

MANITOBA COUNCIL OF ADMINISTRATIVE TRIBUNALS INC.

13th ANNUAL CONFERENCE

Victoria Inn Hotel and Convention Centre
1808 Wellington Avenue
Winnipeg MB

AGENDA

Monday, May 7, 2018

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| 8:00am – 9:00am | Registration/Continental Breakfast (Location: Wellington Ballroom) |
| 8:30 am– 9:00am | MCAT Annual General Meeting All are welcome! (Location: Embassy Ballroom A) |
| 9:00am – 9:10am | Opening Remarks (Serge Scrafield) (Location: Wellington Ballroom) |
| 9:10am – 9:20am | Greetings from the Government of Manitoba |
| 9:20am – 10:30am | PLENARY <i>TRANSFORMATION OF THE PUBLIC SERVICE: IMPLICATIONS FOR TRIBUNALS</i> (Location: Wellington Ballroom) |
| | ➤ Keynote Speaker FRED MEIER Clerk of Executive Council and Cabinet Secretary |
| 10:30am – 10:45am | BREAK (Location: Wellington Ballroom) |

Speakers Subject to Change

10:45am – noon

**BREAKOUT 1: ADMINISTRATIVE LAW BLAST
(Location: TBD)**

This panel will provide an update on important, exciting and quirky developments in administrative law over the past year.

➤ Moderator: **ELLIOT LEVEN**
Residential Tenancies Commission

➤ Panelists

HEATHER UNGER
Manitoba Human Rights Commission

Professor GERALD HECKMAN
University of Manitoba, Faculty of Law

DAVID GISSER
Legal Services Branch, Manitoba Justice

**BREAKOUT 2: PRIVACY ISSUES IN THE DIGITAL AGE
(Location: TBD)**

This session will explore privacy issues important to tribunals including issues around electronic communications. The panel, which includes tribunal staff, legal counsel and the Ombudsman will explore topics such as: What best practices should tribunals consider when sending documents such as evidence, correspondence and decisions to members or parties? What should administrative tribunals consider when contemplating Internet publication of their decision? What should a tribunal consider when seeking to balance privacy and openness? How can a tribunal minimize privacy risks while utilizing the benefits of technology?

➤ Moderator: **DARREN CHRISTLE**
Manitoba Public Utilities Board

➤ Panelists

CHARLENE PAQUIN
Manitoba Ombudsman

JOHN MYERS
Taylor McCaffrey^{LLP}

**BREAKOUT 3: EVIDENCE 101: A PRIMER ON EVIDENCE LAW
(Location: TBD)**

While most administrative tribunals are not obligated to follow the strict rules of evidence, it is important for decision makers to understand the rules of evidence. This session will provide a summary of the fundamentals of evidence law including relevance and materiality, hearsay and opinion evidence and determining credibility. The panel will also explore the responsibility of decision makers, during and after the hearing, to ensure that their decisions are based on the evidence presented by the parties at the hearing and not on information or beliefs that are based solely on their personal or professional experience. This discussion will include considerations of relevance, reliability and the impartiality of the decision makers.

➤ Moderator: **LORI LAVOIE**
Manitoba Municipal Board

➤ Panelists

SACHA PAUL
Thompson Dorfman Sweatman^{LLP}

SHERRI WALSH
Manitoba Human Rights Adjudication Panel
Hill Sokalski Walsh Olson^{LLP}

Noon – 1:00pm **LUNCH (provided)**
(Location: Wellington Ballroom)

1:00pm – 2:30pm **PLENARY**
THOSE TOUGH CALLS: ETHICAL CHALLENGES FOR TRIBUNALS
(Location: Wellington Ballroom)

Fairness, access, efficiency, customer service and respect for fundamental rights... these are just some of the conflicting values that must be balanced when tribunals deal with challenging situations. This interactive session will tackle ethical dilemmas that face Tribunal staff and members by working through scenarios. In the first part, participants will meet in groups consisting of either adjudicators, staff members or chairs. They will discuss a scenario with difficult ethical and case management decisions that need to be made by those in each type of role. The participants will then return to the plenary and the facilitators will report on the answers and consider how a tribunal team can work together to address these issues. In the second part, we consider “short snapper” ethical quandaries where the audience will vote and comment, using their smartphones, on how they would deal with them.

Speakers Subject to Change

➤ Moderator: **JENNIFER GOLDENBERG**
Residential Tenancies Commission

➤ Keynote Speaker

DAVID WRIGHT
Law Society Tribunal (Ontario)

2:30pm – 2:45pm **BREAK**
(Location: Wellington Ballroom)

2:45pm – 4:00pm **PLENARY**
MOCK HEARING
(Location: Wellington Ballroom)

Watch the fictional new Marijuana Sales Licensing Board as they hold their first hearing and make every mistake in the book. A cast of experts will demonstrate what not to do and comment throughout on the important procedural and substantive principles at play. Who says learning can't be fun!

➤ Moderator
ALLAN FINEBLIT, Q.C.
Thompson Dorfman Sweatman^{LLP}

➤ Starring:

BYRON WILLIAMS – as Chair
Public Interest Law Centre

LAURA DIAMOND – as Panel Member
Automobile Injury Compensation Appeal Commission

JOHN BURCHILL – as Panel Member
Manitoba Human Rights Commission Board of Commissioners
Winnipeg Police Service

NEIL COHEN – as the Appellant
Community Unemployed Help Centre
Law Society of Manitoba Lay Bencher

ISHA KHAN – as Legal Counsel for the Respondent
Manitoba Human Rights Commission

4:00pm – 4:15pm Closing Remarks **(Ruth Liwiski)**
(Location: Wellington Ballroom)

Speakers Subject to Change