

Katsoulakos v Association of Professional Engineers of Ontario

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By Jill Dougherty, Alan Bromstein,

The Divisional Court's recent decision, *Katsoulakos v Association of Professional Engineers of Ontario*, raises two important issues for professional self-regulatory bodies in respect of the degree to which procedural fairness applies in the context of a disciplinary proceeding. First, the case suggests that the obligation to disclose the particulars of professional misconduct allegations in the Notice of Hearing may be quite onerous. Divisional Court ruled that the Discipline Committee in this case could not rule on conduct that was not referred to in the Statement of Allegations by virtue of the fact that it fell within the broader subject matter of the referral. Rather, the College was required to provide reasonable notice of the conduct of the member and its relation to the allegations of professional misconduct in a highly particularized manner. Second, this case cautions discipline committees against making findings as to the standards of practice of a profession without a clearly indicated standard or expert evidence. [Download the PDF to read the entire newsletter.](#)

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