

## **Administrative Law Section Report 2016-2017**

### **EXECUTIVE**

The Manitoba Administrative Law Section Executive consists of:

- Timothy Lach, Chair (Winnipeg Regional Health Authority);
- Peter Mueller, Vice Chair (Taylor McCaffrey LLP);
- Sarah Hill, Past Chair (Municipal Finance and Advisory Services); and
- Shereese Qually, Member-at-Large (Taylor McCaffrey LLP).

### **MEMBERSHIP**

The Manitoba Bar Association Administrative Law Section currently has 206 members.

### **SECTION ACTIVITIES**

#### **❖ Continuing Legal Education**

On November 24, 2016, the Manitoba Bar Association Administrative Law Section along with the Constitutional Law Section hosted a lunch meeting with Mr. Byron Williams, Public Interest Law Centre which was entitled “Arguing *Charter* Competence before Administrative Tribunals.” There were 22 attendees to the lunch meeting. The presentation was described as follows:

“This session will look at what the case law says on the *Charter* competence of administrative tribunals, how to prepare to argue *Charter* competence, and a reflection on the pros and cons of this ‘extended’ jurisdiction”

On January 19, 2017, the Administrative Law Section sponsored a session at the Midwinter including Ms. Lynne Arnason of the *College of Physicians and Surgeons of Manitoba*, Mr. Rocky Kravetsky of The Law Society of Manitoba and Mr. Brian Meronek, Q.C. of D’Arcy & Deacon LLP, each of whom gave practical tips to advocates appearing before professional standards and/or self-governing bodies including the Law Society of Manitoba, Engineers Geoscientists Manitoba and the College of Physicians and Surgeons of Manitoba. The seminar included a review of the governing legislation, procedure, and advocacy. The session was entitled “*Appearing Before Professional Standards/Self-Governing Bodies Regarding Complaints*” and there were 57 attendees.

On June 29, 2017, the Administrative Law Section will co-host a lunch meeting with the Labour and Employment Law Section with speaker, Ms. Pamela Clarke of Pamela M. Clarke Law Corporation. Ms. Clarke is a lawyer who operates her own consulting

practice, providing respectful workplace advice to employers and investigates complaints. Ms. Clarke at this session will discuss Workplace Investigations and described her presentation this way:

“Participants will leave with an understanding of the legal framework that establishes the duty to investigate incidents of discrimination and harassment and the standard to which such investigations are held. Ms. Clarke will provide her perspective on issues such as the invocation and waiver of privilege; selection of investigator; identifying the nature and scope of the investigation and the investigation mandate; procedural issues related to interviewing parties and witnesses; and report writing. Standard practices and recent case law will be reviewed.”

Submitted by,  
Tim Lach, Chair, MBA Administrative Law Section