

2013 ATLANTIC REGIONAL ROUNDTABLE ON ADMINISTRATIVE LAW

The Changing Tides of Administrative Justice: Tribunals Applying the *Charter* and Human Rights Codes



This program will provide 6 hours of Continuing Professional Development hours in Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland.

Program Agenda

8:00 – 9:00 A.M.	REGISTRATION
9:00 – 9:05 A.M.	OPENING REMARKS AND WELCOME
9:05 – 10:45 A.M.	TRIBUNALS AND THE <i>CHARTER</i> : <i>MARTIN, CONWAY AND DORÉ</i>

Professor Sheila Wildeman, Schulich School of Law, Dalhousie University, Halifax, NS

TRIBUNALS AND HUMAN RIGHTS
CODES: *PARRY SOUND AND
TRANCHEMONTAGNE*

Professor Nicolas Lambert, University of Moncton, Moncton, NB

10:45 – 11:00 A.M.	BREAK
11:00 A.M. – 12:15 P.M.	IMPACTS OF THESE DECISIONS ON ADMINISTRATIVE LAW

Tribunal Perspective

Douglas Ruck, Q.C., Chair, Nova Scotia Labour Board, Halifax, NS

Counsel Perspective

Ronald Pink, Q.C., Pink Larkin Lawyers, Halifax, NS

Perspective from the Bench

Justice Joel Fichaud, Nova Scotia Court of Appeal, Halifax, NS

12:15 - 1:15 P.M.	LUNCH
1:15 - 2:15 P.M.	<i>MARTIN - TEN YEARS LATER</i>

Challenges for the Applicant

Kenny LeBlanc, Chief Workers' Adviser, Halifax, NS

Tribunal Management of the Charter Challenge

Louanne Labelle, Chief Appeal Commissioner, Workers
Compensation Appeals Tribunal, Halifax, NS

Concerns of the Reviewing Court

Justice Michael Wood, Nova Scotia Supreme Court, Halifax,

SATURDAY, NOVEMBER 2, 2013

**Schulich School of Law, Dalhousie University
Halifax, Nova Scotia**

- How should tribunals apply the *Charter* and Human Rights Codes? Should they be required to use the traditional analyses employed by the courts, or should tribunals be permitted/expected to develop analyses suited to their particular jurisdiction?
- Are tribunals meeting the expectations set in cases such as *Tranchemontagne*, *Conway* and *Doré*?
- Have the courts got it right? Has experience shown that granting *Charter* and Human Rights Code jurisdiction to tribunals is realistic, appropriate and necessary?

2:15 - 3:00 P.M.	SCENARIO ONE - DISCRETION, INTERPRETATION AND <i>CHARTER</i> VALUES
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Professor Sheila Wildeman, Schulich School of Law, Dalhousie University, Halifax, NS

3:00 - 3:15 P.M.	BREAK
3:15 - 4:00 P.M.	SCENARIO TWO - PROCEDURAL ISSUES WHEN DEALING WITH <i>CHARTER</i> AND CODE CHALLENGES

Professor Nicolas Lambert, Faculty of Law, University
of Moncton, Moncton, NB

4:00 - 4:30 P.M.	WRAP UP - all presenters
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Chair

Beth Symes, C.M., LSM, Symes Street Millard, LLP, CIAJ Past-
President, Toronto, ON

ORGANIZING COMMITTEE

Chair

Andrea Smillie, Appeal Commissioner, Nova Scotia Workers'
Compensation Appeals Tribunal, Halifax, Nova Scotia

Members

Justice Joel Fichaud, Nova Scotia Court of Appeal, Halifax, NS

Professor Nicolas Lambert, Faculty of Law, University of Moncton,
Moncton, NB

Professor Sheila Wildeman, Schulich School of Law, Dalhousie
University, Halifax, NS

Beth Symes, C.M., LSM, Symes Street Millard, LLP, CIAJ Past-
President, Toronto, ON

Ronald Pink, Q.C., Pink Larkin Lawyers, Halifax, NS

Who will attend?

- The judiciary
- The tribunal community
- Academia
- Legal practitioners
- Students

REGISTRATION FORM

The Changing Tides of Administrative Justice: Tribunals Applying the *Charter* and Human Rights Codes

SATURDAY, NOVEMBER 2, 2013

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY

HALIFAX, NOVA SCOTIA

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New Brunswick, Prince Edward Island and Newfoundland*

TO REGISTER, please complete and return this form by **Monday, October 28, 2013** to:

CANADIAN INSTITUTE FOR THE ADMINISTRATION OF JUSTICE
Faculty of Law, University of Montreal
PO Box 6128, Station "Centre Ville", 3101 Chemin de la tour, Room A-3421
Montreal, Quebec, H3C 3J7,

Telephone: (514) 343-6157 — Fax: (514) 343-6296

E-mail: ciaj@ciaj-icaj.ca — URL: <http://www.ciaj-icaj.ca>

Surname: _____ First Name: _____

Title to appear on name tag: _____

Court/organization: _____

Address: _____

Postal Code: _____ E-Mail _____

Telephone: _____ Fax: _____

YES I will attend _____ NO I will not attend _____

I am interested in the documentation distributed at the Seminar _____

REGISTRATION FEE (includes materials, and lunch): \$ 200

Payment by: Cheque _____ Invoice _____ Visa _____ Mastercard _____ AmEx _____

Account No. _____ Expiry Date: _____ Name on Card _____

Do you have any dietary restrictions? Which? _____

ACCOMMODATION: A block of rooms has been reserved at The Lord Nelson, 1515 South Park Street, Halifax, NS, H3J 2L2
Tel: 1-800-565-2020 or 902-423-5130, book@lordnelsonhotel.ca, <http://www.lordnelsonhotel.ca> at \$109 single or double
occupancy (taxes not included). **Participants outside of Halifax are required to make their own hotel reservations before
October 2, 2013 and refer to CIAJ for group name to take advantage of this rate.**

CANCELLATION FEE: Requests for reimbursement must be submitted in writing to CIAJ seven (7) days prior to the event. An
administrative fee of 10% will be withheld on cancellations submitted 7 days prior to the event. Except as noted, fees will not
be reimbursed. Another participant may be designated as a substitute.

Please register as soon as possible!