



OBA CPD WEBCAST REPLAYS

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



Essential Update on Procedural Fairness: 20 Years Post-*Baker*

Date: June 26, 2019

Original Program Chairs:

Ryan MacIsaac, McCarthy Tétrault LLP

Jean-Claude Killey, Paliare Roland Rosenberg Rothstein LLP

Original program was held on February 5, 2019

AGENDA

Welcome and Opening Remarks from the Program Chairs

Where Do We Stand on Procedural Fairness?

Brandon Kain, McCarthy Tétrault LLP

Professor Kate Berger, University of Western Ontario

As compared to the constant swing of standard of review jurisprudence, the Baker test for procedural fairness has largely stood the test of time. Unravel the key issues, including:

- Why the Baker test works
- How, if at all, does the standard of review fit in?
- Balancing a Tribunal's control over its own process with procedural fairness
- The future of fairness: where are we headed?

Making Sense of the Requirement for Reasons

Justice Grant Huscroft, Court of Appeal for Ontario

Andrea Gonsalves, Stockwoods LLP

Kirsten Thoreson, Ontario Securities Commission

- How has the requirement for reasons evolved?
- When does the duty to provide reasons arise?

(Break 15 Minutes)



Substantive Hours: This program is eligible for up to **3h 00m**



OBA CPD **WEBCAST REPLAYS**

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



OBA CPD

Clarifying the Question of Justiciability

Justice Lorne Sossin, Superior Court of Justice

Michael Fenrick, Paliare Roland Rosenberg Rothstein LLP

Jordan Goldblatt, Adair Goldblatt Bieber LLP

- Unpacking the SCC's decision in *Highwood Congregation of Jehovah's Witnesses v. Wall*: how to determine if judicial review is available
- When is a duty of fairness triggered?

Closing Remarks



Substantive Hours: This program is eligible for up to **3h 00m**