

Discipline Committee Hearings Now Broadcast on YouTube

College of Chiropractors of Ontario | College of Dental Hygienists of Ontario | College of Psychologists of Ontario | Health | Health Law | Litigation | Litigation & Dispute Resolution | Ontario College of Pharmacists

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Over the past few months, certain health professions colleges, including the College of Chiropractors of Ontario, the College of Psychologists of Ontario and the College of Dental Hygienists of Ontario, have started broadcasting Discipline Committee hearings via live stream links such as YouTube.

Although I appreciate the public access rationale for this practice, especially during the COVID-19 pandemic, when members of the public cannot attend at hearings, I am nonetheless concerned about its impact on health professionals.

Firstly, I am concerned that health professionals may not even know that their hearing is going to be broadcast on a live stream until the day of the hearing, which will only elevate the anxiety of an already stressful experience.

In addition, the broadcasting of hearings on live streams will significantly increase the number of persons watching the hearing, including student groups, members of the profession and other members of the public.

Further, I am also concerned that broadcasting a hearing via a live stream will invariably open the door to the possibility that the hearing will be recorded and circulated, both to intended recipients and online.

As legal counsel for health professionals, I am hopeful that this is not the beginning of a trend and will cease upon the resumption of in-person hearings. Unfortunately, I am not so sure that will occur. For now, all defence counsel must ensure that they are aware of the potential broadcast of hearings and take the following steps:

1. Make inquiries to ascertain the potential broadcast of a hearing, including whether it will be broadcast to specific groups;
2. Ensure that all persons viewing the hearing are reminded not to record or otherwise re-broadcast the hearing; and
3. Advise their clients of any broadcast of the hearing.

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About the Author

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(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

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