



Interim Practice Directive 10:

Approval of Orders Resolving Sexual Abuse Cases

1. Purpose

This practice directive explains how a regulatory college (College) requests the Director of Discipline (Director) to approve a proposed order that would resolve a complaint involving an allegation of sexual abuse.

This practice directive must be applied in a manner that recognizes the potential for trauma associated with allegations of sexual abuse, while maintaining procedural fairness for the parties and the integrity of the regulatory process.

2. Authority

The Health Professions Discipline Tribunal (Discipline Tribunal) operates under the Health Professions and Occupations Act (HPOA). When this practice directive mentions a section number, it refers to a section in the HPOA, unless it says otherwise.

3. Application

This practice directive applies if:

- a complaint includes an allegation of sexual abuse (sections 1 and 8(3)); and
- the College proposes to dispose of the complaint by an order under Division 14.

Section 154 requires the College to obtain the Director's written approval before making that order.

This practice directive applies to proposed orders under Division 14, including orders that dispose of a complaint:

- through summary dismissal or termination;
- after participation in a restorative process;
- with the respondent's consent; or
- without the respondent's consent.

This practice directive does not apply if the College has requested the Director to issue a citation.



4. Filing and submission

The College must file requests for approval and all supporting materials in accordance with Practice Directive 1: Filing and Service and Practice Directive 6: Initial Request Submission Requirements.

5. Information the College must provide

The College must provide the following information and records to the Director with its request for approval:

- **Investigation Committee's assessment notice:** the investigation committee's assessment notice and any reasons directing the College to request a citation.
- **Section 137 documents and records:** all documents and records described in section 137(1), and any identity protection order and reasons that section 137(2) requires.
- **Proposed Orders:** the proposed orders resolving the case;
- **Consent:** a statement from the respondent indicating their consent to the proposed orders and any further information the respondent has provided;
- **Reasons:** an analysis of the factors that the Director must consider under section 265 (mandatory factors), section 267 (2), and any relevant factors under sections 266 (discretionary factors) and 267 (3); and
- **Other Information:** any other information in the College's possession that is relevant to the proposed order(s).

6. Further information

The Director may request further information or particulars, including information about:

- the evidentiary foundation for the proposed order(s);
- the views of the complainant or other effected persons; and
- the reasons the proposed order or orders address public protection and public confidence.

If new information becomes available after the request is filed and the information may be relevant to the Director's decision, the College must provide it to the Director as soon as reasonably possible.



7. Submission of materials

All materials must be submitted through the Discipline Tribunal's web portal unless the Director orders otherwise.

Any new and relevant information to the proposal that comes into the possession of the College after filing must be provided to the Director immediately.

8. Resolution management conference

The Director may hold a resolution management conference to discuss the proposed order(s), clarify issues, and identify any further information required. A resolution management conference is confidential and without prejudice.

9. Factors considered

In deciding whether to approve the proposed order(s), the Director considers whether the proposed order(s) appropriately addresses the nature, scope, and gravity of the alleged conduct, maintains public confidence in the profession and the regulatory process, and is appropriate to the circumstances and position of the respondent as provided for in section 265, 266 and 267 of the HPOA.

11. After decision

If the Director approves the proposed order(s), the College may make the approved order(s).

If the Director does not approve the proposed order(s), the case returns to the College to decide how to proceed.

12. Timeline for decisions

The Director will decide on a section 154 proposal within 30 days after the Discipline Tribunal sends written confirmation that the submission is complete.

If the Director requires a resolution management conference or series of conferences, this 30-day period is paused. The period resumes on the day after the final resolution management conference ends.

13. Privacy and confidentiality

Requests for approval under this practice directive include sensitive personal information. The Discipline Tribunal keeps materials filed under this practice directive confidential and manages access and confidentiality in accordance with Practice Directive 4: Privacy,



Confidentiality and Access to Records. The Discipline Tribunal does not publish requests for approval filed under this practice directive.

