Yee , SLASTO-License Appeal Tribunal MODERATOR: Monica Kowal , Ontario Securities Commission SPEAKERS: Peter Heimler , KPMG Freya Kristjanson , Cavalluzzo Hayes Shilton McIntyre & Cornish LLP Andy Rankine , Strategic Management Solutions Unit-Ministry of Agriculture, Food and Rural Affairs
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3:00-4:20 pm	CLOSING PLENARY: AN INTERACTIVE REFLECTION ON THE ROLE AND FUTURE DIRECTION OF TRIBUNALS AND AGENCIES	MODERATOR: Dean Lorne Sossin , Osgoode Hall Law School-York University
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