

Foundation of Administrative Justice
5th Annual Conference Workshops and Descriptors
April 29th & 30th, 2009

Concurrent session: Thursday April 30th, 11:15 am & 1:30 pm

5. Focus on Fairness: Access is Critical!

Speakers: Kevin Fenwick, Q.C. Saskatchewan Ombudsman

Joanne Smart, Senior Counsel, Alberta Ombudsman

The Ombudsman has a special role within the administrative tribunal world. Ombuds offices oversee the implementation of fair processes used by government departments, boards, agencies and commissions. Although not every administrative tribunal will be subject to oversight by the Ombudsman, every tribunal can benefit from the tips and suggestions offered by the Ombudsman. Fair process does not necessarily mean that every person is entitled to a formal personal hearing, with all the attributes of that hearing. To an Ombudsman, the requirements of fair process can be fluid and affected by the nature, effect, and complexity of the decision. The speakers will share their standards and evaluation methods to help tribunals understand how access is critical to fair process. In the words of the Alberta Ombudsman's office, "What gets measured gets done. It is better to get it roughly right, right away than to take too long and get it precisely wrong."