

Discipline Orientation Workshop

Basic Session—November 12, 2020 Webinar

Program Objectives

This program is designed to provide professional regulators with a comprehensive orientation to the discipline process. At the conclusion of the session, participants will have an understanding of:

- ✓ Relevant principles of administrative law
- ✓ Roles of various participants in the hearings process
- ✓ Activities that occur prior to a hearing
- ✓ Procedures associated with the process, including hearings held electronically
- ✓ Responsibilities of panel members

Faculty

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&
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Discipline Orientation Committee Members

- Tina Langlois, College of Medical Radiation & Imaging Technologists of Ontario
- Aoife Coghlan, College of Occupational Therapists of Ontario
- Genevieve Plummer, Ontario College of Pharmacists
- Ravi Prathivathi, College of Nurses of Ontario

Conducting a Discipline Hearing - In-Person and Online Hearings

- 8:45 a.m. Registration into the Go-To-Webinar System**
- 9:00 a.m. Introduction and Legal Framework**
Topics include: applicable legislation, jurisdiction, the public interest, confidentiality, disclosure, allegations, penalties, and costs
- 9:45 a.m. BREAK**
- 10:00 a.m. Principles of Administrative Law and Fitness to Practice Process**
Topics include: nature of a hearing, natural justice, transparency, burden of proof, and accountability, and how the FTP process differs from discipline, and the definition of incapacity
- 10:45 a.m. BREAK**
- 11:00 a.m. Pre-Hearing Procedures and Roles of Participants in the Hearings Process**
Role-play will focus on conducting a videoconference Pre-Hearing Conference and the goal of narrowing the issues, coming to an agreed statement of fact, and developing joint submissions on penalty; discussion will focus on the roles of panel members, members, prosecution and defence counsel, independent legal counsel, intervenors, media, experts, witnesses, court reporters, and staff
- 12:00 p.m. LUNCH BREAK**
- 1:00 p.m. Roles of Participants in the Hearing Process (Continued) and The Discipline Hearing**
Discussion will focus on the roles of panel members, members, prosecution and defence counsel, independent legal counsel, intervenors, media, experts, witnesses, court reporters, and staff; through a role-play, participants will experience an abbreviated, contested virtual hearing
- 1:45 p.m. BREAK**
- 2:00 p.m. The Discipline Hearing (Continued)**
- 2:45 p.m. BREAK**
- 3:00 p.m. Responsibilities of Panel Members**
Discussion will focus on panel member conduct prior to, during, and after the hearing by using real case examples of situations where panel member conduct is questioned (completion of assigned homework recommended)
- 3:45 p.m. Wrap Up and Closing of Session**