

What is Professional Regulation and does it still matter?

Raison d'être, Threats, Alternatives & the Future

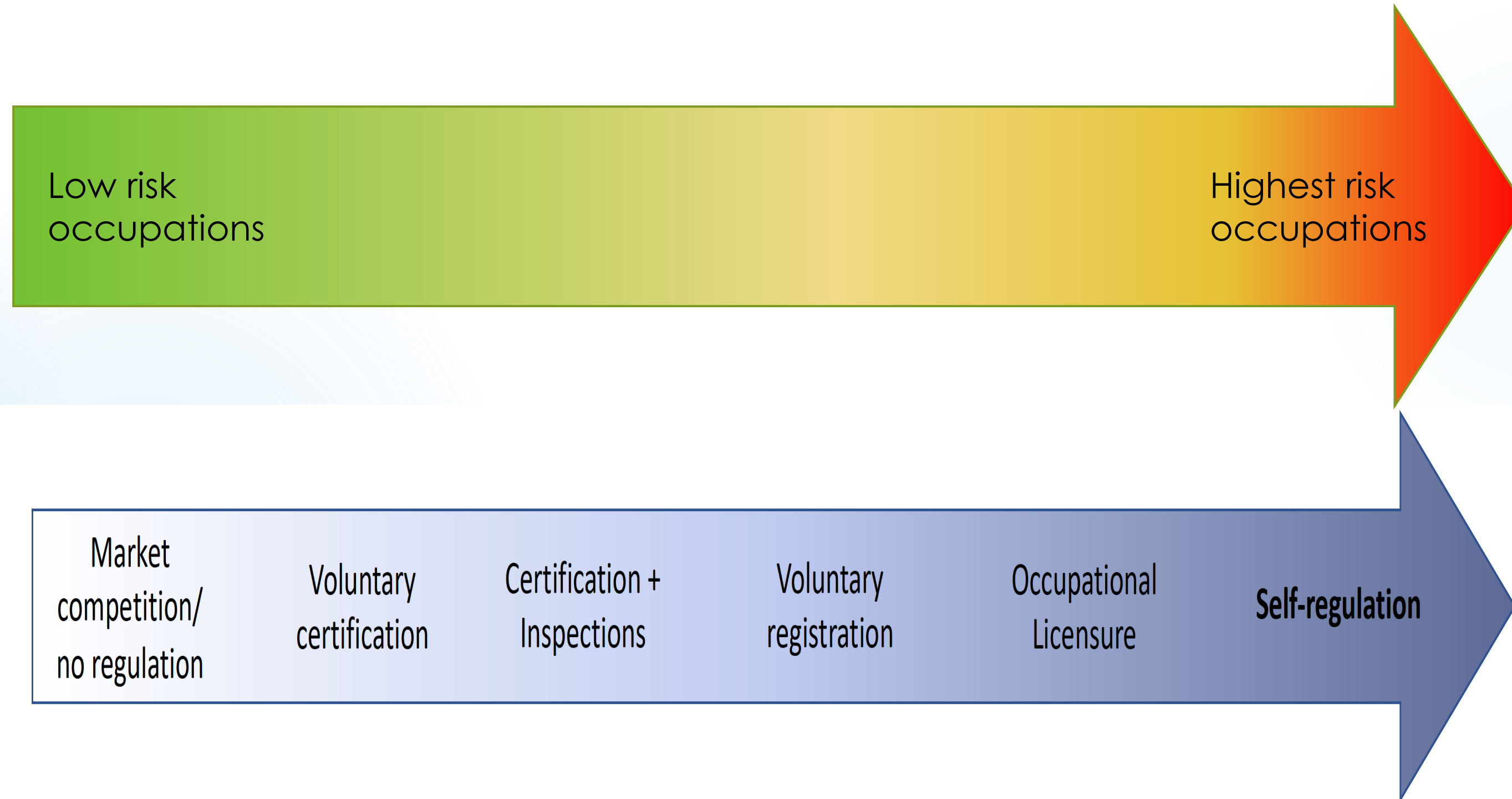


Regulation = Consumer Protection

- Federal consumer protection laws protect people from dangerous products
 - Exploding lifejackets
 - Poisonous paint
- Provincial consumer protection laws might regulate
 - Consumer transactions – joining a gym or buying an airline ticket
 - Businesses – car dealers, travel agencies
- Occupational regulations protects people from those who provide products or services
 - Engineers
 - Dentists



Occupational Regulation & Risk: a continuum



“The regulation and oversight of health professionals...is an important mechanism to ensure patients receive the highest-quality care possible while mitigating, to the extent that is possible, the risks of harm that may be associated with provision of healthcare services”





Self-regulation is the concept of an occupational group entering into an agreement with government to formally regulate the activities of its members.




Some of the things in the regulatory contract....

The government gives

- Restricted practice
- Restricted title
- Autonomy (more or less)

The profession offers

- Qualified registrants
- Ethical and practice standards
- Complaints and discipline
- Quality assurance and/or continuing competence



Although professional regulation has some benefits for the profession, its *raison d'être* is to protect the public not to enhance the status of the profession.



What associations do

Serve the interests of their members

- networking opportunities
- publish information of interest
- conduct research
- stage conferences, seminars, and workshops
- maintain job boards
- negotiate preferential rates for their members for various products and services
- lobby governments to influence policy in furtherance of the interests of their members



Losing public trust



Staff Blogs / Local News

B.C. College of Teachers is no more

Janet Steffenhagen

Jan 09, 2012 • January 9, 2012 • 2 minute read • [Join the conversation](#)

The B.C. College of Teachers is now history, and a new teacher regulation branch of government opened its doors Monday. Find its website [here](#).

The branch has issued a call for nominations of teachers from five regions to serve as members of a new 15-member B.C. Teachers' Council. In addition to five elected members, the council will have three members appointed by the BCTF and seven selected by partner groups (trustees, superintendents, principals, parents, education deans, independent schools and first nations).

Toronto

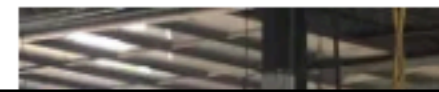
Ontario stopped enforcing credentials in skilled trades, right after Doug Ford took power



Provincial inspectors say that the tradespeople are ce



Mike Crawley · CBC



Ontario

Ontario replaces skilled trades body

Antonella Artuso

May 06, 2021 • May 6, 2021 • 1 minute read • [8 Comments](#)



Home Owner

Why Vancouver's real estate prices are so crazy

From foreign buyers, to unscrupulous agents, here are the factors that help push prices up



by Romana King Apr 22, 2016



OUR HOME ▾ FAMILY PLANNING ▾ SMART SPENDING ▾ INCOME ▾ RETIREMENT ▾

BY ROMANA KING ON APRIL 22, 2016

No. 2: Ineffective regulation

But foreign buyers aren't the only culprits in Vancouver's messy real estate market. Fast money, unscrupulous people, and a general malaise when it comes to defining and enforcing bad conduct has taken its toll on the city.

A recent [Globe and Mail investigation](#) found that Vancouver real estate agents who were disciplined for wrongdoing faced fines and suspensions that were nothing short of a joke when compared to the hefty commissions earned on real estate transactions. The *Globe's* report showed that of the more than 100 recent disciplinary proceedings, some confidential, the fines averaged out at \$4,850. Compare this to the potential commission on a \$1.78-million home—the average price paid in metro Vancouver in the first quarter of 2016—which works out to \$22,500, and you can see why some agents simply consider these fines as the cost of doing business.

Losing public trust

Why should lawyers be allowed to regulate themselves?

PHILIP SLAYTON
SPECIAL TO THE GLOBE AND MAIL
PUBLISHED AUGUST 3, 2007
UPDATED APRIL 26, 2018

In Canada, lawyers are allowed to run the legal profession - an institution essential to a democratic society - as they see fit. Their "law societies" decide how their members will practise law. They decide who gets to be a lawyer, what financial records must be kept, how clients funds should be handled, how to maintain professional competence, how to deal with conflicts of interest and how to discipline a lawyer who goes bad. Lawyers are given this vast power by provincial legislatures.

The only possible justification for this legislative gift is that it is in the public interest. But is it?

The principle behind lawyer self-regulation is that lawyers have a responsibility to protect citizens from the state, and they cannot do that unless they are independent. If lawyers were regulated directly by the state, so the argument goes, they would be subservient to it. But, long ago, we figured out how to develop institutions that operate independently of government - any politician who has been investigated by the police will attest to that. And the self-regulatory system for Canadian lawyers is a gift of the provincial legislature, which can take it away tomorrow. The independence argument is illusory.

TRENDING

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Local News



Quebec Order of Engineers placed under trusteeship

The Quebec Order of Engineers was put under trusteeship as per a decision made by the Quebec government because of an internal crisis shaking up the professional body.

Caroline Plante • Montreal Gazette

Jul 06, 2016 • July 15, 2020 • 1 minute read • [Join the conversation](#)

Losing public trust

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British Columbia

Rip up current system and start over, recommends review of B.C.'s professional health colleges

[f](#) [t](#) [e](#) [r](#) [in](#)

Review comes after a year of issues in colleges for dental surgeons, chiropractors and naturopaths

 [Bethany Lindsay](#) · CBC News · Posted: Apr 11, 2019 12:07 PM PT | Last Updated: April 12, 2019



Rapid Synthesis

Examining the Efficiency and Effectiveness of Ontario's Health Workforce Regulatory System

29 March 2019



McMaster University

HEALTH FORUM

EVIDENCE >> INSIGHT >> ACTION

Causes of the erosion of public trust

- Failure to protect
- Lack of meaningful measurement/proof of efficacy
- Lack of public engagement
- Concerns about whether all workers are being used to their fullest capacity
- Unregulated risky people
- Registrant hostility

So what might happen?

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- ▶ Meta-regulation | Watch dogs
 - ▶ Labour mobility
 - ▶ Fair practices legislation
 - ▶ Ombudsman
 - ▶ Oversight bodies – BC Professional Governance Act; UK Professional Standards Authority
- ▶ Amalgamation
 - ▶ BC Health Professions
- ▶ Loss of self-regulation
 - ▶ BC Teachers' College (2012)
 - ▶ Real Estate Council of BC (2016)



Alternatives to self-regulation

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- ▶ Direct government regulation
- ▶ Delegated authority
- ▶ Licensing or certification
- ▶ Voluntary registration



Ensuring and Enhancing Public Protection

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- ▶ Sound operational practices to carry out mandate
- ▶ Performance measurement | accountability
- ▶ Focus on the public interest *not* promotion of the profession
 - ▶ Bill 46 – removal of advocacy activities
- ▶ Transparency
- ▶ Increase public engagement
 - ▶ Bill 46 – 50% public





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