



## Board of Directors 2003-2004

### PRESIDENT

Barbara Junker  
B.C. Human Rights Tribunal

### VICE PRESIDENT

Gwen Taylor  
Expropriation Compensation Board/  
Liquor Control and Licensing Branch

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Tribunal

Janice Leroy  
Workers' Compensation Appeal  
Tribunal

Kathleen McIsaac  
Community Care Facility Appeal  
Board

Cheryl Vickers  
Property Assessment Appeal Board

## President's Message



Board of Directors pose during a session at the January 2004 retreat

The Board continues to work on behalf of our members and to support them during the changes proposed for the Administrative Justice system.

In late January, the Board sent a letter to the Attorney General expressing our concern that most Tribunals were not in a position to implement the Treasury Board Directive 2/04, because there was no funding boost given to Tribunals so that they could implement the new salary scheme.

The Attorney General replied on February 23, 2004, and set out the following points:

- The directive reflects Government of British Columbia's commitment to prudent financial management.
- It provides a general framework for remuneration to tribunal appointees; it is enabling rather than mandatory.
- The directive allows for implementation where existing resources permit; it introduces greater equity in remuneration policies across the administrative justice system.
- The directive will be reviewed again in 2006; BCCAT is invited to comment on any changes we might like to see in the directive at that time.

In March the Board sent a letter to the Administrative Justice Project, expressing concern that it was intended there be no immunity provision in the proposed Administrative Tribunals Act.

We set out that we did not agree with removing statutory immunity from administrative tribunal members. We provided a number of reasons why, and particularly how we thought it was necessary to have such a provisions to prevent needless suits as matters could be dismissed in court if there was clear protection.

We also pointed out that an immunity provision would reduce legal costs and time by making it clear that members are immune, rather than having to take the matter to court and rely on the common law. We stressed that having the immunity provision in the long run would save the government money by being able to avoid court appearances.

Thankfully when the Administrative Tribunals Act was tabled on May 13, it contained an immunity provision.

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Plans are well underway for our fall conference. In this mailing you will receive the conference brochure. Our conference is planned for October 24 and 25, 2004, so mark it in your calendars now!



# RECENT NEWS

## DIANNE FLOOD APPOINTED

Dianne Flood, the newly appointed Executive Director of the Administrative Justice Office, brings a broad “hands on” administrative law experience to the position. Dianne has acted for many years as legal counsel for both private and public sector clients before a wide range of administrative tribunals and before the courts on administrative law issues.

Her subsequent appointment as the Vice Chair and CEO of Manitoba’s Municipal Board, followed by appointments as a Vice Chair and then as the Chair of BC’s Property Assessment Appeal Board have given her insight into and direct knowledge of the roles, responsibilities and requirements of tribunal members and tribunal management issues.

Actively participating in the Circle of Chairs, Dianne was one of the Circle’s representatives to the Administrative Justice Project.

Dianne’s background includes extensive experience in legislative review and reform and her most recent position as Assistant Deputy Minister, Manitoba Intergovernmental Affairs and Trade, included responsibilities for policy development to address various and diverse stakeholder enterprises.

## NEW ACT SETS OUT POWERS

The Administrative Tribunals Act received royal assent May 20, 2004. The Act sets out the powers and procedures for approximately 30 administrative tribunals.

According to the Ministry of Attorney General, the Administrative Tribunals Act:

- Codifies the common law by introducing clear and consistent practices across the administrative justice system
- Provides most tribunals with express authority to use alternative dispute resolution processes like mediation

- Addresses the unique requirements of tribunals in their use and disclosure of confidential information
- Establishes an innovative approach to the resolution of complex constitutional questions
- Enacts clear legislation setting out standards for the courts in their review of administrative decisions

(Ministry of Attorney General News Release, May 13, 2004)

The Administrative Tribunal Appointments and Administration Act, passed last fall to introduce a merit-based appointment process, has been rolled into the new Administrative Tribunals Act so that a single act governs the administration of Tribunals.

## WCAT NEWS

A lot of changes occurred at WCAT this spring. Cassandra Kobayashi resigned as Registrar to enjoy a well-deserved retirement. Tribunal members also moved positions to fill the ever-changing needs of the Tribunal.

Walter Pylypchuk was appointed as Legal Counsel at WCAT, Ning Alcuitas-Imperial was appointed as Registrar, Herv Morton resigned as Tribunal Counsel to assume Vice Chair duties.

Susan Polsky-Shamash was appointed as Tribunal Counsel. Julie Brassington retired. Brassington’s future plans include per diem work.

Leigh Sheardown retired as COO. Dan Cahill was appointed as a Deputy Registrar.

Julie Mantini, Elaine Murray, Guy Reicken, Andrew Waldichuk resigned as Review Officers with the Workers’ Compensation Board and were appointed as Vice Chairs.

Bill Baker, Gergeann Glover, Joanne Kembel, Renee Miller, Debbie Nider, Michael Redmond, David Towill, and Taryn Walsh were appointed as Vice Chairs.



BC COUNCIL OF  
ADMINISTRATIVE  
TRIBUNALS

### BCCAT NEWS

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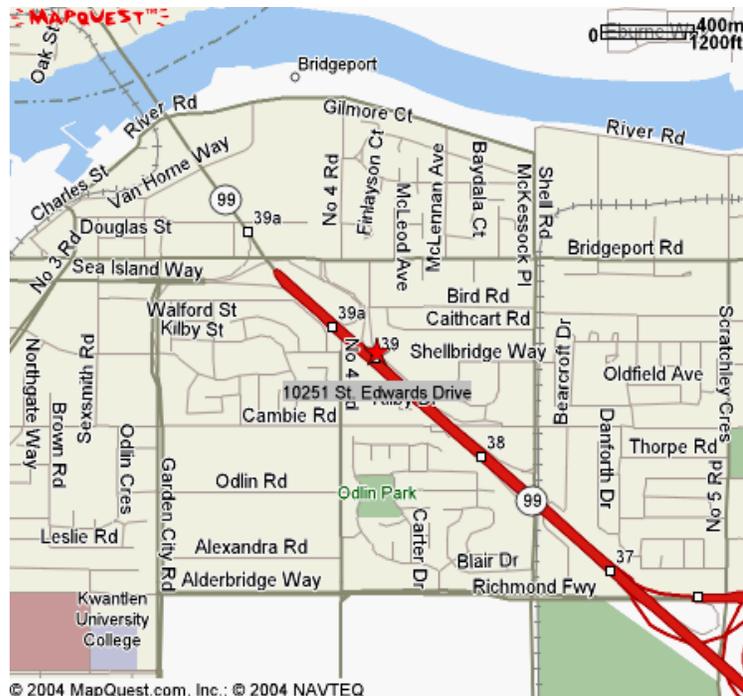
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# 9TH ANNUAL EDUCATION CONFERENCE

## Diversity of Tribunals “Once the Dust has Settled: Back to Basics”

October 24 and 25, 2004

Ramada Plaza Vancouver Airport Conference Resort  
10251 St. Edward Drive  
Richmond, BC



## Top ten reasons to attend the BCCAT Conference

- 10 The T-shirts will say “Kiss me now or I’ll get mandamus!”
- 9 You’ll finally find out what all that Greek, or is it Latin? like audi alteram partem, really means.
- 8 A well deserved Monday off work to focus on personal development
- 7 Show your support for an active and relevant professional organization.
- 6 A chance to brush up on those basic adjudicative skills before anyone notices they’re rusty
- 5 Where else will you find this many nice, highly intelligent people together in one place at one time?
- 4 See if other adjudicators have thickened in the middle too
- 3 Get spoon fed all the current case law
- 2 Network with past, current, and hopefully potential colleagues and chairs
- 1 The cookies!!