# **Ontario Review Board**

# **Annual Report**

Fiscal Reporting Period April 1, 2013- March 31, 2014



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Ontario Review Board
Office of the Honourable
Mr. Justice Richard D. Schneider

Mr. Justice Richard D. Schneider

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## Message from the Chair

Once again, this past year has brought to the Ontario Review Board a record number of hearings regarding individuals with verdicts of either Unfit to Stand Trial or Not Criminally Responsible on account of mental disorder. This is so even though the actual number of newly accused subject to our jurisdiction is slightly lower than the previous year. Our data confirm that mentally ill individuals becoming involved with the criminal justice system remains a significant concern.

At the same time we are aware of the efforts being made with innovative programs to 'divert' many of these people out of the courts and Review Board systems earlier in the process. I am of the view that these efforts have great potential. In particular, there is the work of the various Mental Health Courts, the Ministry of the Attorney General's 'Diversion of Mentally Disordered Accused', and various 'pre-arrest' diversion schemes which are proving to be very effective.

As I am at the two year mark as Chair of the ORB we have made considerable progress and have identified three key target objectives:

- 1. Reduction in hearing times through more extensive pre-hearing conferencing,
- 2. Reduction in the time from hearing to the production of our Reasons (with 4 weeks being the goal),
- 3. Reduction in the number of adjourned hearings, accomplished through:
  - More extensive pre-hearing conferencing, and
  - ii. Scheduling of hearings 9 months in advance (so as to avoid parties' 'conflicts')

Meanwhile, the Review Board continues to fulfill its statutory mandate as set out in Part XX.1 of the *Criminal Code of Canada*, complemented by its strong membership and supported by a very effective administrative office. All are dedicated to conducting efficient hearings all within the legislated time lines.

The Honourable Mr. Justice Richard D. Schneider

#### Overview of the Ontario Review Board

The Ontario Review Board is a unique tribunal that, with its counterparts, forms a critical component of the Canadian justice system. While it operates within the province of Ontario, the Ontario Review Board is not governed by provincial legislation, but by federal legislation.

Established under Part XX.1 of the *Criminal Code*, the role of the Ontario Review Board is clearly defined as follows:

"A Review Board shall be established or designated for each province to make or review dispositions concerning any accused in respect of whom a verdict of not criminally responsible by reason of mental disorder or unfit to stand trial is rendered, and shall consist of not fewer than five members appointed by the Lieutenant Governor in Council of the province..." (Part XX.1)

While the role of each Review Board is the same from province to province, the *Criminal Code* states that "a Review Board shall be treated as having been established under the laws of the province." This statement recognizes the fact that the efficiency and effectiveness of each Board in each province hinges on its connection to the province's psychiatric facilities and mental health delivery system.

The Ontario Review Board's procedures are directed solely by the *Criminal Code* and the *Public Inquiries Act*. Unlike adjudicative agencies that are created by provincial statute, the Ontario Review Board is not subject to the provisions of the *Statutory Powers Procedure Act*. Appeals from decisions of the Ontario Review Board are made to the Court of Appeal for Ontario.

#### Jurisdiction of the Ontario Review Board

The Ontario Review Board has jurisdiction over individuals, referred to in the *Criminal Code* as "accused," who the Ontario courts have found to be either unfit to stand trial (unfit), or not criminally responsible (NCR) on account of mental disorder for the commission of a criminal offence.

Individuals found to be unfit to stand trial continue to be subject to the jurisdiction of the Ontario Review Board until it finds them fit to stand trial. At that time, they are returned to the court and if the court confirms that verdict, their cases proceed in the normal course.

In dealing with accused found not criminally responsible on account of mental disorder, the Ontario Review Board's responsibility is to hold a hearing and to make a disposition for each accused under its jurisdiction, taking into consideration the "need to protect the public from dangerous persons, the mental condition of the accused, the reintegration of the accused into society and the other needs of the accused."

These complex factors must be considered at each hearing conducted by the Ontario Review Board. They affect both the liberty of individuals and the safety of the public. The importance of the Ontario Review Board's decisions as they relate to these basic human rights is further underlined by the fact that appeals from the Ontario Review Board's decisions are made directly to the Court of Appeal for Ontario.

Decisions of the Ontario Review Board are referred to as dispositions. Following a hearing, the Ontario Review Board renders one of three dispositions:

- 1) An absolute discharge
- 2) A discharge subject to conditions; or
- 3) Detention in a hospital, subject to conditions.

For those detained in hospital, the Ontario Review Board issues a warrant for detention as set out in the *Criminal Code*.

Other than absolute discharges, dispositions of the Ontario Review Board are to be reviewed by the Ontario Review Board at least once every twelve months.

Parties to a hearing typically include the accused, the person in charge of the hospital in which the accused is or may be detained or to which the accused reports, and a representative of the Attorney General. Other persons who have a substantial interest in protecting the interests of the accused may be made a party if the Ontario Review Board is of the opinion that it is just to designate such persons as parties.

## **Organization of the Ontario Review Board**

In carrying out its mandate as directed by the *Criminal Code*, the Ontario Review Board operates in a fashion similar to the courts.

As of March 31, 2014, the Ontario Review Board had 155 members. In addition to a full time Chair, the Ontario Review Board's part time members include 38 alternate chairs, 13 legal members, 59 psychiatrists, 18 psychologists, and 26 public members. All are residents of Ontario. The members of the Ontario Review Board are appointed by Order-in-Council.

#### **Board Composition**

The *Criminal Code* stipulates that the Chairperson must be a judge of the Federal Court or of a provincial superior, district or county court, or a person who has retired from or is entitled to be appointed to such a judicial office. "Chairperson" by definition includes not only the Chairperson as appointed by the provincial Cabinet, but also any other qualified member whom the Chairperson designates as an "alternate chairperson" to act on the Chairperson's behalf. In Ontario, the Chair usually appoints alternate chairs who are lawyers with 10 years experience, judges or retired judges.

The *Criminal Code* also specifies that a quorum for a hearing consists of three Ontario Review Board members. Each panel must have a Chairperson or alternate chairperson, a psychiatrist and any other member. The Ontario Review Board usually sits in panels of five consisting of the Chair or alternate chair, two psychiatrists, or one psychiatrist and one psychologist, a legal member and a public member.

## **Board Hearings**

An initial hearing, held after an individual has been found unfit to stand trial or not criminally responsible on account of mental disorder for the commission of a criminal offence in court, is usually conducted in the hospital where the accused is detained or directed to attend, or in a court house. The Ontario Review Board no longer holds hearings in jails or detention centres. The Ontario Review Board is required by statute to hold an initial hearing within 45 or 90 days following the verdict of the court.

An annual hearing is required for those accused who are already subject to the Ontario Review Board's jurisdiction. Annual reviews are conducted in the provincially-designated psychiatric facility where the accused is detained or reporting, in a courtroom, or in other meeting rooms open to the public.

Those who are declared to be unfit to stand trial must be represented by counsel at hearings conducted by the Ontario Review Board, and most accused persons found not criminally responsible on account of mental disorder for the commission of a criminal offence are also represented by counsel. At each hearing, evidence from the hospital where the accused is detained or to which an accused is required to report is considered along with other evidence which may be adduced. Following deliberation by the panel who has conducted the hearing, a written disposition and the written reasons for that disposition are issued.

## **Increasing Complexity of Board Hearings**

We have been able to attenuate considerably the trend toward longer and more complex hearings which we had been experiencing over the past several years. While our hearings are complex, especially with our 'Charter competence' confirmed by the Supreme Court in R. v. Conway, most of our hearings are now completed within the allotted time slot. This has been accomplished over the last year through more effective use of pre-hearing conferences which serve to obviate much of what might otherwise have been litigated. It remains the case that most parties to the Board's hearings are represented by counsel.

Continued guidance from the Court of Appeal assists the Board in providing fair hearings to the people under its jurisdiction. Appellate decisions in the past fiscal year reiterated the obligation of the Board to convene timely hearings, especially where restrictions of liberty have resulted. Appellate decisions both articulate the expectations of the court and clarify the Board's statutory mandate, however they can increase the obligations upon the Board's operation.

Since the amendments to the *Criminal Code* in 2006, and continuing to date, more administrative time is required to meet the Board's responsibility to victims, and to provide them with information about the Board. The Board's data-base of notified victims now surpasses the number of accused persons under the Board's jurisdiction. Should Bill C-54 be proclaimed in full our obligations in this regard will add considerably to the time required to manage our case load. The Board will now be required to notify victims whenever an accused is either absolutely or conditionally discharged, every time the Board sends a High Risk Accused ('HRA') to court for review and every time the Board receives a new accused with a verdict of NCR. The Board must also ensure hearings are adjourned at any of the junctures to permit the victim time to file statements.

#### **New Accused (NCR and Unfit)**

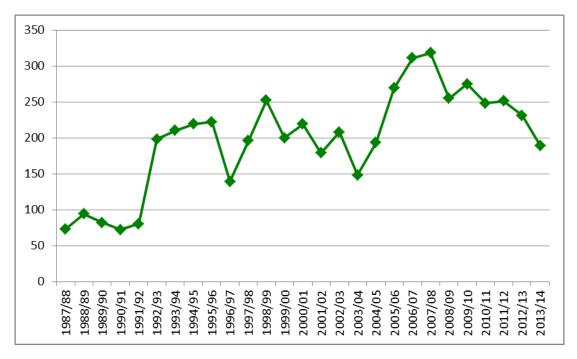


Figure 1 - Number of New Accused per Year

# **Performance Measures and Targets**

The core business of the Ontario Review Board is to conduct hearings and issue dispositions in accordance with the *Criminal Code* within the mandatory timeframes - 45 or 90 days after the verdict is rendered, and at least annually thereafter.

During the fiscal year 2013-2014 the courts found 61 accused to be unfit to stand trial and 128 not criminally responsible on account of mental disorder for the commission of a criminal offence for a total of 189 new accused coming under the jurisdiction of the Board (see Figure 1).

The ongoing influx of new accused continues to have a significant financial impact on the Ontario Review Board. The initial hearings for these new accused are more expensive to convene as they must be scheduled on an ad hoc basis and typically require more travel and accommodation. The hearings are held where the accused is being detained or resides. These matters are usually heard singly rather than organized with a group of other cases as are the annual hearings because they need to be conducted within 45 days of the court verdict. There are often adjournments when insufficient information is available as to the mental condition of the accused or what, if any, threat the accused poses to the safety of the public. In fact, amendments to the Criminal Code that came into force on June 30, 2006 attempted to address this potential lack of information and there are now provisions in the Criminal Code that allow a Review Board to order an assessment of the accused, if such evidence is necessary to make a disposition.

2013/14	189
2012/13	231
2011/12	251
2010/11	248
2009/10	275
2008/09	255
2007/08	318
2006/08	311
2005/06	269
2004/05	193
2003/04	148
2002/03	208
2001/02	179
2000/01	219
1999/00	200
1998/99	252
1997/98	196
1996/97	239
1995/96	222
1994/95	219
1993/94	210
1992/93	198
1991/92	80
1990/91	72
1989/90	82
1988/89	94
1987/88	73

#### **Number of Hearings Held Yearly**

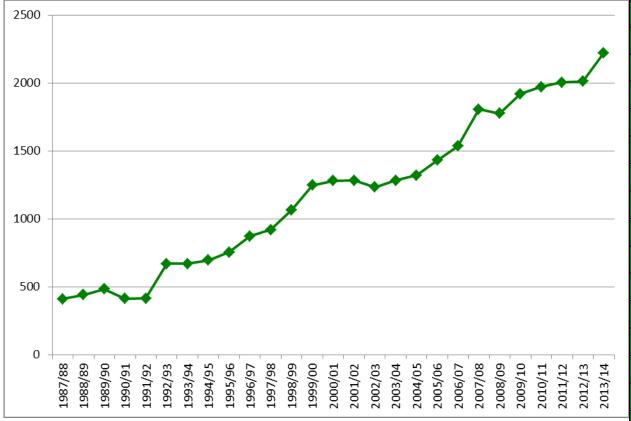


Figure 2 - Number of Hearings per Year

After making a disposition, the Ontario Review Board must review that disposition within 12 months and every 12 months thereafter until such time as the Board cannot conclude that the accused remains a significant threat to the safety of the public.

In addition to initial hearings and annual hearings, the *Criminal Code* provides for a discretionary early review of a disposition at the request of any party. An early review is mandatory if requested by the hospital or if an individual's liberties are restricted for more than seven days. The total number of all hearings conducted by the Board in 2013-2014 was 2222 (see Figure 2).

2010/11	1972
2009/10	1920
2008/09	1775
2007/08	1805
2006/07	1534
2005/06	1430
2004/05	1319
2003/04	1282
2002/03	1233
2001/02	1283
2000/01	1280
1999/00	1248
1998/99	1065
1997/98	920
1996/97	872
1995/96	753
1994/95	694
1993/94	668
1992/93	670
1991/92	415
1990/91	413
1989/90	482
1988/89	440
1987/88	410

2013/14

2012/13

2011/12

2222

2012

2004

#### **Absolute Discharges**

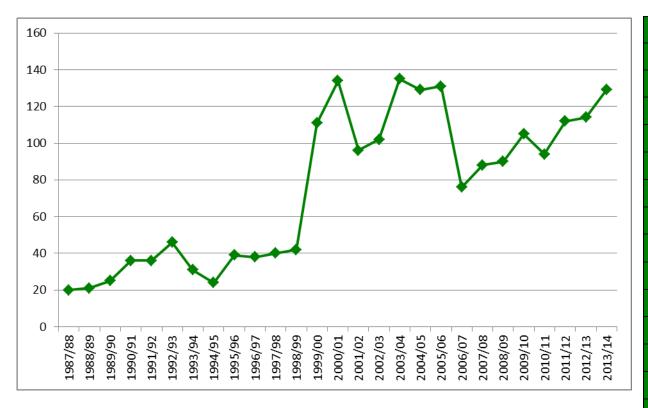


Figure 3 – Absolute Discharges per Year

Accused persons that are not criminally responsible or under the former term, not guilty by reason of insanity (NGRI), remain under the jurisdiction of the Ontario Review Board until such time as they are granted an absolute discharge by the Board. In 1999 the Supreme Court decision in *Winko* clarified the test for an absolute discharge, and the Ontario Review Board experienced a significant increase in the number of absolute discharges it granted (see Figure 3).

Those found Unfit to Stand Trial remain under the jurisdiction of the Board until such time as the court either finds the accused fit to stand trial or until the court grants a stay (if it finds the unfit accused both permanently unfit and not a significant threat to the safety of the public).

2013/14	129
2012/13	114
2011/12	112
2010/11	94
2009/10	105
2008/09	90
2007/08	88
2006/07	76
2005/06	131
2004/05	129
2003/04	135
2002/03	102
2001/02	96
2000/01	134
1999/00	111
1998/99	42
1997/98	40
1996/97	38
1995/96	39
1994/95	24
1993/94	31
1992/93	46
1991/92	36
1990/91	36
1989/90	25
1988/89	21
1987/88	20

#### **Number of Accused Under Board's Jurisdiction**

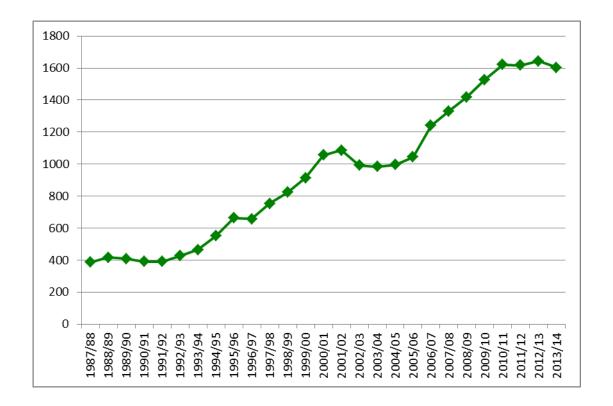


Figure 4 – Number of Accused per Year

As a result of *Winko*, the Ontario Review Board experienced more equilibrium between the number of accused entering the system, and those exiting via absolute discharge, although the Board continues to see an annual increase in the total number of accused persons under its supervision in recent years.

Variables such as amendments to the Criminal Code, court decisions, intake hearing fluctuations, and rate of discharge dictate the Ontario Review Board's workload, which can fluctuate dramatically from month to month. The Ontario Review Board overall meets its demanding schedule and delivers quality service.

Occasionally the Board exceeds the deadline for a hearing, but this represents a small percentage of overall scheduled hearings. Reasons for an adjourned hearing include:

- Adjournment at the request of a party;
- Adjournment to obtain evidence or an assessment:
- Failure of the Board to be notified of new accused;
- Clerical error.

The Ontario Review Board continues to pursue methods of increasing the efficiency of its operations and processes, and the delivery of a high quality of service.

2013/14         1603           2012/13         1644           2011/12         1617           2010/11         1622           2009/10         1527           2008/09         1419           2007/08         1330           2006/07         1241           2005/06         1044           2004/05         995           2003/04         983           2002/03         991           2001/02         1086           2000/01         1055           1999/00         913           1998/99         824           1997/98         754           1998/97         656           1995/96         662           1994/95         550           1993/94         465           1992/93         426           1991/92         391           1989/90         409           1988/89         416           1987/88         386		
2011/12 1617 2010/11 1622 2009/10 1527 2008/09 1419 2007/08 1330 2006/07 1241 2005/06 1044 2004/05 995 2003/04 983 2002/03 991 2001/02 1086 2000/01 1055 1999/00 913 1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1993/94 465 1993/94 465 1991/92 391 1990/91 390 1988/89 416	2013/14	1603
2010/11 1622 2009/10 1527 2008/09 1419 2007/08 1330 2006/07 1241 2005/06 1044 2004/05 995 2003/04 983 2002/03 991 2001/02 1086 2000/01 1055 1999/00 913 1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1993/94 465 1991/92 391 1990/91 390 1988/89 416	2012/13	1644
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2008/09         1419           2007/08         1330           2006/07         1241           2005/06         1044           2004/05         995           2003/04         983           2002/03         991           2001/02         1086           2000/01         1055           1999/00         913           1998/99         824           1997/98         754           1996/97         656           1995/96         662           1994/95         550           1993/94         465           1992/93         426           1991/92         391           1989/90         409           1988/89         416	2010/11	1622
2007/08 1330 2006/07 1241 2005/06 1044 2004/05 995 2003/04 983 2002/03 991 2001/02 1086 2000/01 1055 1999/00 913 1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409	2009/10	1527
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2001/02 1086 2000/01 1055 1999/00 913 1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	2003/04	983
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1999/00 913 1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	2001/02	1086
1998/99 824 1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	2000/01	1055
1997/98 754 1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1999/00	913
1996/97 656 1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1998/99	824
1995/96 662 1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1997/98	754
1994/95 550 1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1996/97	656
1993/94 465 1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1995/96	662
1992/93 426 1991/92 391 1990/91 390 1989/90 409 1988/89 416	1994/95	550
1991/92 391 1990/91 390 1989/90 409 1988/89 416	1993/94	465
1990/91 390 1989/90 409 1988/89 416	1992/93	426
1989/90 409 1988/89 416	1991/92	391
1988/89 416	1990/91	390
	1989/90	409
1987/88 386	1988/89	416
	1987/88	386

# By Way of Summary

As can be seen from the number of hearings conducted during the 2013-2014 year, the Ontario Review Board is continually challenged to provide hearings in accordance with the legislated timelines while also providing a high quality of service.

Each year the Board is able to achieve these timelines in the vast majority of cases, as we did in 2013-2014, while integrating a significant number of new accused persons into the existing work load.

#### **Pre-Hearing Conferences**

In recognizing that with the increasing complexity of hearings comes increased costs, we have implemented a pre-hearing conference process for any case that is identified by the Board or any party as requiring more than 1.5 hours of hearing time. This process has allowed the Board over the past year to best maximize the time allotted for annual review hearings. An experienced alternate chair is assigned to meet with all counsel to rationalize time requirements, and to define the issues in order to improve the hearing process. Pre-hearing conferences ensure that we act in a proactive manner to identify and narrow issues, and to allot appropriate resources to cases that have greater complexity. In 2013-2014 the Board conducted 59 pre-hearing conferences.

#### **Education and Communication**

In keeping with our commitment to provide a high quality of service and expertise for the community and the accused persons who come before the Board, we have remained vigilant in communicating changes in the law and forensic psychiatry/psychology to all members throughout the year. These are often distributed in memorandums, or meetings with alternate chairs and legal members. As well our yearly education seminars tackle topical issues in the forensic field and are directed to better inform our members with the most up to date evidence and practices concerning forensic patients.

Finally, we communicate with courts and consult on issues that may arise at the time that an accused person is found NCR or unfit, and maintain an ongoing dialogue with the Courts to enhance the timeliness and quality of service provided to the community and the accused persons who come within our jurisdiction.

The Board is thankful for the cooperation we receive from the Courts and the Ministry in helping us achieve these goals. We look forward to reporting on more achievements next year.

# **Members of the Board**

Member	Date First Appointed	Date Current Term Expires
Chair The Honourable Mr. Justice R. D. Schneider	June 27, 2012	June 12, 2017
Alternate Chairs (& Legal Members) Mr. P. Band Ms. L. Banks Dr. H. Bloom Mr. R. J. Braudo The Honourable J. W. Brooke, Q.C. * Ms. J.J.D. Burnside * Ms. Kathryn Chalmers Ms. K. Chown Mr. R.G. Coates Mr. W.B. Donaldson The Honourable W.R. Dupont, Q.C. * Ms. M. A. Finkelstein Ms. C. Fromstein Mr. J. Goldenberg The Honourable G. Y. Goulard, Q.C. The Honourable J.D. Greco Ms. R. Grinberg Mr. J. Holding, Q.C. Ms. S. Kert * The Honourable J.M. Labrosse Ms Michele Labrosse Ms Michele Labrosse Ms. J.A. Leiper * Mr. C. Lewis, Q.C. Mr. R. Linton The Honourable H.R. Locke Ms. C. MacDonald * Mr. C.M. MacIntyre, Q.C. * Mr. T.J. Madison The Honourable Nr. Justice D.J. McCombs The Honourable N.D. McRae, Q.C.* Ms. W. Miller Ms. J. Munn Mr. J. A. Neuberger * The Honourable J.G.J. O'Driscoll Ms. M.S.G. Peeris Ms. E.J. Polak The Honourable Mr. Justice J.C.L. Scime *	March 24, 2010 October 20, 2010 January 25, 1990 August 21, 2001 December 8, 1999 May 4, 2005 October 20, 2010 April 8, 2009 February 7, 2007 June 25, 2003 December 2, 1999 January 5, 2006 August 25, 2004 November 3, 2004 June 30, 2000 December 4, 2002 April 11, 2006 July 5, 2007 April 29, 1999 May 14, 1997 November 3, 2009 December 4, 2002 April 2, 2008 June 1, 2005 June 27, 2007 October 21, 1998 March 25, 2009 February 18, 2004 June 20, 2007 February 18, 2004 June 20, 2007 February 27, 2008 August 8, 2005 September 30, 2009 April 8, 2009 June 19, 2002 November 29, 2006 February 6, 2002 June 17, 2009 January 5, 2006	March 23, 2015 October 19, 2015 September 30, 2017 August 20, 2013 December 7, 2014 May 3, 2016 October 19, 2015 April 7, 2014 February 6, 2017 June 24, 2014 December 16, 2013 January 4, 2014 August 24, 2017 November 6, 2017 June 21, 2014 February 14, 2014 April 10, 2014 July 22, 2016 April 28, 2018 May 13, 2014 November 24, 2014 December 3, 2016 April 1, 2018 May 31, 2013 June 26, 2016 November 6, 2014 March 24, 2019 February 17, 2016 June 19, 2016 February 26, 2018 August 7, 2013 September 29, 2014 April 7, 2014 February 20, 2016 November 28, 2016 March 22, 2016 June 16, 2014 January 4, 2016
Ms. L. Stam	May 6, 2009	May 5, 2014

<sup>\*</sup> Under O. Reg 88/11 of the *Adjudicative Tribunal Accountability, Governance and Appointments Act,* members were reappointed using an Automatic Waiver Form.

Member         Date First Appointed         Date Current Term Expires           Mr. R. Steinberg *         July 15, 2005         July 14, 2016           Ms. L. Stoyka *         March 25, 2009         March 24, 2019           Ms. F. Yaskiel         April 11, 2006         April 10, 2014           Legal Members         The Honourable R. Armstrong         May 29, 2013         May 28, 2013           Mr. G. Beasley *         January 9, 2013         April 17, 2016         April 18, 2011         April 17, 2016           Ms. J. Cameron *         January 9, 2013         January 8, 2018         April 17, 2016         April 17, 2016           Ms. J. Cameron *         January 9, 2013         January 8, 2018         Pebruary 18, 2009         Pebruary 17, 2010         November 16, 2013         November 16, 2013         January 8, 2018         Pebruary 17, 2010         November 16, 2013         January 12, 2015         November 17, 2010         November 17, 2010         November 17, 2010         November 19, 2015         December 17, 2013         December 16, 2015         November 19, 2015         December 17, 2013         December 17, 2013         December 16, 2015
Mr. R. Steinberg *         July 15, 2005         July 14, 2016           Ms. L. Stoyka *         March 25, 2009         March 24, 2019           Ms. F. Yaskiel         April 11, 2006         April 10, 2014           Legal Members         The Honourable R. Armstrong         May 29, 2013         May 28, 2013           Mr. G. Beasley *         January 9, 2013         January 8, 2018           Mr. A. Cader         April 18, 2011         April 17, 2016           Ms. J. Cameron *         January 9, 2013         January 8, 2018           The Honourable J.D Carnwath, Q.C         February 18, 2009         February 17, 2014           The Honourable Frank Caputo         November 17, 2010         November 16, 2013           The Honourable Mr. Justice R. DelFrate         January 13, 2010         November 16, 2013           Mr. H. Dhillon *         November 5, 2008         November 4, 2018           February 17, 2010         February 17, 2010         February 16, 2015           Mr. J. Hodgson         December 17, 2013         December 19, 2015           Mr. F. McArdle         December 17, 2013         December 16, 2015           Mr. F. McArdle         December 17, 2013         December 16, 2015           Ms. J. Mills         December 17, 2013         December 16, 2015           Mr. D. Murphy
Ms. L. Stoyka *         March 25, 2009         March 24, 2019           Ms. F. Yaskiel         April 11, 2006         April 10, 2014           Legal Members         The Honourable R. Armstrong         May 29, 2013         May 28, 2013           Mr. G. Beasley *         January 9, 2013         January 8, 2018           Mr. A. Cader         April 18, 2011         April 17, 2016           Ms. J. Cameron *         January 9, 2013         January 8, 2018           The Honourable J.D Carnwath, Q.C         February 18, 2009         February 17, 2014           The Honourable Frank Caputo         November 17, 2010         November 16, 2013           The Honourable Mr. Justice R. DelFrate         November 17, 2010         November 16, 2013           Mr. H. Dhillon *         November 5, 2008         November 4, 2018           The Honourable Mr. Justice A. Gans         November 20, 2013         November 19, 2015           Mr. J. Hodgson         December 17, 2010         Pebruary 16, 2015           Mr. F. McArdle         December 17, 2013         December 16, 2015           Ms. J. Mills         December 17, 2013         December 16, 2015           Mr. L. Morphy         December 17, 2013         December 16, 2015           Mr. R. Richardson         December 17, 2013         December 16, 2015           M
Ms. F. Yaskiel
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The Honourable R. Armstrong         May 29, 2013         May 28, 2013           Mr. G. Beasley *         April 18, 2011         April 17, 2016           Mr. A. Cader         April 18, 2011         April 17, 2016           Ms. J. Cameron *         January 9, 2013         January 8, 2018           The Honourable J.D Carnwath, Q.C         February 18, 2009         February 17, 2014           The Honourable Frank Caputo         November 17, 2010         November 16, 2013           The Honourable Mr. Justice R. DelFrate         January 13, 2010         November 16, 2015           Mr. H. Dhillon *         November 5, 2008         November 4, 2018           The Honourable Madam Justice T. Dunnet         February 17, 2010         February 16, 2015           The Honourable Mr. Justice A. Gans         November 20, 2013         November 19, 2015           Mr. J. Hodgson         December 17, 2013         December 16, 2015           The Honourable R. Kealey *         January 9, 2013         December 16, 2015           Mr. F. McArdle         December 17, 2013         December 16, 2015           Ms. J. Mills         December 17, 2013         December 16, 2015           Mr. D. Murphy *         April 2, 2008         April 1, 2014           Mr. R. Richardson         December 4, 2013         December 16, 2015           <
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Ms. J. Cameron *         January 9, 2013         January 8, 2018           The Honourable J.D Carnwath, Q.C         February 18, 2009         February 17, 2014           The Honourable Frank Caputo         November 17, 2010         November 16, 2013           The Honourable Mr. Justice R. DelFrate         January 13, 2010         November 16, 2015           Mr. H. Dhillon *         November 5, 2008         November 4, 2018           The Honourable Madam Justice T. Dunnet         February 17, 2010         February 16, 2015           The Honourable Mr. Justice A. Gans         November 20, 2013         November 19, 2015           Mr. J. Hodgson         December 17, 2013         December 16, 2015           The Honourable R. Kealey *         January 9, 2013         December 16, 2015           Mr. F. McArdle         December 17, 2013         December 16, 2015           Ms. J. Mills         December 17, 2013         December 16, 2015           Mr. L. Morphy         December 17, 2013         December 16, 2015           Mr. D. Murphy *         April 2, 2008         April 1, 2014           Mr. R. Richardson         December 4, 2013         December 3, 2015           Mr. M. Segal *         January 9, 2013         January 8, 2018           Ms. J. Trehearne         December 4, 2013         December 3, 2015
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The Honourable R. Kealey *         January 9, 2013         January 8, 2018           Mr. F. McArdle         December 17, 2013         December 16, 2015           Ms J. Mills         December 17, 2013         December 16, 2015           Mr. L. Morphy         December 17, 2013         December 16, 2015           Mr. D. Murphy *         April 2, 2008         April 1, 2014           Mr. R. Richardson         December 4, 2013         December 3, 2015           Mr. M. Segal *         January 9, 2013         January 8, 2018           Ms J. Trehearne         December 4, 2013         December 3, 2015           Mr. J. Weppler         November 3, 2010         November 2, 2015           Psychiatrists           Dr. A.G. Ahmed         August 25, 2004         August 24, 2017           Dr. R.M. Andreychuk         March 21, 2007         March 20, 2017           Dr. G. Azadian *         September 3, 2008         September 2, 2018           Dr. M.H. Ben-Aron         October 4, 2000         December 13, 2016           Dr. B. Bordoff         July 31, 2001         July 30, 2017           Dr. D. Bourget         May 28, 1997         May 27, 2014           Dr. D.H. Braden         June 20, 2007         June 19, 2016           Dr. J.M.W. Bradford         February 1, 1984
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Mr. L. Morphy         December 17, 2013         December 16, 2015           Mr. D. Murphy *         April 2, 2008         April 1, 2014           Mr. R. Richardson         December 4, 2013         December 3, 2015           Mr. M. Segal *         January 9, 2013         January 8, 2018           Ms J. Trehearne         December 4, 2013         December 3, 2015           Mr. J. Weppler         November 3, 2010         November 2, 2015           Psychiatrists           Dr. A.G. Ahmed         August 25, 2004         August 24, 2017           Dr. R.M. Andreychuk         March 21, 2007         March 20, 2017           Dr. G. Azadian *         September 3, 2008         September 2, 2018           Dr. M.H. Ben-Aron         October 4, 2000         December 13, 2016           Dr. B. Bordoff         July 31, 2001         July 30, 2017           Dr. D. Bourget         May 28, 1997         May 27, 2014           Dr. D.H. Braden         June 20, 2007         June 19, 2016           Dr. J.M.W. Bradford         February 1, 1984         February 28, 2017
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Mr. R. Richardson       December 4, 2013       December 3, 2015         Mr. M. Segal *       January 9, 2013       January 8, 2018         Ms J. Trehearne       December 4, 2013       December 3, 2015         Mr. J. Weppler       November 3, 2010       November 2, 2015         Psychiatrists         Dr. A.G. Ahmed       August 25, 2004       August 24, 2017         Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
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Ms J. Trehearne       December 4, 2013       December 3, 2015         Mr. J. Weppler       November 3, 2010       November 2, 2015         Psychiatrists         Dr. A.G. Ahmed       August 25, 2004       August 24, 2017         Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Mr. J. Weppler       November 3, 2010       November 2, 2015         Psychiatrists       Dr. A.G. Ahmed       August 25, 2004       August 24, 2017         Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Psychiatrists         Dr. A.G. Ahmed       August 25, 2004       August 24, 2017         Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. A.G. Ahmed       August 25, 2004       August 24, 2017         Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. R.M. Andreychuk       March 21, 2007       March 20, 2017         Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. G. Azadian *       September 3, 2008       September 2, 2018         Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. M.H. Ben-Aron       October 4, 2000       December 13, 2016         Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. B. Bordoff       July 31, 2001       July 30, 2017         Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. D. Bourget       May 28, 1997       May 27, 2014         Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
Dr. D.H. Braden       June 20, 2007       June 19, 2016         Dr. J.M.W. Bradford       February 1, 1984       February 28, 2017
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Dr. D.S. Byers March 1, 1983 February 28, 2017
Dr. L.E. Cappe August 24, 1998 August 23, 2017 Dr. G.A. Chaimowitz December 4, 1996 December 3, 2017
Dr. G.A. Chaimowitz  December 4, 1996  December 3, 2017  December 6, 2000  February 3, 2017
Dr. S. Chatterjee July 19, 2007 July 18, 2016
Dr. S. Cohen April 10, 2013 April 9, 2015
Dr. P.E. Cook * May 29, 2002 December 21, 2018
Dr. A. Côté November 30, 1989 February 28, 2017
Dr. I. Côté June 13, 2001 June 12, 2017
Dr. S.A. Darani September 15, 2010 September 14, 2015
Dr. P.L. Darby June 12, 1992 February 28, 2017

<sup>\*</sup> Under O. Reg 88/11 of the *Adjudicative Tribunal Accountability, Governance and Appointments Act,* members were reappointed using an Automatic Waiver Form.

Member	Date First	Date Current
	Appointed	Term Expires
Dr. K.D. DeFreitas	January 13, 2005	January 12, 2018
Dr. J. Ellis	October 21, 1998	November 20, 2017
Dr. L. Faucher	February 27, 2008	February 26, 2018
Dr. J. P. Fedoroff	October 17, 2001	November 6, 2017
Dr. J.C. Ferencz	December 4, 1996	November 27, 2017
Dr. F.W. Furlong	October 4, 2000	October 3, 2014
Dr. D.A. Galbraith	November 3, 1994	February 3, 2017
Dr. G. D. Glancy	March 1, 1988	February 28, 2017
Dr. K. Hand	November 3, 2010	November 2, 2015
Dr. R.W. Hill	December 15, 2004	December 14, 2016
Dr. S.J. Hucker	December 11, 1996	February 1, 2018
Dr. I. Jacques	April 28, 2010	April 27, 2015
Dr. W. Johnston *	April 2, 2008	April 1, 2018
Dr. A.D. Jones *	October 6, 1999	November 1, 2016
Dr. P.F. Kelly *	December 30, 1999	December 29, 2014
Dr. E. Kingstone	January 13, 1995	April 17, 2017
Dr. P.E. Klassen *	October 13, 1999	October 12, 2016
Dr. A. Kolodziej	August 21, 2003	October 4, 2017
Dr. W.J. Komer	February 5, 1997	May 2, 2014
Dr. R. Kunjukrishnan	December 4, 1996	December 3, 2017
Dr. S. Lessard	February 27, 2008	February 26, 2018
Dr. M. Marshall	June 27, 2007	June 26, 2016
Dr. A. McDonald	August 24, 1998	August 23, 2017
Dr. P. D. Norris *	October 9, 2002	January 17, 2016
Dr. D. Pallandi *	March 1, 2006	February 29, 2016
Dr. M.V.A. Prakash	August 24, 1998	August 28, 2017
Dr. P. J. Prendergast	June 12, 1992	February 28, 2017
Dr. L. Ramshaw	December 9, 2009	December 8, 2014
Dr. J. Rootenberg	June 22, 2006	June 21, 2014
Dr. A. Seif	June 27, 2007	June 26, 2016
Dr. R.R.B. Sheppard	December 11, 1996	December 10, 2017
Dr. G.S. Sidhu *	December 7, 1994	May 31, 2016
Dr. W.R. Surphlis *	March 30, 1999	April 19, 2018
Dr. S. Swaminath *	December 8, 1993	April 19, 2018
Dr. T. Verny *	January 9, 2013	January 8, 2018
Dr. Z. Waisman	January 15, 2007	January 14, 2017
Dr. T. Wilkie	April 22, 2009	April 21, 2014
Dr. S. Woodside	May 4, 2011	May 3, 2016
Decided at the		
Psychologists	D 1 0 1000	D 1 4 0047
Dr. R.B. Cormier	December 2, 1998	December 1, 2017
Dr. P. Firestone *	October 9, 2002	October 17, 2016
Dr. J. Freedman	October 22, 2009	October 21, 2014
Dr. G. B. Jones *	March 31, 2000	March 30, 2014
Dr. C. Lee	August 12, 2009	August 11, 2014
Dr. L.O. Lightfoot	November 20, 1992	February 3, 2017
Dr. L.C. Litman	February 25, 1998	February 24, 2017

<sup>\*</sup> Under O. Reg 88/11 of the *Adjudicative Tribunal Accountability, Governance and Appointments Act,* members were reappointed using an Automatic Waiver Form.

Member	Date First	Date Current
	Appointed	Term Expires
Dr. W. Loza	July 5, 2007	July 4, 2016
Dr. M. Mamak	January 27, 2005	January 26, 2018
Dr. G. Nexhipi *	March 20, 2002	April 19, 2018
Dr. D. Nussbaum	December 3, 1997	March 23, 2017
Dr. N. Pollock	November 3, 1994	February 3, 2017
Dr. D.J. Simourd	December 1, 2004	November 20, 2017
Dr. G.M. Turrall	February 24, 1993	February 28, 2017
Dr. C.D. Webster	December 13, 2000	March 23, 2017
Dr. S.E. Wiseman	August 25, 2004	August 24, 2017
Dr. P.N. Wright	August 24, 1998	August 23, 2017
Public Members		
Mr. S. Auty	September 29, 2010	September 28, 2015
Ms. N. Boivin *	March 11, 2009	March 10, 2019
Mr. J. Cyr *	January 9, 2013	January 8, 2018
Ms. M. M. Dow	February 6, 2002	February 5, 2016
Mr. T. Elek	May 16, 2007	May 15, 2017
Mr. W. Gee	January 31, 2008	January 30, 2018
Rev. W. A. Jupp	May 2, 2007	May 1, 2017
Ms. N. Lemieux-McKinnon *	July 15, 2005	July 14, 2016
Ms. M. Linton*	October 5, 2005	October 4, 2016
Ms. C.E. Little*	December 7, 2005	December 6, 2016
Dr. L.L.Q. Lum	November 19, 1997	March 31, 2016
Mr. Y. Mahdavi *	July 15, 2005	July 14, 2016
Ms. R. MacIntyre	January 13, 2005	January 12, 2016
Ms. K.A. Maharaj	March 21, 2007	March 20, 2017
Ms. C. McGrath *	March 25, 2009	March 24, 2019
Ms. L. Montgomery	April 8, 2009	April 7, 2014
Ms. B. Mangala *	October 20, 2010	October 19, 2015
Ms. B. Naegele *	January 9, 2013	January 8, 2018
Mr. A. Okon * Ms. D.M. Ormston *	April 20, 2005 May 17, 1999	April 19, 2016 February 2, 2016
Mr. P. Poirier	June 28, 2007	June 27, 2016
Ms. J.J. Roy	December 16, 1998	March 19, 2016
Mr. P. Schur	May 30, 2006	May 29, 2014
Ms. L. Steadman	December 21, 2004	December 20, 2014
Mr. K. Turner	January 15, 2007	January 14, 2017
Dr. D.M. Winkler	May 12, 2004	May 11, 2017
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<sup>\*</sup> Under O. Reg 88/11 of the *Adjudicative Tribunal Accountability, Governance and Appointments Act,* members were reappointed using an Automatic Waiver Form.

#### **Review Board Personnel**

Up to March 31, 2014

Name Position

The Honourable Mr. Justice Richard D. Schneider Chair

Joe Wright Legal Counsel

Angie Baggetta Registrar and Senior Manager

Amanda Wallace Executive Assistant

Sheila McDermott Deputy Registrar

Manny Tan Board Order Administrator

Sewranie Narine Board Order Administrator

Amsale Mamo Board Order Administrator

Radica Roopsingh Case Coordinator

Puja Karia Case Coordinator

Carolyn Cook Case Coordinator

Rhea Duketovsky Case Coordinator

Chloe Vice Distribution Coordinator

Antonia Virzi Distribution and Records Clerk

Olga Lenskaia Coordinator, Business Operations

Alisha McKendrick Administrative and Financial Assistant

Sophie Goldenberg Bilingual Receptionist/Secretary

Fran Bolton Secretary to Chair/Counsel

John Smith Systems Officer

# **Financial Information**

2013-2014 Expenditures by Standard Account

Description	Printed Estimates	Expenditures	Surplus/ (Deficit)
Salaries and Wages	855, 100	1, 287, 961	- 432, 861
Benefits	99, 100	170, 869	- 71, 769
Transportation & Communications	527, 800	768, 397	- 240, 596
Services	5, 836, 800	4, 591, 061	1, 245, 739
Supplies and Equipment	56, 600	46, 881	9, 718
Total	7, 375, 400	6, 865, 169	510, 321

# **Expenditures by Function**

Function	Expenditures
Salaries & Wages	1, 287, 961
Employee Benefits	170, 869
Administration & Hearing Support	224, 392
Annual Hearings	3, 403, 055
Initial Hearings	1, 147, 821
Education	214, 450
Adjudicative Operations	210, 984
Information Systems	67, 509
ORB Accommodation	138, 128
Total	6, 865, 169

# Other Direct Operating Expenses (not including salaries, wages and accommodation)

