



DISCIPLINE HEARING GUIDE FOR SELF-REPRESENTED RESPONDENTS

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A non-comprehensive guide to proceedings involving Professional Engineer Ontario's Discipline Committee tribunal.



Professional Engineers
Ontario



DISCIPLINE COMMITTEE HEARING GUIDE FOR SELF-REPRESENTED RESPONDENTS

Note to Readers

This document is intended to be a non-comprehensive guide to Professional Engineers Ontario's Discipline Committee tribunal proceedings. The purpose of this guide is to provide plain language explanations of common processes and procedures that occur during a hearing process. This guide is not nor claims to be comprehensive; it is simply an overview of various elements of the hearing process under the Discipline Committee.

This guide does not intend, nor claim to be legal advice. Further, this guide cannot and should not be used as a substitute for advice that would be provided by a lawyer or paralegal that you hire to work for you on the matter before the Discipline Committee. A lawyer or paralegal may be engaged by you as your legal representative. Additional information can be found in the Discipline Committees Rules of Practice and Procedure.

You can find contact information for the Discipline Committee on the PEO website on [the Discipline Committee page](#).



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1. Rights, Responsibilities & Supports of Self-Represented Individuals

1.1 Right to Self-Represent

Welcome. You are a member and/or holder of a Certificate of Authorization who has been referred to Discipline alleging professional misconduct or incompetence for a Hearing before the Discipline Committee. The Discipline Committee works with the Tribunal Office staff who will send you official correspondence on behalf of the Committee. The Tribunal Office Staff are responsible for the procedures related to the matter; i.e. how you get from being referred for a hearing to having one. Tribunal Office Staff cannot provide you with legal advice, but they can answer some questions about procedure, after you have read this guide.

The Tribunal and Independent Legal Counsel (ILC) to the Tribunal are not “parties”. Only you and PEO through their Counsel are “parties”.

You have the right to represent yourself. While we recommend you hire a lawyer or paralegal to help you when you are appearing before a Tribunal, we understand that is not always possible. If you have not hired a lawyer or paralegal, then you are called “self-represented”. This means you are taking on the formal role of presenting your own case.

Self-represented means that you will appear before a Panel without the benefit of legal representation. In Ontario, only a licensed lawyer or paralegal may be your legal representative. Lawyers or paralegals provide experience and legal expertise that can help reduce the stress and time of your case. They can also provide you with valuable advice that can help you defend or fairly resolve your case.

If you appear at your hearing without legal representation, the Panel may ask you if you will be self-represented or if you would like to obtain legal representation. If you have been unable to obtain the legal representation but you wish to do so, you can ask the Panel to briefly postpone your hearing to give you time to hire legal representation. If you have asked for additional time already in the proceeding, you may not get the time that you ask for. A glossary of legal terms can be found on page 17.

1.2 Your Responsibilities

If you choose to self-represent, you are expected to prepare your own case (as will be discussed in Section 2). You are also responsible for learning about the hearing process, the rules and the law that relates to your case. The fact that you do not have legal representation will not excuse you from having to follow tribunal rules and processes. The Rules of Procedure can be found on the [Discipline Committee page](#) on the PEO website.

You have the right to be either physically or virtually present throughout your hearing. However, that right is not absolute: if you disrupt the hearing, or act in a way that compromises the integrity of the hearing, the Panel may require you to not be present during the hearing.



1.3 Role of Decision-Making Panel

Decision-making Panels (Panel) are composed of three to five elected and/or appointed members of the Discipline Committee who are appointed to serve on the hearing Panel.

The role of the Panel is to objectively and impartially listen to and assess the evidence before it and then to render a decision. The Panel members are the deciders.

The Panel will be advised by their own independent lawyer who is referred to as independent legal counsel (ILC). ILC will provide the Panel with guidance on specific legal matters which may include the relevance or permissibility of either parties' submissions, or the legal rules that govern the hearing. Neither the Panel nor independent legal counsel can provide you with legal advice; however, they may provide clarification about the process if needed. The Panel and the independent legal counsel are impartial to either side of a case.

1.4 Communications

Communications with Counsel for the Registrar

Counsel for PEO is a lawyer. Counsel for PEO is there to provide information on behalf of PEO related to the alleged professional misconduct or incompetence. You must copy them on all your correspondence with the Discipline Committee Chair and the Tribunal Office Staff.

When communicating with Counsel for PEO, try and stay focused on the issues that you need to discuss. Set out what you are going to discuss and stay on topic to ensure that issues can be efficiently resolved. Communicating in a professional and respectful manner is expected and will also be helpful to facilitate the pre-hearing and hearing processes.

Communication with the Discipline Committee

Any communications to the Discipline Committee must be sent electronically through the Tribunal Office. Rules regarding communications with the Discipline Committee are listed in the *Discipline Committee Rules of Practice and Procedure* which can be found on the [Discipline Committee page](#) on the PEO website. Note that any communication shared with Tribunal staff or the Registrar's representatives by email may be introduced as evidence as part of a hearing.

Communication with the Panel

1. Do not try to contact the members of the Panel outside of your hearing. It is not appropriate for you to reach out to them individually or as a group. Your only contact with them will be in a formal manner as part of the hearing process.
2. If you need to send any letters or information to the Discipline Committee when you are not in a hearing, send it through the Tribunal Office by email. The Tribunal Office does not accept drop-ins.
3. Emails sent to the Tribunal Office must have the other parties copied. Parties to the hearing may vary from case to case, but generally are meant to include counsel who



represents PEO, or their other legal representative, yourself as you are the defendant appearing before a Panel and your legal representative if applicable.

4. Any communication from one party to the committee must be shared with all other parties and include the Tribunal Office. The only exception to this is when you are communicating with Counsel for PEO about settling an issue or matters in confidence and in relation to the Pre-Hearing Conference discussions. This is typically referred to as "without prejudice" communications.

1.5 Legal Assistance

Hiring a lawyer or paralegal will make this an easier process for you. This hearing is a formal legal proceeding and they can help you understand what is required.

The Law Society of Ontario offers different ways for you to find a lawyer or paralegal skilled in appearing before a tribunal.

2. Building a Case

2.1 Overview

To effectively present your arguments during your hearing, you will need to build a “case”. Building your case will generally involve answering the four questions below:

- **What do I want?**
- **What is the relevant law (policy, guideline, regulation, etc.)?**
- **What do I need to show?**
- **How am I going to prove it?**

The Respondent(s) does not bear the burden of proof. The PEO bears the burden of proof and all allegations must be proven by the PEO. Respondent(s) may wish to provide evidence to support their contention that they have not committed professional misconduct or are incompetent.

The hypothetical scenario below provides an example of how you may build a case.

Example

You want to remain licensed as a Professional Engineer in the Province of Ontario and have received the referral to Discipline including the Statement of Allegations indicating the alleged professional misconduct or incompetence.

The Tribunal Office sends a Notice to the Parties and a request that you to complete a Statement of Readiness (SOR) by a specific date. You have not decided to hire a lawyer or



paralegal yet so you fill out the SOR as best as you can and you submit it. The SOR sets out when you or your representative are available for the hearing or if you would like to have a Pre-Hearing Conference. It also asks you to identify how much time you think your hearing will take and how many witnesses or expert reports you have as part of your evidence.

The Notice to the Parties provides some information and instruction with deadlines. It is a formal notice that the Discipline Committee has your case.

Think about these things:

1. **What do I want?** – For the Panel to decide I did not commit professional misconduct and/or am not incompetent.
2. **What is the relevant law?** – Please review the *Professional Engineers Act, R.S.O. 1990, c. P. 28 (Act)* at sections 27-31 and in the General Regulations under the *Act* at section 72.
3. **What do I need to show?** – You would be required to show:
 - a. You have not committed professional misconduct and/or
 - b. are competent.
4. **How am I going to prove it?** – You would need to provide evidence of the facts you wish to assert.

The PEO has the burden of proof, and all allegations must be proven by the PEO. You may wish to provide evidence that you have met the legal requirements. Proving that requires you to succinctly be able to provide fact and legal evidence that upholds your story.

2.2 Affidavits

Overview

You might need to write an affidavit as part of your case. An affidavit is a written statement of facts that you swear are true. Affidavits are often used as evidence to support your case when you are applying for interim (temporary) orders or consent orders. A non-party witness may also swear an affidavit on an interim or consent order application.

Writing Affidavits

There are strict rules on what you can write in your affidavit. Courthouse libraries often have resources on the rules about writing affidavits. Affidavits should be statements of facts, not personal opinions. Effective legal writing should be simple and plain to ensure that there is no confusion of what is being conveyed. Since you want to convince the Panel to decide in your favour, it is important to take the time to write as clearly and as well as you can.



Formatting Affidavits

Keep your affidavit as short as possible. Limit each paragraph to one idea. Spacing should be set to at least 1.5 and a space should separate the paragraphs. Never use a font smaller than 10 pt or larger than 12 pt for the main body of the text.

If you want to support a fact in your affidavit with an exhibit, you must refer to it in your affidavit. Each exhibit should be given a letter and referred to in alphabetical order. The first exhibit you refer to in the affidavit will be lettered ‘A’, the second, ‘B’, and so on. Attach all your exhibits at the end of your affidavit. If an exhibit has multiple pages, number the pages.

Swearing Affidavits

To “swear” or “affirm” means that you have read the affidavit and that you promise the information in the affidavit is true. Lawyers, paralegals and public notaries are commissioners for this purpose, as are some staff in lawyers’ offices.

2.3 Legal Research

Legal research is about learning the law and understanding how the law applies to your case. It is important to understand your legal rights and obligations. The Panel can only give you what you are entitled to under the law.

You will want to use the law to support your position and convince the Panel to decide in your favour. You should start with the *Professional Engineers Act* and the Regulations made under it. You should also refer to the Rules of Procedure for the Discipline Committee and any policies or standards of practice that pertain to your specific case. Policies and standards of practice can be found using the search tool on the general PEO website: www.peo.on.ca

The *Statutory Powers Procedure Act (SPPA)* provides a general framework for conduct of hearing before Ontario’s administrative tribunals. The *SPPA* establishes minimum procedural requirements that must be met by administrative tribunals in conducting hearings and decision-making.

3. Initiating Hearings – Responding to Notices

3.1 Overview

Notices are a type of document that is issued as a formal notification of something. The matter against you was referred to Discipline for a hearing. Now you will receive Notices from the Tribunal Office. These Notices are usually about when a pre-hearing or hearing is going to happen.

Below is a brief summary of how notices are used to commence Discipline Committee proceedings.



3.2 Discipline Hearings

Notice of Hearing

The Tribunal Office will send you a Notice of Hearing or Pre-Hearing Conference. This tells you when and where the hearing will occur.

NOTE: Please review s.5.1 about Pre-Hearing Conferences. You may speak with the other party, PEO's Counsel, about settling issues or coming to an agreement in advance of the formal hearing.

Before a main hearing you might be given an opportunity to participate in a Pre-Hearing Conference as described in Section 5 below. You always have the option to proceed directly to a Hearing at which point the Tribunal Office will serve you with a Notice of Hearing within 30 days of receiving your answer. A Notice of Hearing is a document that indicates the date, time, place, and reasons for the hearing. A hearing can include every type of hearing such as a pre-hearing, a hearing on a motion or a hearing on the merits.

PEO's Counsel must provide you with their disclosure. They have a legal obligation to share their case with you. It is important that you share all the information you have that is relevant to your case with the other party. If you have information related to the allegations of professional misconduct or your competence share that information with PEO's Counsel. This is typically referred to as the "Disclosure of Documents".

Disclosure of Documents is required by the Rules of Civil Procedure in Ontario and Discovery is the legal process to obtain information. You do not need to use the formal legal terms but need to abide by the principal that sharing information that is in your favour and not in your favour which will lead to the best possible outcome.

Your documents should be organized chronologically by topic or issue or in some other easy to follow manner.

4. Becoming Familiar with Tribunal Procedures

4.1 Personnel Present at a Hearing

1. **The Panel:** The impartial group of individuals who will decide your case.
2. **Independent Legal Counsel:** A lawyer who informs the Panel of relevant legal considerations when making their decision.
3. **PEO Counsel:** Lawyer(s) who will represent PEO's position.
4. **Court Reporter:** An individual who keeps a record of the proceedings. **PLEASE NOTE. The Court Reporter is not present at a Pre-hearing Conference. Pre-Hearing Conferences are "without prejudice" meaning they are confidential and**



only between the parties. A Pre-Hearing Conference (PHC) is an opportunity to discuss possible solutions and ask questions.

5. **Tribunal Administrators/Staff in the Tribunal Office:** Individuals that facilitate proceedings regarding the tribunal.
6. **Member of the General Public:** All Discipline Committee hearings are open for members of the public to attend.

4.2 Expected Behaviour

Discipline hearings are conducted in a formal and professional manner which your conduct should reflect.

Adhering to the following rules will make the hearing process more effective and efficient for all parties involved. Hearings can be very stressful for all parties.

1. **Be courteous and respectful** – You are solely responsible for being respectful and courteous, regardless of what happens.
2. **If you are unsure about next steps, you may ask the Panel.** For instance, after the Chair of the Panel completes the introduction, it will be PEO Counsel’s turn to speak and present their case. Everyone will be given a chance to speak so there is no reason to interrupt someone while speaking (unless you are making an objection). Be patient and attentive; avoid signs of disrespect such as rolling your eyes or being sarcastic or being offensive. This also includes making sure your microphone is muted when it is not your turn to speak during online hearings.
3. **Keep your emotions in check** – Regardless of what happens during the proceedings, it is always best to remain calm. In the event you are asked an uncomfortable question, maintain your composure, and provide a response that is as truthful and professional as possible.
4. **Ensure you appear on time** – Each hearing is allocated a fixed amount of time. Appearing on time is vital to ensure that the duration of the proceeding is not unnecessarily extended.

5. Pre-Hearing Appearances

5.1 Pre-Hearing Conferences

A Pre-Hearing Conference is when the parties to a proceeding meet prior to their hearing. The purpose of a pre-hearing conference is to facilitate a fair and expedient hearing. Pre-Hearing Conferences are scheduled when either 1) the chair of the Discipline Committee approves a request from one or both parties; or 2) it is scheduled by the chair of the Discipline Committee.



A Pre-Hearing Conference is comprised of a Pre-Hearing Conference Chair and the parties to the proceeding. Discussions at a pre-hearing conference are confidential¹ and may include: Identifying, limiting, or simplifying the issues on the proceeding; Identifying or limiting the use of evidence or witnesses; Possibility of settlement; Possibility of parties agreeing to a statement of facts; or discussing appropriate next steps.

5.2 Applications and Motions

Before your case is heard before the Panel, issues may arise that require resolving. Either party may request that the Discipline Tribunal make an order to deal with these issues prior to the proceeding. This type of request is known as a “motion.” A motion is procedure where you or PEO’s Counsel requests relief from the Discipline Committee.

Bringing a Motion

If you wish to file a motion, you generally must file a document called a “Notice of Motion” which can be found on the website. There are strict rules for filing motions; for more information, you should refer to the the [Discipline Committee Rules of Practice and Procedure](#).

Motion Hearings

Sometimes motions are heard as part of a hearing and sometimes a separate motion hearing is held. Motions are heard in front of a Panel. The party who made the motion will present their submissions first which will be followed by the submissions from the responding party. The Panel can then ask either party questions in relation to their submissions. Independent legal counsel may then provide legal advice pertaining to the motion, both parties may make further submissions based on this advice.

Once the Panel hearing the motion has considered submissions from both parties; they will decide to either dismiss the motion, or grant all or some of the orders requested.

6. Evidence

6.1 Overview

This section will cover what evidence to bring forward, how to organize it, and how it should be used at your hearing. The evidence you submit should prove the facts that are required to support your conclusion. As such, the Panel’s decision will be based on the evidence that you and the other party provide at the hearing.

¹ Unless otherwise ordered or required by law.



You may only submit evidence that is both *material* and *relevant*. Relevant in this context means that the evidence relates to the issues in your case. Material in this context means that the evidence likely proves or disproves contested facts relevant to your case.

6.2 Types of Evidence

You can submit three types of evidence.

- **Documents:** Physical or electronic records that provide information. Examples include contracts, receipts, pictures, and emails.
- **Oral Evidence:** Testimony given by a witness.
- **Physical:** An actual object.

6.3 Documents

Document evidence may include but is not limited to pictures, videos, sound recordings, text messages, emails. Documents should be organized so they can be easily referenced during your hearing.

Using Documents in a Hearing

Any document, photograph, or object that you wish to use to prove a fact at hearing may be used as evidence. Things that have been entered into evidence are called “exhibits” and each exhibit is logged in the Tribunal’s record. Each exhibit is numbered so it can be easily referenced.

Filing Documents

If you intend on using documents as evidence during your hearing, you must follow rules listed in the *Discipline Committee Rules of Practice and Procedure* which are summarized below, unless the Panel directs you to do otherwise. The Panel has the power to refuse documents if they do not comply with the filing rules.

- All documents must be filed in electronic format.
- Where possible, electronic documents must be filed via email in .pdf, .doc, .ppt, or .xlsx format, with .pdf format being strongly preferred.
- If filing via email is not possible, you are expected to contact the Tribunal Office to facilitate an alternative method of filing.
- For information regarding presenting documentary evidence from an expert witness, please refer to the rules set out in the [*Discipline Committee Rules of Practice and Procedure*](#).



6.4 Oral Evidence

The other type of evidence presented in a tribunal is oral evidence. This is when a person provides verbal information during the hearing.

There are two types of oral evidence:

1. **Testimony of parties:** This is when you or the other party named in the case gives sworn oral statements before the Tribunal.
2. **Testimony of a witness:** This is when a person who is not a party in the case comes to the hearing to answer questions.

6.5 Testimony of Parties

During the hearing, you will be able to testify in support of your own position. If you testify, you will need to truthfully answer the questions asked by the other party as well as by Panel members.

You will not be allowed to argue your case while you are testifying. This means that you cannot explain the legal issues or why you believe the tribunal should decide in your favour. Legal issues can be argued when you and the other party give your closing arguments.

6.6 Witness Testimony

You and the other party may each bring people to help prove the case (witnesses). Witnesses will need to take an oath or affirm to tell the truth. They will need to answer questions asked by both parties and the Panel.

When questioning your own witnesses, you can only ask open-ended questions that do not suggest an answer. The other side may then ask questions, but because it is not their witness, they may ask leading questions. When the party who brought the witness asks questions it is called direct examination (also called examination-in-chief). When the other party asks questions it is called cross-examination. Once the other party is done the cross-examination, the party who brought the witness may re-examine the witness. Re-examination is limited and can only be used to clarify a witness's evidence or to ask questions about issues that were first raised in cross-examination.

Expert Witnesses

In certain circumstances, you may want to have an expert present their opinion on a matter as evidence before the Panel. An expert witness is an individual who has specialized knowledge on a particular subject and can clarify certain issues that are outside of common knowledge. An example of an expert witness is a medical professional who gives their opinion on an individual's injuries.

Generally, witnesses cannot state their opinions and are limited to statements of fact. Expert witnesses are given an exemption to this rule when they are giving opinions that are related to



their field of expertise. You should refer to the *Discipline Committee Rules of Practice and Procedure* to ensure you comply with the Tribunal's rules for using an expert witness at a hearing.

Expert Report

For an expert to testify at a hearing you need to serve the other party with a report from that expert. It must also state the documents, calculations, and data that they used in reaching their opinions or conclusions. In most cases, the expert will also have to be at the hearing to explain their opinion and answer questions about it. The timeline for serving and filing expert reports are set out in the rules of procedure.

Once the report is produced and the witness is established as an expert, that expert may be examined and cross-examined at the hearing about their opinions.

6.7 Objecting to Evidence

If the other party thinks that any evidence that you want to introduce is not material or relevant, they may object and ask the Panel to exclude that evidence. Likewise, you too have the right to object to any evidence introduced by another person if you think that it is irrelevant or immaterial. This technique should only be used when you truly think another party is trying to introduce improper evidence.

7. Hearing

7.1 Overview and Summary of Steps

The way hearings are conducted can be roughly divided into three phases: Opening statements, calling of witnesses, and closing statements. Although the Panel has the power to alter how hearings are conducted, most hearings will adhere to the following order of operations.

1. Opening Statement:
 - a. At the Discipline Committee you are the responding party. Your Opening Statement will come second after PEO's Counsel.
 - b. When PEO's opening statement is complete then you and your legal representative, if any, will make your opening statement.
 - c. In some instances, you and your legal representative may decide you wish to reserve your opening statement until after the Prosecution has rested.
2. Witnesses and evidence
 - a. Both you and PEO may call witnesses and submit evidence
 - b. Evidence that is accepted may be made an exhibit and given a number – i.e. "Exhibit 1", "Exhibit 2" etc.



- c. Following which the opposing party's counsel will call witnesses and submit evidence.
3. Questioning witnesses
 - a. When each witness is questioned by the party who asked them to attend it is called "direct examination".
 - b. After direct questioning occurs and the person(s) has responded and the party has completed their questioning entirely, the other party can cross examine.
 - c. After cross examination is complete the party who asked the witness to attend may have an opportunity to reexamine the witness.
4. The Panel is permitted to ask the witness questions to clarify an issue.
5. After all the evidence is submitted then you have closing statements:
 - a. Closing statement of PEO's Counsel.
 - b. Closing statement by responding member and/or holder and their legal representative, if applicable.

7.2 Opening Statement

Your opening statement should only be a few minutes long, so you want to be direct and to the point. Your opening statement allows you to summarize what has happened in the case up to that point. Provide a brief outline of the basic framework of your case, leaving the details to be filled in by the witnesses and exhibits. Your opening statement is not the time or place to present evidence or make arguments (although you may summarize each briefly). You should outline the main points of your position, describe the issues in the case, and briefly explain how you will prove or disprove each issue. Be sure your statement covers these points:

1. What has already happened regarding your case.
2. What you are seeking from the Panel.
3. What you will argue to prove your case.

7.3 Witnesses

Overview

Witnesses may be required to swear an oath or affirm to tell the truth before you can begin your direct examination. The Panel may ask questions of the witnesses every now and then. Those questions will normally be to clarify the evidence that the witness has given or to fill in gaps to achieve a better understanding. You cannot discuss a witness' evidence with them during a break.

Direct Examination

First PEO will call their witnesses and follow this same approach. Then it is the responding member/and or holder of a certificate of authorization's opportunity to call witnesses.



You will call your witnesses one by one to give their evidence. If you are giving evidence, you will normally be the first witness. Your opportunity to tell the Tribunal all the things you witnessed and experienced is when you are a witness. You may also refer to the documents you have filed at this time.

When you are calling witnesses (other than yourself), you get their evidence by asking your witness questions. Their answers to your questions are their evidence. The process of you asking your witness questions, and them answering your questions is called “direct examination”.

Cross-Examination / Re-Examination

If you or your witnesses give evidence, the other side can ask questions or “cross-examine” you or your witnesses regarding the evidence you or your witnesses provided.

Once the other side is done their cross-examination, you will have the option to ask questions if it is necessary to clarify the witness’ answers or address any issues that were raised in cross-examination that you didn’t previously ask them questions about. This is called the “re-examination”. Once that process is finished for your first witness, you will then call your next witness and the questioning process begins again.

7.4 Closing Arguments

PEO will present their closing argument first. The closing argument is the phase of the hearing when you will make your legal argument. You will describe what decisions you wish the Panel to make and why they should make them. You are not allowed to introduce new evidence at this stage of the hearing. The steps below provide a basic framework of what you may want to include in your closing statement.

1. Summarize the relevant law / policy / guideline.
2. Summarize how your evidence supports your points,
3. Address arguments against your position.
4. Conclude by restating the decision you seek.

7.5 Decision / Order / Judgement

After a hearing, the Panel will state their decision in writing or orally. Sometimes they will give their decision immediately and sometimes they will take your submissions under advisement and retire to consider them and prepare a written decision. The results of their decision will be called a direction or order and will be prepared by the Panel and released by the Tribunal Office. A direction or order is a document that describes what the Panel has decided. The Panel will provide the written decision and reasons for an order or direction within 90 days of the issuance of the order or direction. Orders may apply to both parties for a defined or undefined period.



8. Appeals

8.1 What is an Appeal?

If you believe your case was decided unfairly, you are allowed to appeal the decision to Divisional Court. It is important to get legal advice. The appeal process is costly and time consuming; as such, appealing should not be taken lightly.

If you decide to appeal, Divisional Court will review your case and decide if the Panel made any legal or procedural errors at the hearing or in the judgment. It is highly advised for you to obtain professional legal advice to assess your chances of success if you were to appeal a decision.

8.2 Process of Appealing

The process of appealing is managed by the Divisional Court and not PEO. If you believe you have grounds to appeal, you are advised to seek legal advice.

9. Glossary

Term	Definition
Act	Written law that has been passed by the provincial or federal legislature. Also commonly called legislation or statute. The Act which governs PEO is called the <i>Professional Engineers Act</i> , R.S.O. 1990, c. P.28.
Admissible Evidence	Evidence that the Panel is required to receive and consider.
Adjournment	An order that postpones a hearing until another time or place.
Affidavit	A document that contains facts that a person swears or affirms to be true.
Appeal	A review of a Discipline or Discipline Panel decision by Divisional Court.
Case Law	Decisions of Courts or Tribunals relating to a particular matter or issue.
Chair	The chair of the Discipline Committee, or the chair of the Panel constituted for the purpose of an appearance, as may be applicable.



Closing Argument	The concluding statements by a party to a hearing that generally summarizes the evidence and how it supports their position.
Cross-examination	The examination of a witness by the party opposed to the witness to test the truth of the evidence or to further develop it for other purposes.
Direct Examination	The questioning of a witness by the person who called the witness to appear before the tribunal to testify (also called examination-in-chief).
Discipline Committee	The committee that hears and determines allegations of professional misconduct or incompetence against licence holders.
Disclosure	The process of exchanging information that is related to the hearing and tends to prove or disprove the issues in a dispute. Each party to a hearing must disclose all their relevant information to the other side according to the required timelines, subject to exceptions.
Divisional Court	A court that hears criminal or civil cases and is administered by the provincial government. If you appeal a decision made by the Panel, your appeal will be heard by Divisional Court.
Evidence	The means by which an alleged matter or fact is established or disproved.
Exhibit	A document or object admitted as evidence.
Expert (Witness)	A witness who has the necessary skills and qualifications to help a tribunal understand certain technical or scientific issues that may arise during a proceeding.
Hearing	The process before the Discipline Committee constituted under the <i>Act</i> .
Independent Legal Counsel	A lawyer engaged to provide impartial legal advice to the Discipline Committee. The advice given by Independent Legal Counsel is shared to both parties.
Leading Question	A question that prompts or encourages a specific desired answer.
Legal Advice	Advice from legal representation about the law as it applies to a particular case.
List of Documents	A list of all the documents that relate to the issues in a case and are in a party's possession or under their power or control. This list must be provided to the other parties in the disclosure process.



Material Fact	A fact that is important, has influence or effect, or goes to the merit of the related issue.
Motion	A formal request for relief.
Notice of Hearing	The document issued that indicates the date, time, place, and reasons for a hearing.
Notice of Proposal	The document issued that indicates the Registrar's intention to refuse to issue, suspend, or revoke a licence.
Objection	The act of a party who objects to some matter or proceeding during the hearing.
Onus of proof	The burden placed upon a party to provide sufficient evidence to prove a fact.
Open-Ended Questions	Questions that encourage a full answer rather than a response of "yes" or "no".
Panel	The member or members of the Discipline Committee appointed by the Chair to hear a matter and make a determination.
Party	A participant who has an interest in the outcome and are generally Professional Engineers Ontario and the defendant or defendants.
Pre-Hearing Conference	A Pre-Hearing Conference is a confidential meeting to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues prior to the hearing.
Pro Bono Legal Services	Legal services provided to individuals free of charge.
Registration Committee	The committee that conducts formal hearings between the Registrar and applicants for licensure following the Registrar issuing a Notice of Proposal to not issue, revoke or suspend.
Regulations	Laws that generally set out practical information or procedures relating to a particular statute.
Settlement	An agreement between the parties in a dispute. A settlement can end or avoid or reduce the scope of a hearing
Statement of Readiness	Statement of Readiness is a form that both parties must complete by a specific date.



Statutory Powers Procedure Act	The Statutory Powers Procedure Act provides a general framework for the conduct of hearings before Ontario’s administrative tribunals.
Tribunal	An institution with the authority to judge, adjudicate, or determine claims in a dispute.
Unbundled Services	Method of legal aid where legal representation and a client agree to limit the scope of the legal representative’s involvement in a legal action.
Witness	A person who testifies because they have material or relevant information related to the case.



10. Resources

10.1 Overview

This is a limited list containing some of the low-cost resources that may be helpful for self-represented individuals. Legal clinics are legal aid programs that generally provide pro bono (free) or low-cost legal services. Legal clinics typically specialize in providing services in a specific area of the law and may not assist in this type of matter. Clinics are specific to issues (disability) or to a geographic area (Scarborough).

In addition, you may find CanLII useful – it is a free website that has cases on it. The Discipline Committee decisions may be available there.

Please visit Steps to Justice for information about resources <https://stepstojustice.ca/>

10.2 Other Resources

Name	Description
CanLII	CanLII is a non-profit organization founded in 2001 by the Federation of Law Societies of Canada on behalf of its 14-member law societies. Its mandate is to provide efficient and open online access to judicial decisions and legislative documents. By doing so, CanLII supports members of the legal profession in the performance of their duties while providing the public with permanent open access to laws and legal decisions from all Canadian jurisdictions.
Toronto Reference Library	The Toronto Public Library system offers a program called “LawDepot”. LawDepot provides do-it-yourself legal forms to the public. All forms, contracts and agreements are created by a team of lawyers and are updated regularly in accordance with Ontario law.