



BCCAT Fall 2016 Newsletter

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Message From The President



As fall approaches, BCCAT has been working hard on several fronts to expand its offerings at lower cost to members. On October 17, 2016 we will be hosting a one day conference with an impressive list of speakers, which we invite you to attend.

In May 2017 we will be jointly hosting a three day symposium with our national counterpart, CCAT, with a deep early bird discount to members who register and pay the early bird fee before March 15, 2017. Further details will be posted.

We are now offering our 2016 Decision-Makers Manual online to members and will be making it available to non-members shortly. It is an exceptional resource to the adjudicative justice community and we thank those members who voluntarily gave their time to produce it.

Our course offerings are doing well as are our Roundtable Sessions. We are hoping to expand our online offerings nationally in the near future via a joint program with CCAT. Thanks to all who have participated in this great work and hope to see you all at the October 17, 2016 conference.

- Alison Narod



Board Members



Alan Andison

Environmental Appeal Board

Kate Campbell

Emily Drown (Board Secretary)

Safety Standards Appeal Board

Brian Friedrich (Treasurer)

Chartered Professional Accountants of BC

Steve Guthrie

Property Assessment Appeal Board

Shelley Lopez

Workers Compensation Appeal Tribunal

John Mayr

Brent Mullin

Labour Relations Board

Alison Narod (President)

Community Care & Assisted Living Appeal Board

Lorna Pawluk

Shannon Salter (Vice President)

Civil Resolution Tribunal

Simmi Sandhu

Property Assessment Appeal Board

Debe Simpson

Workers Compensation Appeal Tribunal

Daphne Stancil

BC Farm Industry Review Board



Past & Present BCCAT Board Members at the 2014 Annual BCCAT Conference

BCCAT serves the tribunal community through volunteers from the community. This is our strength and what ensures our education programs best suit our members. Your expertise and ideas are required, whether on the Board of Directors or Committees.

On behalf of BCCAT, we want to thank our board members for all of their hard work and dedication to the organization.

2016 Annual Conference



Administrative Tribunals: Valuing Justice and Adding Value October 17, 2016 – Vancouver

Since its inception in 1995, the BCCAT has recognized that administrative justice is a field in constant development and this year is no exception! Our upcoming one-day educational conference will look at this evolution as well as discussing how tribunals can add even more value to the justice system while still delivering high quality dispute resolution. So join us on October 17, 2015 to engage with some of the most influential minds in Administrative Law as they unpack recent information having a profound impact on Tribunals.

This year's conference will offer plenary and workshop sessions on a variety of topics such as: multiculturalism (Catherine McCreary); using technology to improve tribunal efficiency (Shannon Salter and Steve Guthrie); defusing difficult parties (Jory Faibush and Cherie Williams); clustering (David Merner); an administrative law update (Adele Adamic); comments from the Bench (Mr. Justice Arne H. Silverman); and comments from the Attorney General Suzanne Anton. All our sessions will have question and answer periods where you can interact with the speakers.

Our conference will again be held in beautiful downtown Vancouver at the Wosk Centre for Dialogue, a state-of-the-art facility where each seat is equipped with a microphone to ensure your voice will be heard.

Whether you're a full or part-time quasi-judicial decision maker, new or experienced, the presentations will provide the latest information on the tribunal environment in BC and add to your skills as a tribunal member or chair.

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2016 Annual Conference



The conference will provide you with a total of 5 Continuing Professional Development (CPD) credits, including 1.25 credits toward your ethics requirements. Attendance will also enhance your CV, and in some circumstances may be a tax-deductible expense.

This year all BCCAT members will receive a discount of \$100 on registration costs – details can be found on the website. Registration is open. The registration fee also includes lunch at the Wosk Centre.

In addition, for those who wish to enjoy downtown Vancouver just a little longer, BCCAT has arranged for discounted accommodation of \$169 per night at the Delta Hotels by Marriott Vancouver Suites. For more details check the conference page on the BCCAT website: www.bccat.org.



Decision-Maker's Manual



Decision-Maker's Manual – the A to Z Reference Guide for Practitioners

Who will benefit from the Decision-Maker's Manual:

- Adjudicators in administrative tribunals
- Senior staff in administrative tribunals
- Organizations who advise parties who appear before tribunals

What is covered:

1. How to conduct hearings, including:
2. Admitting evidence
3. Questioning witnesses
4. Striving for consistent and quality decisions
5. Conduct of adjudicators
6. Collaborating with other tribunal members
7. Other “how to” advice



If you are a member of BCCAT in 2016/17 you will automatically receive free electronic access to the 2016 Decision-Maker's Manual.

To access the 2016 Decision-Maker's Manual:

1. Create a login account using the BCCAT website (click on login at top right corner of website and follow the prompts to create an account)
2. Once you have created your account, click on the Resources tab and select Decision-Maker's Manual Download and follow the prompts.

Welcome Leslie!



Welcome Leslie to the BCCAT Team!

The Board of Directors would like to welcome Leslie Perovic to BCCAT. Leslie is a support contractor that assists us with our day to day administrative tasks. Leslie joined us just before our membership renewal period so has been quickly getting to know all of our members as renewal notices are sent out and membership renewals are processed. We look forward to working with Leslie!



Membership Renewal



Has Your Membership Been Renewed???

We invite you to renew your group or individual membership to the BC Council of Administrative Tribunals (BCCAT). We encourage you to register now so you can benefit from BCCAT's services:

- New Decision-maker's Manual (formerly called the Adjudicators Manual) – electronic access now available for free to BCCAT members*
- 1 free registration to a regular BCCAT course
- \$200 off each BCCAT course
- \$100 off for the October 17th annual education conference
- Free tickets to a roundtable event on administrative justice.

For more information, see: [BCCAT Membership & Benefits](#).

* Note: We believe you will be very pleased with the quality of the Decision-maker's Manual. Since we were late in delivering this manual, BCCAT will provide renewing organizations with a 20% discount on your 2016/17 training services/membership package price.

To renew your group membership:

- Renew your group membership via our website on-line.
- To take advantage of your 20% discount: in the Checkout web-page, enter this code (ORG-89965) in the Coupon box.
- You will then be given an option to pay by cheque or credit card.

Thank you for your support. We look forward to serving you.

Supreme Court Case Law Update

The Supreme Court of Canada released its decision in *Fraser Health Authority v. Worker's Compensation Appeal Tribunal*, 2016 SCC 25 in June. Given the excellent summary prepared by WCAT on their website, we refer you to the WCAT summary of the case:

http://www.wcat.bc.ca/appeals/after/JRSummaries/FraserHealthAuthority_2016_SCC_25.pdf

This must read case deals with the law regarding judicial review, patent unreasonableness, an adjudicators role in finding fact and the right to reconsider.



CRT Update – The Civil Resolution Tribunal is Open (for Strata)!

by Shannon Salter

On Wednesday, July 13, 2016 the Civil Resolution Tribunal Act came into force and Canada's first online tribunal was launched. The Civil Resolution Tribunal (CRT) is currently resolving strata property disputes, but we expect to begin resolving low-value small claims matters early next year.

The launch went smoothly and there were no problems with the technology; both the Solution Explorer and the online application worked very well. In the first month, well over 1000 people have used the Solution Explorer to find free online self-help tools and resources to resolve their disputes. The CRT received only a few applications during the first few days, but the flow of new disputes has become fairly steady since then. One surprise from the first month is that people seem fairly comfortable with the online application process – no one called or emailed us to ask for a paper form. We will continue to offer paper forms, and monitor the demand for them.

We are using the CRT's early cases to test and improve our processes, largely in response to public questions and comments through email and phone. In learning from these early cases, we've already made a number of changes to the software, website, and forms. We will continue to ask for, and incorporate, this feedback in the future.

The CRT is also beginning to facilitate a number of early cases. During the facilitation process, a case manager with dispute resolution expertise works with the parties to help them achieve a consensual agreement. We will largely be using email, telephone and video conferencing to conduct these facilitations, minimizing travel costs for staff and participants. Over time, we'll learn which strategies and techniques are most effective at helping people to resolve their disputes. This knowledge will help us develop technology tools to assist the facilitation process.

If there are disputes that are not resolved during facilitation, the next step is to move the claim into the CRT's Tribunal Decision Process. This process involves a hearing and binding decision by an expert CRT member. The CRT's members have participated in extensive BCCAT and other training to prepare them to decide claims through online dispute resolution, and we expect to begin our first adjudications in the coming weeks.

This is an exciting time for the CRT as we begin resolving disputes. Every day we are learning and developing new ways to increase access to justice and serve the public better. For more updates on the CRT, please check out our website: civilresolutionbc.ca.

Notice of BCCAT Annual General Meeting

Date: October 17, 2016

Time: 11:45AM -12:15PM

Location: The Wosk Centre for Dialogue 580 West Hastings Street, Vancouver, BC

Notice to members that the 2016 annual general meeting of BCCAT will be held for the following purposes:

- To adopt the minutes of the 2015 AGM
- To receive the President's report
- To receive the Treasurer's report
- To appoint Auditors for 2016/17
- To receive committee reports and approve Directors' activities
- To elect Directors and Board officers

BCCAT Needs YOU!

Would you like to become more involved in the Administrative Justice Community? If so, there are numerous ways to become more involved:

Board of Directors – BCCAT is seeking members to serve on its Board of Directors. If interested, or if you know of someone that would be an excellent fit, please let the Nominating Committee know via email to registrar@bccat.net

Committees – BCCAT is also seeking members to serve on its various committees:

- Membership and Outreach
- Policy
- Technology
- Nominating
- Education
- Conference

If you are interested in assisting BCCAT please forward your interest via email to registrar@bccat.net.

BCCAT is run by its members for its members.

Joint Conference - Save The Date



May 28 – 30, 2017 CCAT's 33rd Annual Symposium at the Sheraton Wall Centre, Vancouver, British Columbia
Reserve the dates – Don't miss it!

More information will be available in January 2017

BCCAT invites you to attend its 33rd Annual Symposium hosted jointly by BCCAT and the Canadian Council of Administrative Tribunals, which will take place at the Sheraton Wall Shaw Centre in Vancouver, British Columbia, Canada from May 28 to 30, 2017.

This symposium will address issues and topics of interest to those who meet the challenge of delivering administrative justice every day.

