

**ADMINISTRATIVE JUSTICE PROJECT  
ADVISORY COMMITTEE  
Minutes –November 23, 2001**

**In Attendance:**

**Committee Members**

Gillian Wallace (Chair)  
Phillip Bryden  
Susan Christie (Secretary)  
Lisa Cowan  
Margaret Eckenfelder  
Diane Flood  
Fern Jeffries  
Wendi Mackay  
Anne McFarlane

**Project Staff**

Frank Falzon  
Bruce McKinnon  
Angela Westmacott

**1. WELCOME and INTRODUCTIONS**

Anne McFarlane, ADM Strategic Programs, Ministry of Health Planning has replaced Janet MacGregor on the committee.

**2. MINUTES OF SEPTEMBER 24, 2001 - Approved**

**3. ADMINISTRATIVE JUSTICE PROJECT – STATUS REPORT PRODUCTS**

- a) **Administrative Justice Review** -- Four separate but related papers have emerged from the “Administrative Justice Review” component of the project:
- 1) Standard of Review on Judicial Review or Appeal by Frank Falzon (draft distributed)
  - 2) Administrative Agencies and the Charter by Bruce McKinnon (draft distributed)
  - 3) Statutory Powers and Procedures by Frank Falzon (draft forthcoming)
  - 4) Levels of Appeal by Bruce McKinnon (draft forthcoming)
- b) **Human Rights Review** – Background paper by Angela Westmacott and Debbie Lovett (draft distributed)
- c) **Appointments Policy** – on schedule - Background paper by Angela Weltz under development
- d) **Workplace Tribunals** – delayed – Project to be restructured to reflect Core Services Review

**TIMEFRAMES**

**Background Papers** – The following schedule is planned at this time:

- 3 Background papers to be released in Mid-December: Standard of Review, Administrative Agencies and the Charter; Human Rights

Review Members are free to share the background papers following notification that the Attorney General has approved their release. Amended copies of the papers will be circulated to committee members once they are finalized.

- 3 Background Papers expected to be completed in January: Statutory Power and Procedures, Appointments Policy, Levels of Appeal. These will be shared with the Advisory Committee as they become available and released in late January/early February.

Members of the Advisory Committee noted that since two of the planned Background Papers: Workplace Tribunals and Human Rights are not system-wide, they may need a somewhat different approach. The issues of overlap/confusion re complaint processes are still relevant and should be addressed by the project as and when appropriate.

The Provincial Council of the CBA is meeting at the beginning of March and will provide comments on the background papers by March 15. Committee members were asked to provide advice on how to ensure appropriate consultation on the background papers with all relevant sectors.

**White Paper** – The Project anticipates that the white paper (which will form the basis for public consultation) will be available by Spring. The committee members suggested that the white paper needs to be accessible to an audience broader than the legal community. The Project Director is aiming for release of the white paper by the end of April.

#### **4. CORE SERVICES REVIEW: UPDATE**

The Core Services Review process for the AJP Table I agencies is almost complete. All agencies have made their presentations to the AJP Core Services Review Committee.

The Attorney General attended the Task Force at the first AJP presentation to inform the Task Force about the project and provide necessary background information on administrative justice. AJP presentations to the Core Services Review and Deregulation Task Force will be completed on December 4. The Task Force will then report to Cabinet. Cabinet decisions on Phase I (Mandate Review) are expected in late January.

#### **5. PRESENTATIONS**

Three background papers were reviewed by the committee [Standard of Review on Judicial Review or Appeal, Administrative Agencies and the Charter, and Human Rights] and specific comments were provided to their respective authors.

The following general comments were also made:

- Use plain language where possible – especially in the Executive Summary
- Ensure that the policy issues being discussed are clearly identified

- Use Headings to direct the readers attention – identifying key questions and options will assist in clarifying the focus of each paper
- Include a detailed Table of Contents
- Footnotes are generally easier for the reader than endnotes
- Try not to be too lengthy – move detailed information to appendices where appropriate

The authors will make revisions to the paper as agreed at the meeting.

**6. NEXT MEETING** - late January