



**TAB 6**

**Report to Convocation  
January 23<sup>rd</sup>, 2014**

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**Paralegal Standing Committee**

**Committee Members**  
**Cathy Corsetti, Chair**  
**Susan McGrath, Vice-Chair**  
**Marion Boyd**  
**Robert Burd**  
**Paul Dray**  
**Ross Earnshaw**  
**Robert Evans**  
**Michelle Haigh**  
**Jacqueline Horvat**  
**Dow Marmur**  
**Malcolm M. Mercer**  
**Kenneth Mitchell**  
**Jan Richardson**

**Purpose of Report: Decision and Information**

**Prepared by the Policy Secretariat**  
**Julia Bass 416 947 5228**

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Consent Resolution Process

Progress Report on Changes to the Paralegal Licensing Process

**Committee Process**

1. The Committee met on January 9<sup>th</sup>, 2014. Committee members present were Cathy Corsetti (Chair), Susan McGrath (Vice-Chair), Marion Boyd, Robert Burd (by telephone), Ross Earnshaw, Robert Evans, Michelle Haigh, Jacqueline Horvat, Malcolm Mercer, Ken Mitchell and Jan Richardson (by telephone). Staff members attending were Diana Miles, Zeynep Onen, Jim Varro, Lesley Cameron, Naomi Bussin, and Julia Bass.

**TAB 6.1**

**AMENDMENTS TO THE *PARALEGAL RULES*: GENDER IDENTITY**

**Motion**

2. That Convocation approve the amendments to Rule 2.03 of the *Paralegal Rules of Conduct* shown at **TAB 6.1.1**.

**Background**

3. In 2012, the *Human Rights Code* was amended to specify that every person has a right to equal treatment without discrimination because of “gender identity or gender expression”. The *Code* was also amended to specify that every person has a right to be free from harassment because of sexual orientation, gender identity or gender expression.<sup>1</sup>
4. It is proposed that the *Paralegal Rules of Conduct* and the lawyers’ *Rules of Professional Conduct* should be amended to reflect these changes.
5. A black-line version of the current Rules with the proposed amendments is shown at **TAB 6.1.1**.

**The Committee’s Deliberations**

6. The Committee considered the proposed amendments, and approved them for incorporation into the *Paralegal Rules*.

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<sup>1</sup> The *Human Rights Code* was amended in 2012 by Bill 33, *Toby’s Act (Right to be Free from Discrimination and Harassment Because of Gender Identity or Gender Expression)*, 2012, online at [http://www.ontla.on.ca/bills/bills-files/40\\_Parliament/Session1/b033ra.pdf](http://www.ontla.on.ca/bills/bills-files/40_Parliament/Session1/b033ra.pdf).

**TAB 6.1.1**

**2.03 HARASSMENT AND DISCRIMINATION**

**Application of *Human Rights Code***

2.03 (1) The principles of the Ontario *Human Rights Code* and related case law apply to the interpretation of this rule.

(2) A term used in this rule that is defined in the *Human Rights Code* has the same meaning as in the *Human Rights Code*.

**Harassment**

(3) A paralegal shall not engage in sexual or other forms of harassment of a colleague, a staff member, a client or any other person on the ground of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

**Discrimination**

(4) A paralegal shall respect the requirements of human rights laws in force in Ontario and without restricting the generality of the foregoing, a paralegal shall not discriminate on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, or disability with respect to the employment of others or in dealings with other licensees or any other person.

(5) The right to equal treatment without discrimination because of sex includes the right to equal treatment without discrimination because a woman is or may become pregnant.

**Services**

(6) A paralegal shall ensure that no one is denied services or receives inferior service on the basis of the grounds set out in this rule.

**Employment Practices**

(7) A paralegal shall ensure that his or her employment practices do not offend this rule.

**FOR INFORMATION**

**CONSENT RESOLUTION PROCESS**

7. The Committee approved the continuation of this pilot project, as discussed in the report being submitted by the Professional Regulation Committee.

**PROGRESS REPORT ON CHANGES TO THE LICENSING PROCESS**

8. In October 2012, Convocation approved a Report from the Committee on proposed revisions to the paralegal licensing process. The Director of Professional Development & Competence provided the Committee with a progress report on the project, indicating that work is on time as set out in the 2012 Report.

*THIS SECTION CONTAINS  
IN CAMERA MATERIAL*