

# LAW, POLICY AND THE PUBLIC INTEREST

National Roundtable on Administrative Law

**LANGUAGE:** Bilingual with simultaneous interpretation



Audience: Administrative Tribunal Community • Judiciary • Practitioners • Academics • Students

Thursday, June 6, 2024 | Online & In Person: Ottawa, ON

## Overview

Administrative agencies, Boards, and commissions (ABC) operate in the domain of public law, so have an overriding responsibility to act “in the public interest.” But what is this thing we call “the public interest?” Who is this public, and what are their “interests?” Is there a unified public or, as the SCC said in *Berg*, every service has its own public?

Should Boards, made up of experts and professionals in a particular field, presume to know the public’s interest, or should they seek out and entertain evidence of that interest? What should we do with the reality that most members of the public will not generally be organized or have the resources to participate on an equal footing with institutional participants. What responsibility do governments have to ensure that boards, tribunals, and commissions have the independence, resources and capacity to access, and properly assess this public interest?

For ABCs with regulatory and policy -making responsibilities, the public interest is even more important.

Regulatory decisions may have significant impacts that extend well beyond the parties to an application or appeals. They may cross geographical and jurisdictional boundaries. They can have significant direct or indirect impacts on social, economic, environmental, and other relations. The decisions can affect generations into the future. The task is polycentric. As the public appears to be increasingly uncertain about the capacity of our democratic institutions to address current important, even existential issues in an intelligible, coherent and non-partisan way, it falls to all of us to confront these conundrums.

*This program is part of the [second edition of the National Administrative Law Week](#)<sup>\*</sup>, organized jointly by CIAJ and the Council of Canadian Administrative Tribunals (CCAT).*

<sup>\*</sup>Details on page 3

[REGISTRATION FORM](#)

## Co-Chairs

*Michael Gottheil*  
Accessibility Commissioner,  
Canadian Human Rights  
Commission

*Athanasios Hadjis*  
Vice-Chair,  
Canadian Human  
Rights Tribunal

Participation in this program is accredited in provinces where CLE requirements for lawyers are mandatory.

## START TIME ACCORDING TO DIFFERENT TIME ZONES IN CANADA

PT: 7:15 am MT: 8:15 am CT: 9:15 am ET: 10:15 am AT: 11:15 am NT: 11:45 am

**NOTE:** The time zone used in the program is Eastern Time

### AGENDA | THURSDAY, JUNE 6, 2024

- 9:45 – 10:15 am** REGISTRATION
- 10:00 – 10:15 am** LOG ON FOR ALL PARTICIPANTS
- 10:15 – 10:30 am** WELCOME REMARKS AND LAND ACKNOWLEDGMENT  
*Co-chairs*
- **Michael Gottheil**, Accessibility Commissioner, Canadian Human Rights Commission
  - **Athanasios Hadjis**, Vice-Chair, Canadian Human Rights Tribunal
- 10:30 am – Noon** PANEL 1 | THE LEGACY OF TWO GREAT JURISTS IN ADMINISTRATIVE LAW: JUSTICE LOUIS LABEL AND MR. RON ELLIS  
*Moderator*  
*Speakers*
- **Lauren J. Wihak**, Partner, McDougall Gauley LLP
  - **The Honourable Justice François LeBel**, Court of Québec
  - **Carole Prest**, Advisor, Workplace Safety and Insurance Appeals Tribunal
- 12:00 – 12:30 pm** TRIVIA ON ADMINISTRATIVE LAW: CASE LAW; ISSUES RAISED THAT HAVE IMPACT BUT DON'T GET DISCUSSED
- 12:30 – 1:30 pm** LUNCH
- 1:30 – 2:55 pm** PANEL 2 | TRIBUNALS AND GOVERNMENT RESOURCING (FUNDING AND APPOINTMENTS): THE IMPACT ON ACCESS TO JUSTICE AND INDEPENDENCE  
*Moderator*  
*Speakers*
- **Ian R. Mackenzie**, Adjudicator (Retired), Federal Public Sector Labour Relations and Employment Board
  - **Brian Cook**, Coordinator, Tribunal Watch Ontario
  - **Zac Kremler**, Executive Director, Tribunal and Agency Support Division
  - **Geneviève Cartier**, Professor, Faculty of Law, Université de Sherbrooke
- 2:55 – 3:30 pm** SMALL GROUPS DISCUSSIONS [COFFEE BREAK WILL BE SERVED IN THE ROOM]
- 3:30 – 5:00 pm** PANEL 3 | PRACTICAL CONSIDERATION FOR REFLECTING ON THE PUBLIC INTEREST. IS THE PUBLIC INTEREST ALWAYS SUPREME IN A REGULATORY MATTER?  
*Moderator*  
*Speakers*
- **Louis Legault**, Director of Legal Services, Régie de l'Énergie du Québec
  - **Lise Duquette**, Commissioner, Régie de l'Énergie du Québec
  - **Mike Cleland**, Private Consultant
  - **Susan McRory**, Chair, Land and Property Rights Tribunal, Alberta
- 5:00 – 5:10 pm** CLOSING REMARKS  
*Co-chairs*
- **Michael Gottheil**, Accessibility Commissioner, Canadian Human Rights Commission
  - **Athanasios Hadjis**, Vice-Chair, Canadian Human Rights Tribunal

# NATIONAL ADMINISTRATIVE LAW WEEK

A CIAJ & CCAT JOINT EVENT

June 3-7, 2024

Join your colleagues from across Canada in person or online for this second edition of the National Administrative Law Week, organized jointly by the Canadian Institute for the Administration of Justice (CIAJ) and the Council of Canadian Administrative Tribunals (CCAT). This cutting-edge training program offers a variety of activities on topical administrative law issues.

**Who is it for?** The whole legal community is invited: tribunal members, lawyers, judges, academics and law students.

Registration: <https://ciaj-icaj.ca/en/upcoming-programs/national-administrative-law-week-2024/>

## June 3-4, 2024

(Joint Program)  
Online

Decision Writing  
Seminar

## June 5, 2024

(CCAT Program)  
In Ottawa & Online

CCAT Symposium:  
Relationships of Power  
and the Power of  
Relationships

## June 6, 2024

(CIAJ Program)  
In Ottawa & Online

CIAJ National  
Roundtable on  
Administrative Law:  
Law, Policy and the  
Public Interest

## June 7, 2024

(Joint Program)  
Online

Webinar on  
Artificial  
Intelligence

The webinar is free if you register for the CCAT Symposium and the CIAJ National Roundtable on Administrative Law.

Note: It is possible to attend the activities separately.

## YOUR MULTIDISCIPLINARY AND BILINGUAL LEGAL NETWORK FROM COAST TO COAST

CIAJ is a non-profit, independent organization that links individuals and institutions involved in the administration of justice across Canada. Its work is multidisciplinary and wide-ranging. Collaborating with governments, courts, tribunals, professional associations, law schools and law firms, CIAJ sponsors and conducts conferences and specialized seminars and prepares comprehensive papers and reports. Its services are offered in both official languages.

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- Become part of a bilingual and multidisciplinary legal network across Canada
- Contribute to improving the justice system

<https://ciaj-icaj.ca/en/membership/>

## Contact us

Please contact us for more information about our organization, the benefits of membership and how you can assist us with our mission.

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