

# Summary of the Modified Delphi Process:

Identifying and Responding to Issues in Canada

Research and Statistics Division

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# Final Summary

## Methodology

Between March and June 2015, the Research and Statistics Division (RSD) at the Department of Justice Canada undertook a modified Delphi process involving 33 experts and thought leaders from across Canada (see Annex A for short bios of the participants). The goal of this project was to identify issues, perhaps unforeseen to us, that may arise in the next 10-15 years that could have implications for the justice system in Canada.

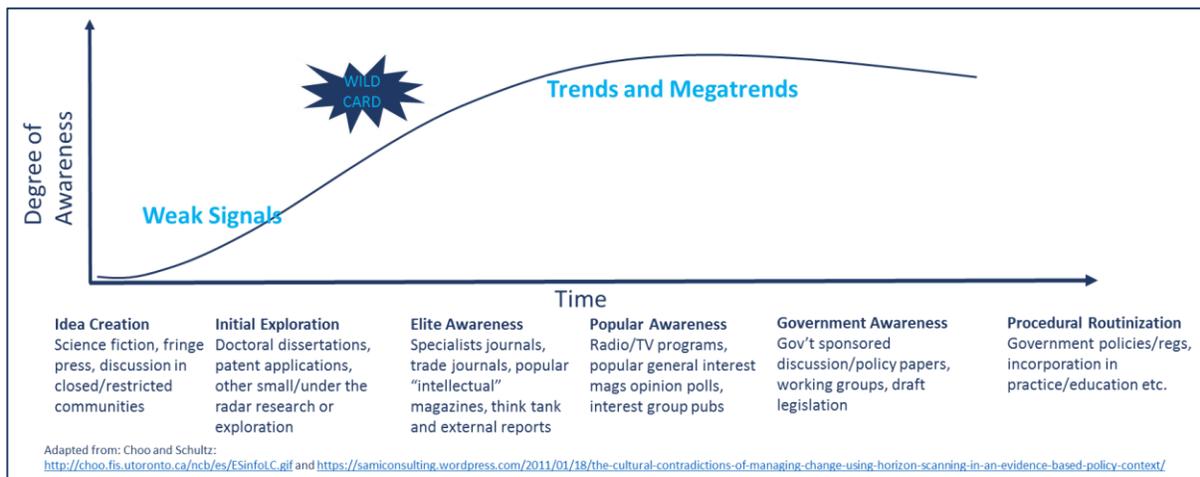
This is the third document you have received summarizing the responses. The first provided a list of issues the respondents identified in Round 1. The second document did not present the full summary of Round 2 content, instead it focused on some issues the respondents identified that could be called more “justice-related”. This document contextualizes the findings from this work and provides a summary of the content that was not covered in the second document as well as the responses from Round 3. This means that we put this work into the context of narratives used to study global trends. This also means that we will not repeat, in detail, the Round 2 content on, for example, privacy or access to justice (these issues are listed in section 2 below). This will allow us to focus our attention on new areas including education, national identity, climate and health.

As with the prior summaries, we have attempted to report the respondents’ ideas as objectively as possible. You will note that in keeping with this document as a summary, we do not include analysis of the content, nor outside information. Unfortunately, this document cannot cover off all potential problems identified or all of the interconnections. Instead, this a starting point for dialogue and further thinking; we will continue to work with the original submissions as well as the summaries to shape RSD’s forward looking discussions related to justice and Canada.

### Trends, Emerging Issues and Wild Cards: What are they?

For clarification, trends and emerging issues are not the same thing, although sometimes the terms are used interchangeably.

Figure 1. Information Life Cycle of Emerging issues



As demonstrated in Figure 1 above, there are different stages in the development of an issue:

- **Weak Signals**-chatter in low profile places, or in unexpected areas. There is little to no data on the issue itself yet – but is thought to be developing. However, there may be a lot of different contributors that do have associated data.
- **Trends** – Discussed by mainstream sources, data is available to allow tracking of what happened and helps to predict what could happen in this area
- **Wild cards** –A low-probability and high-impact event -change everything even how certain other trends develop.

Seeking out emerging issues gives you a window into possible futures, trends data and other information is used to help identify those issues and how they may develop. However, there is a higher degree of uncertainty and risk in these issues. Exploring issues which are further along on the timeline and thus more developed, but not yet trends, will provide you some more concrete ideas of the possible short- term future (2-5 years). It should be noted, that in different countries issues may be perceived to be at different stages. For example, the European Union has explored regulation of crypto-currencies<sup>1</sup>, Robot Ethics<sup>2</sup>, and litigated against Google for the right to be forgotten on the internet.<sup>3</sup>

For the most part, we did not engage futurists in our consultations, but approached subject matter experts. This means that the information we was not necessarily all confined to potential issues that could mature in 10-15 years. Some of the issues identified were current trends, or more developed issues that could have an impact on Canada in the next 2-5 years, or having their effects felt now.

There are three sections to this report. The **Trends/Pressures** section contains those trends you noted would have broad impacts on many of the problems that Canada faces. The **Issues** section contains those major topics that many of you identified as important to attend to between now and over the next 10 to 15 years. The final section focuses on **“Where do we go from here?”** and in so doing, engages with some of the possible solutions to future problems.

## Section 1: Trends/Pressures

Trends/pressures identified by respondents that affect the major issue areas included: different contexts, greater role and frequency of public perceptions and expectations; increasing technology; increasing diversity; an overall population that is aging - a “greying tsunami”; a young and growing indigenous population; changes to definitions/functions of families; changing experiences of youth today; increasing urbanization; a changing labour market; increasing immigration; and climate change. Some of the trends/pressures that became more developed through the three rounds are included below.

### Increasing Complexity

Not only were these pressures expected to exert themselves individually, but respondents noted the interconnections among these pressures. The increasing complexity draws attention to the connections among pressures – we can no longer simply identify potential problems in need of solutions as there are now diverse problems with diverse interests and multiple solutions with multiple consequences. For example, Aboriginal rights would be intertwined with concerns over climate change and globalization and this has the capacity to connect Aboriginal groups across the globe. Also, increasing immigration and aging could contribute to changing

<sup>1</sup> Report on regulation of crypto-technologies released by the European Banking Federation in 2014 [http://ebfdigitalbanking.eu/EBFDB\\_55.html](http://ebfdigitalbanking.eu/EBFDB_55.html) . Last accessed Nov 17, 2015.

<sup>2</sup> Report released by a Consortium for Regulating Emerging Robotic Technologies. Can be downloaded from: <http://www.robotlaw.eu/>

<sup>3</sup> Factsheet on the “Right to be forgotten” ruling released by the European Commission. [http://ec.europa.eu/justice/data-protection/files/factsheets/factsheet\\_data\\_protection\\_en.pdf](http://ec.europa.eu/justice/data-protection/files/factsheets/factsheet_data_protection_en.pdf) Last accessed Nov 17, 2015.

definitions of families. Connected to this was a concern that the **sense or perception** of justice will be at issue in the future because there are, and there will continue to be, polarizing issues which will challenge public support and credibility of the justice system. Some of these issues include Aboriginal rights, climate change and globalization.

### **Globalization**

Globalization for Canada is expected to be compounded by the fact that geopolitical boundaries are dissolving and less meaningful to the average citizen. Globalization is also seen with the globalization of crime, changing global attitudes on the role of law, and globalization as changing the labour market. So these are not just local problems but global problems in need of global solutions.

### **Rapid Changes to Technology**

Technology has changed our everyday lives in many unseen ways. For instance, it has created a “new normal” of being online and the rapid developments large and small are translated into almost unnoticed shifts in our day-to-day world. However this pressure has huge and very noticeable impacts on all issues that are and will be faced in Canada. The implications of living in an online world are just beginning to be identified.

Access to the internet is also a concern. Ensuring that all Canadians enjoy affordable access to the internet is an exceptionally important policy objective. This is because we live in an era where affordable broadband Internet access is a pre-requisite for full participation in commercial/business opportunities, education, and civic life. This also plays a foundational role in creating a Canadian society premised on equality of opportunity. The state of Internet access in Canada has been the subject of considerable debate in recent years as consumers and businesses alike assess whether Canadians have universal access to fast, affordable broadband that compares favourably with other countries. When considering Canada in 2030, there is little doubt that the networks, internet and connectivity will play a key role in delivering educational and health services, commercial opportunities, cultural content, and civic engagement. The price of admission for this society is affordable broadband access.

### **Public Perception and Expectations**

Public perceptions will exert pressure on future issues for Canada, especially as they relate to: perceptions of fear; perceptions of who/what is dangerous; perceptions about rights and justice; and perceptions of (the ideal) culture. The changing expectations of Canadians with respect to, for example, their ability to inform themselves, the level of engagement and input into policies and laws have important implications.

## Section 2: Issue specific themes from Round 1 and 2

### Issues Covered in Past Material

- Our (Canadian and international) institutions are failing to keep up with global power shifts and rapid technological changes.
- Eroding boundaries between domestic and foreign issues and responses and the subsequent need for global responses to problems.
- Disconnect between traditional patterns of Canadian behaviour, especially abroad, and the world that we are moving into (i.e., Canada will have to decide whether it will participate in institutions, like the UN, that are being stood up by the new powers that are deeply dissatisfied with the failure of the older western powers to open up existing power arrangements)..
- Youth today have a much different context than that experienced by prior generations.
- Need to develop the capacity for resilience and ability to respond to the unexpected.
- Need inclusive approaches to solve complex challenges involving public, private and civil society organizations and individuals as well as all levels of government.
- Meaningful citizen engagement and the citizen activist.
- The need for focus on concepts of transitional justice and prevention.
- Legal literacy and access to justice related information and strategies.
- Increasing strain on traditional court processes from increasing complexity of issues we will face as well as changing demographics.
- Increasing pressure on and of Aboriginal issues.
- Risk of increase in criminalization along social/demographic/cultural divides (e.g., Aboriginal/non-Aboriginal, racialized communities/non-racialized, immigrants and refugees/non-immigrants, rural/urban, rich/poor, young/old).
- The rise of “crimmigration”.
- Migration and transnational and international criminality (including terrorism and national security issues).
- The changing face of crime.
- Emerging national security concerns.
- Changes in governance of the Internet.
- Regulation of emerging economies and currencies.
- Regulating the impacts of a digital society.
- There is a growing power of industry and corporations to do what they wish without the regulation or controls that govern individuals.
- Guard against presumptions about the world and future trends that are too “Western”.
- “Westernized” views minimizing the role of religion are an important blind spot.
- Impact of immigration and potential influx of refugees will have an important impact on national identity and the justice system.
- Impact of changes in definitions of family will not only impact on national identity, but will also affect the relevance of laws and reveal gaps in legislation.
- Social cohesion and inclusion if lacking will have negative impacts on society.
- Rising income inequality is associated with social justice issues as well as crime.

- The public generally wants it all: personal privacy, effective security, and surveillance of others to the extent it provides additional security without compromising domestic privacy.
- The rise of big data and data analytics.

## Issues not developed in past materials

### **Education: Essential but Outdated and Concerns over Equal Access for All**

Education was highlighted as important, which will better prepare Canadians to face the future. The focus was on supporting a higher level of innovation and entrepreneurship, developing a capacity to find solutions to the issues we face, and stimulating the economy. The current education systems were identified as very outdated and non-responsive to the current realities, especially among minority or marginalized communities. This includes all level of schooling, including post-secondary education.

There was also attention to the role that universities will play in the future – many young people are attending university and then not finding jobs when they graduate. The education they are getting is not always preparing them for the types of opportunities available or gaps that our country needs to fill. Some suggest that the needed level of preparation for jobs may not be adequate or the path taken in the future, particularly if we move into a greater bifurcation of the labour market or even a post-job economy in the coming 15-20 years.

### Links

- To the economy and labour market and income inequality.
- To equal access and appropriate education/training: when all Canadians (including Aboriginal people, immigrants, young men, marginalized groups) have increased opportunities it can help break cycles of poverty, the school to prison pipelines and criminalization.
- To increased participation in society and democracy: creating ability to develop and sustain self-sufficiency and bargaining power (of marginalized groups); the importance of legal literacy and education in enabling active and informed participation in democratic processes.
- To increasingly transparent/outdated boundaries between levels of government: Canada has no national minister/ministry of education (we are one of the only countries in the world without one), and yet many of the education challenges for Canada (languages, STEM, mentality, etc.) will require national improvement and involvement.
- To the impact that technology: this is forcing changes in how post-secondary education specifically will be delivered. Also, in terms of providing greater access to opportunities for those in more remote locations.
- To public education and information: education is needed in new areas such as prevention of cyberbullying/violence.
- To Aboriginal issues and national identity: for reconciliation and for greater understanding - the history and future of Canada's indigenous peoples depends on education.
- To urbanization: youth often move to access educational opportunities.
- To globalization: increasing education in the population can increase Canada's competitiveness in international markets, and if we do not change, we risk losing our best minds to other countries.
- To technology and business/economies: with dramatic shifts that increases reliance on open and online educational materials. This will place pressure on conventional publishers and potentially reignite copyright

battles as legacy businesses turn to copyright law to slow the migration to lower-cost, more flexible alternatives.

### **Governance and the Democratic Deficit**

Another theme challenged the adequacy and the resilience of Canada's existing governance institutions in the wake of current and emerging trends (e.g., technological, social, demographic, economic). This is further complicated by new and different contexts that governance institutions are/were designed to regulate – governments may not be prepared to handle the new reality. For some, Canada is falling behind in a world that is increasingly prioritizing (and demanding) adaptive capacity of institutions, citizen participation and an evolved vision of leadership. Changes in the political system contribute to governance issues, including: the decline of the traditional party system; voting and social movements tied to a particular social party for more risk taking; spontaneity and decentralization; decline of (young) people voting and rise of social movements; the decline of the Parliamentary system; and changing political powers combined with demographic changes.

Respondents also note a growing democratic deficit which has contributed to recent cynicism and societal distrust. This further challenges fundamental social-trust contracts. For instance, with the 2008 financial crisis, people lost trust, the psychology of the masses changed, traditional authority figures and institutions were challenged and there was a demise of authority. This is linked to a lack of support and credibility for existing models for resolution and decision-making. This is seen as contestation/dissatisfaction with local, national and international notions of community, the lack of public support for conflict resolution mechanism that do not allow for public input or develop avenues for community engagement and bridging mechanisms for social divisions. The lack of credibility is also a feature of the above-noted lack of coherent policy on issues at national level.

Finally, a number of new and old events are expected to impact the state of governance in Canada. Some of these include: the resurgence of the Quebec question; international incidents/attacks (terrorism); the widening of the basis for threats and the malicious threat actor. Other social changes/issues that will impact governance include: tensions from increased complexity of local and global issues; differing notions of right and wrong due to increasing diversity and multiculturalism; divergent geopolitical issues, tensions, alliances and philosophies from governing a diverse and multicultural society; the growing complexity of social and global issues and issue complexity/divisiveness; the fear of creating social divisions; and shifting public conversations around societal divisions.

### **Links**

- To globalization: the development and evolution of international governance will have interesting implications for Canadian sovereignty. It was noted that in the area of transnational criminality, international governance has been considerably strengthened, although concerns were raised about capacity for governance in other areas. There will also be international pressures and decisions that are less comfortable for Canada (e.g., when agreements are made with increasingly powerful non-Western countries who do not have the same approach/perspectives as Canada).
- To law and crime: it is expected that incidents of social disobedience and unlawful behavior (public order related events) will be increasingly prevalent with a more measurable violent impact on society.
- To governance of technology: the U.S. has long been the lead player in this environment, but as the next billion or two billion Internet users come online, they may bring different sensibilities and perspective to how the Internet should be run.

- To public expectations/perceptions: perceived democratic deficits are linked to citizen activism and increasing negative perceptions government and institutions. Institutions are at risk of being perceived as outdated and irrelevant if they do not adjust to changes in the Canadian society.
- To technology: the internet has facilitated changes in expectations around governance and involvement and provides a new forum for communicating and connecting. For instance, governance will continue to be defined by networks, connected information flows and web services; new digital actors will challenge the traditional institutions that hold the monopoly of power; there will a growth of new social and political organization; and the movement of information across the internet will impact policy decisions.
- To a changing national identity and changes to Canadian society: Differing notions of right and wrong due to increasing diversity and multiculturalism; alliances and philosophies from governing a diverse and multicultural society and shifting public conversations around societal divisions.
- To urbanization and mega cities: these will demand greater resources and more power/control at local levels.
- To demographics: increasing disconnection of youth to traditional institutions, diffusion of power bases fueled by more connected Aboriginal populations and formerly marginalized groups.

### **Economic Instability, Bifurcation of the Labour Market and Income Inequality**

Concerns were raised over the increasing income inequality in Canada as well as the bifurcation of the labour market. This is pressuring the middle class. There is evidence that we are heading toward a growing inability to find enough rewarding jobs to distribute income. Respondents talked about changes to the economy and industries (e.g., the loss of manufacturing) and the need to shift our focus from reliance on natural resources to a more diversified economy. While high tech based businesses are successful, the income stays in the hands of a few, which contributes to income inequality, economic instability and bifurcation of the labour market. There was significant concern over the implications of income inequality and loss of middle class jobs on Canada in the coming years. These economic changes are taking place with an economic reality that is increasingly informalized (e.g., Uber, Bitcoins...).

It was suggested that there are strong indicators that we are moving into a post-job economy, with routine cognitive work being continuously automated. Structural changes in jobs and education are needed to do work are already being felt – Is a university degree worth the debt load? Young people are less involved in the political process, even as current legislation affects their future. But we need to first prepare people – individuals, families, communities – to be adaptable in dealing with technological and demographic changes, in a globalized, resource-challenged world. Canada has not had success in building a “knowledge based economy” and this compounds the problem of not creating good jobs and a strong middle class. Instead, resource development defines Canada’s economy which needs diversification. When the economy is diversified, it tends to protect the economy from external shocks. Unless we find a way to capture more of the income and wealth of the rich (with wealth being more and more concentrated), we will not be able to fund labour-intensive activities.

### **Links**

Links were made among these issues and other issues raised. Some of which have been covered off in prior summaries. Others include:

- To globalization and justice: some industries are moving to other countries (e.g., manufacturing). And Canadian companies moving to locations where regulations are weak and repercussions are few. The need to regulate Canadians companies abroad with respect to how they operate and human rights violations.
- To youth: Youth unemployment and underemployment is the highest of any group.

- To urbanization: The changing nature of work will have ramifications across society. This is will especially be seen in rural Canada, with its hollowing out and the lack of employment opportunities combined with lower birth rates, less access to internet, fewer services and lack of education.
- To marginalization: By breaking down the labour market into those who are socio-economically advantaged and those who are socio-economically disadvantaged, the problem is now systemic. These divides will also fall along traditional lines as well with the potential of further marginalization of Aboriginal people, youth, women, and other disadvantaged groups. This concentration of resources in the hands of a smaller number of people broadens social inequality and is detrimental to Canada's economic health.
- To society in general: Canadians who are without jobs and have to accept fewer and less attractive working conditions (e.g. part-time, contract) and have to compete with temporary foreign workers and other newcomers. This can also link into the potential of increasing resistance to immigration and levels of discrimination and racialization.
- To health and well-being: income inequality is closely linked to well-being of citizens
- To protections for workers: both in Canada and internationally will be a concern. We may see a revival of labour unions and worker's rights
- To technology: High-growth techno-social innovations that are creating a user-driven economy (e.g. job, car and work sharing) are challenging the government's institutional capacity to regulate and manage growth and productivity in economically sustainable ways.
- To regulation of new industries and economies: The emergence of the "shared economy" which is reshaping the division of labour as individuals offer themselves as service providers for everything from taxi services to hotel accommodation to general tasks but these largely fall outside regulated systems.

### **National Identity**

The transforming nature of Canada's national identity is expected to be an issue in the future. As Canada continues to grow, through natural increase (births) and immigration, its new identity is anyone's guess. Canada's cultural/national identity is going to be redefined and in some ways it has already experienced this shift. We have not caught up with this reality. And, more so, we have not fully acknowledged who is defining our cultural identity and why. This is an issue because many of the country's institutions are not responsive to this change.

Among immigrants, there will be complex negotiations of living in their new culture and remaining true to traditional cultural backgrounds.

The changing national identity may be seen as second-generation Canadians are far likelier than their parents to marry outside their cultural and racial identifiers. This change is also seen when new Canadians come with an increasingly diverse palette of experiences and identities. The rate of transformation/growth of this plurality is exponential. This poses/will pose a challenge in areas such as service delivery, employment and education, it offers exciting new challenges to redefine the very DNA of the Nation.

Changing identities offers a brave, new landscape to understand competing values, and develop institutional capacity to harness and redefine a national identity that is both inclusive and unifying. Differing notions of right and wrong, and cultural constructs will pose national and international challenges for governments, judicial and law-enforcement institutions.

## Links

- To globalization and technology: identities are not only formed locally and globally but also can take shape amongst millions of subscribers via an on line community.
- To a new urban/rural divide: as the major metropolitan areas extract tribute from the hinterland, resource-based economy while presenting themselves on the global stage as leading examples of new low carbon, multicultural, knowledge-based economies.
- To structural changes in labour and the education systems needed to do work (i.e., overeducated and underemployed; job prospects after university debt load).
- To major shifts in the organization of labour leading to a re-definition of work with profound implications for who is included in the workplace and whose rights are protected (i.e. increase in number of contract workers without protection of employment standards that were developed under earlier market structures).

## Climate

Climate change and environmental concerns were discussed. Respondents noted that mounting pressure on the natural environment, including climate change, is arguably the most urgent global environmental challenge. Despite limited recent efforts to mitigate the causes of climate change, the most authoritative scientific information, the Intergovernmental Panel on Climate Change, reports that total human-caused greenhouse gas emissions were the highest in history from 2000 to 2010. Many ecosystems and societies are vulnerable to extreme weather events linked to climate change, which can cause disruption of food and water supplies and damage to infrastructure and settlements.

The ongoing rise in greenhouse gases and global temperatures combined with growing scarcity of fresh water, natural-growth forests, commercial fishing stocks and other symptoms such as accelerating species extinction is leading to rapidly-growing pressure to take actions more substantive than symbolic. These are not the only anticipated consequences that will fuel the need for a response to global warming, some others include the: health effects from continuing climate change including heat, pathogens, insects, extreme storm events; need to extensively replace infrastructure to withstand climate change in all aspects – severe storms, drought, floods; agriculture and food productivity; impacts on travel patterns; impacts on low income and vulnerable populations.

Significant swings in exploration, refinement, distribution, stability of pricing and the politics of currency exchanges portend ongoing turbulence. The post Peak-Oil economy has introduced higher-cost higher-risk infrastructure, operations and economic dynamics. For example, fracking requires significant capital investment, and is ruinous environmentally on a localized basis, tar sands recovery and production is ruinous environmentally on a long-term basis, will always be expensive as it is process and labor-intensive. There are also costs to current citizen activism as there is increased public participation and dissatisfaction with the status quo methods of environmental decision making. The shortcomings of the existing decision making paradigms are becoming evident to many who did not previously engage in these processes.

There is a growing cultural component to resource and environmental conflicts, but these conflicts in Canada are not new. With the climate change threat, however, these conflicts are becoming more complex, involving the interplay of cultural, ethnic and socio-economic factors. At the same time, the courts have increasingly recognized first nations' legal rights over land, resources and even environmental protection to some extent. Current conflicts are likely to intensify in magnitude and seriousness.

## Health

Mental and physical health will continue to be a concern for Canada in the future. The consequences of health and mental health issues for the population at large is highlighted by the half a million Canadians that miss work each week because of a mental health problem or illness and of the one in five Canadians experiencing mental health problems or illness. The World Health Organization's Social Determinants of Mental Health notes that mental health and many common mental disorders are shaped by various social, economic, and physical environments operating at different stages of life. The prevalence of these is on the rise.

## Links

- To aging demographics: there is a lack of appropriate and equitable access to health care and other related services for all Canadians. This can be referred to as a “greying tsunami”. As the Baby-boomers age, and many are aging well, the health care system, and the current economic conditions worsen across the country, we are heading towards a very difficult set of conditions. Also, Canada's aging population is going to cause other social programs as well in terms of the sustainability of public pension programs and the burden on the health care system.
- To disparity, inequality and socioeconomic status: It can be said that we have/will have a two tier health care system in Canada. This is most clearly seen when preventative medicine is not able to be practiced by those who live on the margins of society – the economically disadvantaged, the racialized, the working poor, the homeless, new immigrants and so on.

## Section 3: Where Do We Go From Here?

Across all three rounds of the Delphi, experts made suggestions to address the issues facing Canadians. Some of the suggestions for moving forward could be applied across different issues/areas (e.g., develop adaptive capacity). Other suggestions for action were focused on particular issues (e.g., suggestions for changes to privacy legislation). First, we discuss the suggestions for action that are not tied to a specific problem. Afterwards, we present action items that relate to particular problems that are currently, or will in the future, be a challenge for Canada.

### **Openness and Innovation and Capacity Building (N = 15)<sup>4</sup>**

It was suggested that institutions become more open, transparent, inclusive, flexible, efficient, innovative and participative. Governments should make more use of the collective wisdom of organizations and people. And, there can be more work to understand how to navigate and respond to complex societal conditions in a timely manner with a more comprehensive understanding of issue diversity. This will make more information available for informed decisions on policies, practices and changes. It can also mobilize online tools and capabilities. The advantage of an online capacity is the potential for enhanced responsiveness, adaptability, and flexibility of all public policy responses. This includes new mental models and new bases of meaning for planning, implementation and managing. At the societal level it means a renewal of the principles and practices of democracy for an interconnected age of information.

There can also be cross-governmental efforts, interjurisdictional efforts, deep intergovernmental responses and intergovernmental capacity building. This can address issues surrounding the organization of civil society, the systemic challenges of horizontal and vertical coordination and cooperation and governmental responses to

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<sup>4</sup> The number in brackets are a tally of the participants that made suggestions on this theme.

citizen activists, disaster preparation, urban prosperity and opportunity. Some of this intergovernmental capacity building may be inspired by new or atypical sources for benchmarking (Israel, Singapore, Kazakhstan, China) instead of the old ones (US, UK, Australia, France). It was also suggested that also we need to see issues in more complex and interconnected ways, rather than in discrete boxes.

Government can also facilitate connectivity among the various national groups through one or two annual meetings. For instance, this was done in March by the HR Council of Canada to envisage Canada in 2040. The highlight of the day was meeting all these people from all the sectors who are seeking to lead change in their fields. If this could be done more often, we would see important national initiatives occurring. To overcome a lack of connectivity where people are not aware of the numerous initiatives that are underway, Canada needs to:

- Start more initiatives like Canada 2040 launched by the HR Council of Canada and Community Foundations of Canada;
- Continue to encourage government to become completely open and transparent (open data) and to simulate scenarios for the long term. These simulation exercises will stimulate other essential skills in the process, such as creativity, imagination, critical thinking, problem solving and many others.
- Think outside the box about regulating the way we live together, which may rely less and less on elections and traditional methods of social protest (social movements, public media, etc.). We also need an evolved vision of leadership – a focus on resilience and a commitment to change.

### **Meaningful Engagement (N = 12)**

To encourage public participation and to use it as a tool to address the issues facing Canadians, there will be new strategies. Strategies for public participation include experimentation and consultation to test new solutions. This also includes exploring how and where solutions resonate with the public.

Experimenting will test multiple solutions. The CRTC has provided a template for experimentation with its recent Let's Talk TV consultation, which has incorporated a wide range of online channels to encourage feedback and public commentary. This process is very different from consulting on solutions, as it involves public participation/consulting from the outset (i.e., once there is a problem). In the past, the government conducted extensive consultations on copyright (2009) and the digital economy (2010). However, these consultations did not even generate a summary document on the public perspective. In fact, the digital economy strategy, which took years to release, makes no mention of the consultation at all. If the government is serious about public consultation, those that take the time to provide their views deserve better.

Also, there needs to be 'meaningful engagement' and input from a variety of sources, not just legislative hearings and the 'normal' list of participants. To do this, there needs to be the development of relationships, mutual understanding, and trust, and this takes time. Consultation/participation that seeks to engage the public relatively early in the policy process was recommended, rather than simply soliciting feedback on proposed rules or regulations. Such a consultation builds public participation from the outset and holds the potential to fully engage the public in all aspects of the policy cycle including agenda setting, design, implementation, and (ultimately) evaluation.

This process will need to take place on a level playing field, one that is creative and flexible, to prevent some groups from being unable to participate in regulatory and policy processes due to a lack of resources. So engagement can be facilitated by providing access to materials and resources. For instance, treaties and other historical documents if made available on CanLii may help people meaningfully engage and help Aboriginals have a voice. In criminal justice matters, resources could be put into community programming, resources could

be linked with clients and needed supports in employment, housing, education, training and community repatriation and resources could be allocated to victims.

The Department of Justice could also assist the government by bringing institutions together around the table and showing them what is taking place at the international level. An initiative like EduNova would be a good model. The more the Department can play the role of convening (bringing all the sectors to the table again) and informing, the more the government will have the tools in hand to move forward.

Engagement needs to be improved but so too does government response to citizen engagement. It will be critical for the Department of Justice to learn to welcome citizen engagement and to expect activism. With a more educated and underemployed cohort, they will also be more active with social media. They will be faster at reaching the broad public and will have more direct access to the populous. Government will not be able to keep pace unless changes are made. We need to further make sure that engagement is not just measured by votes, many people are digitally engaged and still engage with petitions.

### **New Voices and More Voices (N = 16)**

Closely linked to agents of change is the creation of visionary thinking. It is important to have more people who are visionary thinkers and who will have the courage to cultivate ideas for future generations (our children and grandchildren). This can include multi-stakeholder solutions that involve a capacity to work effectively with civil society organizations and citizen activists. For example, there is reasonable engagement on health and safety issues (Consumer Products legislation; Food Safety legislation), but middling to poor on others (e.g., referenced Bill C-22). Engaging civil society organizations for their knowledge and expertise in finding solutions to complex or wicked problems is increasingly important to the public policy process, and this requires meaningful engagement and partnership with government.

To cultivate this type of thinking:

- Talk to visionary people more often; make examples of them on important occasions like Canada Day. A site that groups together video vignettes could also be interesting;
- Launch an ideas contest for Canada's 150th and ask people to imagine the Future in 100 or even 150 years (i.e., <https://ongozah.com/ideasfestival> )

New voices, views, opinions and perspectives must also be considered when addressing problems facing Canada and Canadians. This helps with inclusion, truth, reconciliation, implementing initiatives and training. Some of the possible voices, views, opinions and perspectives in a justice context includes: victims; the state; civil society organizations; international communities, and so on. It may be done through consultation and/or roundtables on particular issues.

Concretely, when dealing with rapid change for instance, non-partisan committees can be used to examine and analyze issues and priorities. For instance, a committee of experts could look at which institutions Canada is a member of and commission a cost benefit analysis as well as look at relevance to current issues and Canada's priorities. The goal would be to test existing structures and institutions to ensure that current work is not redundant, costly or irrelevant with the goal of fixing problems and (re)allocating resources. This work can be expanded to include international partners to strengthen ties among countries. Justice (and other departments) may also want to be an active player in action research projects that mobilize around pressing social issues.

Another approach is *to build your own edge*. While every challenge is complex, using the collective wisdom of an organization can map a path forward. Organizations cannot learn how to learn faster by continuing with their traditional methods. They need to get people to marinate in complex systems. This will include diversity of opinions and ideas which will give any organization more resilience to deal with change and more potential for innovation. For instance, Robert Paterson worked with US public radio, NPR, in 2005 to help determine how to

adapt to the industry-wide changes wrought by social media. Six years later, Rob noted this report from The New York Times, “Amid all that creative destruction, there was a one large traditional news organization that added audience, reporters and revenue. That unlikely juggernaut was NPR.” Part of the secret was to prepare the existing culture by embracing pathfinders from the new culture.

“So if you want to be successful, please think of hiring someone who knows the other native people out there and the new culture. Who is a native of the world that you aspire to go to. Who is less of a guide than a trusted friend. Who you can talk to quietly in the evening around the fire and have her hear you out. Someone who risks as much as you do on the journey – or even more than you. Someone who is safe and who helps you feel safe as you take risks.” – Robert Paterson

### **Mind the Gap: Adaptive Capacity to Shift Perspectives and be Aware of Biases (N = 14)**

We need to change our perspective so that we can identify issues and respond to disruptors (whether involving regulation, adoption or other responses). Canada needs to ensure that it does not fall behind building adaptive capacity, and this can be done by making bold commitments to transformative change, and be comfortable making plans (strategies, agendas, and policies) that are “living” gestures. We have to figure out how we work – to integrate innovative approaches such as service design, design thinking, social innovation – into the culture of our most rigid institutions. We need to look for the disruptors, the change agents, the people and companies that don't have the financial, infrastructural, and cultural investments in the old or archaic systems. For instance, we can look at companies such as Airbnb, 23 & me and Shopify, all of which revolutionized major industries.

Developing adaptive capacity can include learning a degree of “mass customization” of policies, laws and services in order to maintain and sustain an acceptable degree of societal cohesion whilst remaining open to rapid and often unpredictable change(s). This is the central puzzle for governing, laws and policies. We have many tools, and a number of techniques to deal with/adapt to complexity. What we need are structures to hold the space so our collective intelligence can deal with the wicked problems we face. Holding this critical space is a key role that government can play in the emerging complex network era.

We need to guard against presumptions about the world and future trends that are too “Western”. These limit the imagination, and evidently fail to represent much of what is happening in the world (including many non-Western facts and presumptions that affect Canada hugely).

### **Issues/Area specific Actions**

#### **Aboriginal (N = 10)**

Suggested solutions to Aboriginal issues included: a) targeted programming initiatives; b) research and knowledge development and; c) and following existing banks of recommendations.

#### *Targeted programming initiatives*

Tailored justice programming is needed. Specifically, justice prevention programming (especially in the Aboriginal context) needs to reflect the: Metis Governance structures within provinces; background of the individual; the community of origin, remoteness, resource availability, services and education access; opportunity for further education and job opportunities; and life skill development. Programming should also look at the uniqueness of Metis people. Most definitions of Aboriginals focus on the First Nations aspect of Aboriginal people and do not realize that Metis people have unique values and traditions that make up the very essence of Metis Families. When these are included in programming, they provide a sense of individual pride. As we all know, many who struggle with identity find themselves in situations that lead to justice involvement.

### *Research and knowledge development*

We know very little about the way in which Gladue has impacted the way in which Aboriginal offenders are treated by the courts. While there may be single jurisdiction and cross-sectional studies, this does not contribute to our understanding of the impact of specialized responses over time and across the country. Despite this knowledge gap, we continue to implement them even without evidence-based research.

### *Following existing banks of recommendations*

Department of Justice can play a role among the 94 recommendations of the Truth and Reconciliation Commission. In order to see these recommendations in action, stakeholder support will be necessary. There also can be more direct exposure to Aboriginal culture and living experiences by: getting people to visit the north; creating bridges between our cultures; creating dialogue with Aboriginals; and always ensuring that we include our Aboriginal communities in policy decisions. Canada may also consider adapting school curriculums, as Alberta has done, to include the story of residential schools or the atrocities in the North (relocation, sled dogs killed, etc.) that Aboriginals experience. Teaching the complete history of this country's various cultures and founding peoples should be a given in our schools.

## **National Identity (N = 7)**

Solutions to the national identity issues included: a) clearly planning the way that Canada responds to national and international issues and; b) promoting inclusion of Aboriginal and other cultures through a reformed national language strategy.

### *Clearly planning the way that Canada responds to national and international issues*

Internationally and nationally, differing notions of right and wrong and differing cultural constructs will pose challenges for governments along with judicial and law-enforcement institutions. The growing quilt of identities in the world offers Canada a leadership role in not only finding positive ways to address them, but creating new cultural products (and potentially exports). This can take place in the areas of food, art, music, media etc. At the same time, Canada must avoid not reacting to flagrant violations of human rights and must protect the fundamental rights of its nationals within or outside of Canada – this is part of our national identity. When there are violations of human rights and suspected international crime allegations, Canada should map the origins of individuals excluded from refugee status when people fall under these violations. This will allow Canada to target and develop policy and assistance programs in those countries to make extradition possible.

We could also work to address problems of “living with diversity”. This can include: forming a coalition of like-minded countries and non-state actors (i.e., landmines coalition or MNCH initiative); establishing whole-of-government mechanism to coordinate Government of Canada elements (DFATD, Justice, DND, RCMP, etc.); creating a fund to support projects that focus on local initiatives in partner countries (i.e., expand and reorient a version of the Global Peace and Security Fund); focusing on local initiatives in partner countries to share best practices with each other (i.e., Tunisian experiences with democratic and legal reform shared with other Arab countries); and supporting network of Canadian-based community service organizations working in this area.

### *Promoting inclusion of Aboriginal and other cultures through a reformed national language strategy*

Finally, national identity issues may be helped by creating a national languages strategy for Canada, led by Ottawa and with the provinces, to make the next generation of Canadians 100% bilingual in English and French (French is a must for national unity and dynamics). It may also be worth exploring proficiency in at least a third tongue. Further, Canada should make a key part of this national languages strategy the revival and legitimation of many Aboriginal languages – Inuktitut, Cree, Dene, Ojibway, etc. – which will also be a critical factor in raising the cultural self-esteem of Aboriginal people.

## Education (N = 8)

The education problems may be solved with: a) new logics; and b) new strategies.

### *New logics*

The new education logics are captured by the call for a tripartite injection of strategic planning, funding, and accountability: to re-envision the purpose and goals of children's education in unmapped social and economic territory; to repair or replace crumbling systems, supplies, buildings and logistics; and to set and enforce centralized oversight of the boards, administrators, and professionals who populate the education system and measure their results against its strategic goals.

### *New strategies*

Some new strategies include increasing the use and effectiveness of distance education models. We also need education to engage youth where they "live", we need to have more sophisticated outreach and engagement of young people electronically and via educational institutions. This is important because investment in education and skills can help equalize opportunities and reach non-economic goals such as well-informed and engaged citizens leading meaningful lives. Countries who educate their populations are better off in the short, medium and long term – this can increase Canada's competitive edge.

We can also rethink the education system and our approach to how we are preparing the next generation of Canadians. Canada has no national minister/ministry of education (we are one of the only countries in the world without one), and yet many of the education challenges for Canada (languages, STEM, mentality, etc.) will require national improvement. Perhaps, the national treatment of education will militate against a 'water-tight compartments' view of federal and provincial competences and will suggest greater collaboration (in education and related sectors) in order to move the country forward. It is an area where government could make a difference and, there is nothing stopping parents demanding that the government give their children the right to a wider range of choices in education.

## Climate (N = 6)

To address the climate issues in Canada, Canada should: a) change energy consumption and transportation trends; b) create a new institutions to regulate and monitor climate change targets; and c) protect Aboriginal rights, restore credibility on the climate change issue and foster leadership.

### *Change energy consumption and transportation trends*

Humanity is not acting on climate change. Some climate change action items for Canada include: stop putting carbon into the atmosphere; consider how sources of energy are used; replace fossil fuels with renewable energy sources; support infrastructure for large variety of other modes of transportation from transit to active transportation to cleaner vehicles; scale up conservation and reduction of energy demand; reconsider the East-West Canadian renewable electricity grid strategy; and change current energy management paradigms such as allowing more integration between energy fuels for greatest possible efficiency and least environmental impact.

### *Create a new institutions to regulate and monitor climate change targets*

When responding to climate change and environmental concerns, new institutions would help. For instance, the California Air Resources Board (CARB) is a quasi-judicial regulatory agency with a mandate to use regulations to achieve legislated targets for greenhouse gas reduction and other environmental objectives. Through its hearing and decision-making processes, the CARB provides a neutral mechanism for issues to be resolved and policies determined that have a long-term focus while giving participants recourse to the courts. In Canada, a similar scheme would allow environmentalists, industry and First Nations participation without giving up their legal right to contest decisions they do not support.

### *Protect Aboriginal rights, restore credibility on the climate change issue and foster leadership*

With environmental struggles, the Department of Justice may take on a mediatory role to help First Nations engage with potential developers, and perhaps even help both entities develop legal relationships including co-ownership. Oil and gas companies have been trying to do this type of work. However, these are fossil fuel companies and First Nations are getting wise to the idea that any support of CO<sub>2</sub>-increasing industry is not consistent with preserving the ecosystems and renewable resources that are key to their identity and economic wellbeing.

Canada must regain its credibility on the world stage. Positions on climate change and asbestos are two striking examples. Canada's role is both as a major holder of a variety of natural resources and as a moral leader with a healthy democracy. Canada can also take actions more substantive than symbolic when it comes to: commercial fishing and the possibility of species extinction; a constructive approach to international efforts to reduce greenhouse gas emissions; and the sub-global leadership in environment policy.

### **Economic Instability and Income Inequality (N = 13)**

Canadian issues of economic instability and income inequality can be addressed with: a) commitment and resources for essential institutions and structures (i.e., education) and; b) new policies and practices.

#### *Commitment and resources for essential institutions and structures*

When dealing with income disparity and economic instability, developing strong foundations of education, transit and housing are key. Housing should be a cornerstone in any poverty reduction strategy, but remains expensive and often unsolved. The escalating costs for providing new affordable housing units, investing in the necessary maintenance of existing structures, and delivering the programming required for effective supportive housing services, are daunting. With each year of non-investment, the accessible housing gap widens. Finding the solutions to bridge the affordability gap is essential and will require innovative, tri-level and cross-sectorial partnerships. Education is also key to economic instability and income inequality. We need to re-skill people who lost jobs (i.e., in the manufacturing sector). We also have to focus on why young men are not completing high school. When training, we should focus on complex manufacturing and data analytics – not the old economy jobs. This way, a more educated population should increase Canada's competitiveness globally and lead to an increase in income which should reduce some of the potential for social conflict. It should also enhance informed dialogue in our country. Worst case scenario, without attention, resources and commitments to this area, the government will need to respond to an increase in civil disobedience.

#### *New policies and practices*

There could also be redistributive policies. Canada must prioritize a fairer/more equitable distribution of wealth in order to try to stabilize the recent increase in inequality. This could include guaranteed basic income financed from progressive taxation. Other policy and practice changes could include a guaranteed annual wage along with a national drug plan, a national day care and a reduced work week. There could also be protection of the rights of the working poor, especially around wage protection and benefits. For instance, we could modernize and deliver protections to keep workers out of poverty Canada and this can stabilize the recent growth in inequality. Further investments can be made in infrastructure, in digital health services, in smart manufacturing that is tailored to niches in global supply chains and support early and middle stage start-ups that stay in Canada.

We can shift our focus from family structures to family functions. We can also shift our attention from equity defined as the "same" thing for everyone based on historic norms to "some" thing for everyone" based on fairness process and equity of opportunity. We can create a society that is inclusive and welcoming. We can create workplaces and healthcare facilities that acknowledge, respect and support family/friend caregivers. We can create a society that values individual rights and celebrates individuality while ensuring the most vulnerable

are protected, safe and secure; where people are held accountable for their decisions and supported to fulfill their responsibilities, obligations and commitments made to each other.

Finally, Canada needs high-skilled and high-value research, development and manufacturing sectors, drawing upon both our post-secondary knowledge base and our industrial experience. This will allow us to attract the world's best and most ambitious planners and doers. We must also invest in our young people – their education and their employment – so they can carry forward the country rather than be the lost generation. We could develop and support the talent to compete globally, and become an attractive site for young people because of the quality of its cities. Canada will also need to increase its intake of immigrants far beyond what it currently takes now to counteract the impact of its aging population and commit itself to a strategy of “inclusive growth.”

### Governance & Democratic Deficit (N = 17)

Governance and democratic deficit issues can be addressed by: a) involving citizens/organizations in finding solutions; b) creating new types of relationships between citizens and government and; c) allowing for new visions/logics of government.

#### *Involving citizens/organizations in finding solutions*

Building on meaningful engagement (see introductory comments at section 3), citizens have an essential role in finding solutions to contemporary problems. Issues are becoming increasingly complex (climate change, financial reform, digital society...) so to remain democratic we need to involve citizens in these emerging realities. Helping citizens find solutions and promoting engagement can be done with education (i.e., basic civics) and activities like a youth Parliament. This process will help: promote youth reengagement with government and democratic processes; improve public legal literacy and enable people to identify potential and actual legal problems as well as solutions; and equip people with at least some understanding of the legal consequences of their actions, particularly in family law and criminal law.

A strategy for meaningful engagement was used to create a National Urban Agenda for the upcoming federal election. For this approach, multiple stakeholders in every province and territory worked together to produce a national urban agenda, which included over 20,000 Canadians participants. While policy agendas are usually created with a few dozen or even a few hundred people, a human-centered approach that involved 20,000 people allowed for a more robust, innovative agenda and a platform for Canadians to have insight (the campaign design was relatively open-source, and anyone who wanted to co-design the process could). Another approach is known as AllSay, which is an American pilot project of a decision-making platform to make citizens aware of the hundreds of decisions happening in proximity to them every day, and giving them an opportunity to quickly learn and influence the outcomes.

Charities also play an important role but, this is not without barriers as charities and civil society will require a modernized approach to the regulatory environment in Canada. For example, the UK, Australia and New Zealand have all updated their models of charitable regulation. A first step in this direction would be the removal of the Charities Directorate from CRA, and the establishment of an independent commission that reports to Parliament. The UK Charities Commission would be an important model for Canada to consider, with modernized definitions of charitable activity and expressed value of their inclusion in the public policy process. Other models to explore include management school processes involving multi stakeholders from a learning and leadership perspective and The Tamarack Institute for Community Engagement experience across Canada with multi stakeholder processes from a community-based perspective. They also have a resource library that includes material on models and processes for community engagement

#### *Creating new types of relationships between citizens and government*

Governance issues can also be addressed by developing and managing relationships and working in partnerships across sectors. Governments must ask: how might we find opportunities for citizens to have their

voices heard at decision-making tables? How might we work differently (using ethnography, design mindsets) to engage the public in problem-finding and solution-design in order to increase resilience and social sustainability? This kind of thinking focuses on imaginative, iterative, collaborative, and human-centered approaches and focuses on building nimble/agile organizations that have a high adaptive capacity. This is all part of an inclusive approach to solve complex challenges involving public, private and civil society organizations and individuals as well as all levels of government. This will help add a layer of “consultation” or “crowdsourcing”.

At the same time, interpersonal-style relationships should be encouraged and created. This helps to develop more comprehensive approaches that include active dialogue. It also includes sharing sufficient predicate information that discussions are informed and informative. The ability of civil society organizations to participate in the public policy process is essential to finding solutions to the complex challenges on the front lines of our neighbourhoods and cities. It also provides quality feedback mechanisms and spaces for relationships of trust rather than threats. This avoids the all too easy confusion between the social and cultural diversity that characterizes Canada and the introduction of more mechanisms for monitoring and charges. Building spaces of trust means cultivating interpersonal relationships, but also engaging other spheres of municipal action, such as urban planning (for zoning places of worship and developing public spaces), housing, sports and recreation. Relationships should also be authentic partnerships. For this to occur, there must be an honest attempt to treat partners outside of government with respect.

#### *Allowing for new visions/logics of government*

The public and private sector can benefit from an evolved vision of leadership, especially one that focuses on resilience and a commitment to change. It would also help if institutions were efficient, adaptive and flexible in order to respond to changes (i.e., technology) or to find solutions to new challenges (i.e., economics). Institutions should review their mandates and refocus their energies on partnerships with the private sector or adopt more entrepreneurial mandates.

There is also an increasing need for global rather than national responses to many issues including privacy and surveillance issues, big data challenges, terrorism, internet child pornography, initiatives on respect for human rights and the rule of law, stability and peace, intellectual property, and so on. In many cases, regardless of how Canada as a country responds to issues, there are complexities created by increasing internationalism and globalization (i.e. we are now one big, very connected world). Therefore, we will continue to be impacted by the way in which other countries respond to the same issues and our national response will only be part of the equation and potentially a small and ineffective part.

#### **Justice (N = 27)**

Solutions to the justice issues involve: a) working closely with new stakeholders; b) creating new services and opportunities; c) changing institutional priorities; d) engaging in research and knowledge development and; e) creating new approaches and principles for legislation.

#### *Working closely with new stakeholders*

Just like in governance, solving justice issues involves working with and involving new and old stakeholders. There are a number of important stakeholders to engage in justice deliberations including: victims; law enforcement, victim services, community services, all levels of government, health/mental health professionals, early learning and childcare, education, employers, families affected by incarceration, faith leaders, Aboriginal leaders and service providers, law schools, political scientists, retired Judges, researchers, people who have come into contact with the justice system, addictions specialist and so on. Other stakeholders include extraterritorial/international interest groups when decisions have a broad global effect.

On a broader level, justice problems may be solved (especially access to justice) by involving people from outside of the justice system, specifically those who do not have financial, infrastructural, and cultural

investments/power in the same way that judges and lawyers do. Stakeholders may also be involved in a different capacity. For instance, it was suggested that: Canadian law societies may be encouraged to govern not only lawyers but also unauthorized non-lawyers in the legal market; courts may be empowered and take greater control over administration and structure by reforming structures and cultures; and the department of justice may work directly with CanLII to ensure that court material is available online for greater access to justice. The Department of Justice should become a true partner with CanLII, taking action to get court materials online, expand the availability of free online legal materials, and providing concrete support and accessibility to a crucial service.

#### *Creating new services and opportunities*

Action items for justice problems also involve creating new services and opportunities. This is largely concentrated on programming, training in programming, tailoring programming and exploring different schemes for programming delivery. Programming officials should be knowledgeable of the target group, region, province, demographics and culture. It would be best if programs/services include: the creation of community resource database that provides the needed community information including history, resources, employment, social impacts (particularly in the context of Gladue Reports for Courts to consider during sentence); the development and testing of Gladue-like procedures and considerations for other ethno-cultural offenders; and mental health courts in all provinces.

Other programs and services may include: helping marginalized communities; diversion; using prison as a last resort; addressing deficits in the education system; establishing restorative justice; ensuring that laws do not unfairly criminalize youth; using more restorative, faith, non-coercive and/or community approaches; responding to cycles of poverty and crime through models like [The Reset Foundation](#); and hiring new talent and from different disciplines to bring/secure different approaches/mindsets in-house. There are progressive practices and interventions in some provinces, but these are not equally available across Canada. The Department of Justice could provide leadership in developing national standards or practices.

Nationally, there are opportunities for education and prevention, recovery, greater outreach allows for greater reach for public and professional education and increased public awareness through various social media forums. Also, criminal justice system can become more integrated in violence prevention initiatives as part of the solution. Linking programming and technology is perhaps the most promising opportunity for justice problems. Technology may have a democratizing effect on the administration of justice by providing opportunities for education, outreach and exploration of new forums (i.e., social media). CanLII, for example, provides everyone with top-notch access to case law and legislation. Also, intelligent software in the resolution of civil disputes, diagnosing and suggesting solutions for legal problems, and providing better, quicker, more intuitive access to legal information. However, in this case the democratizing effect will be uneven as it does not improve access to justice for those who do not understand the common law justice system.

There were also suggestions for action in legal literacy. Governments have a role to play in the legal literacy problem and they have to write laws and legal rules in plain language. This should be put on the FPT agenda and it can include education in civic engagement. Governments should be encouraged to adopt principles of uniform legislative drafting to improve access to justice by producing legislation that: is decipherable to persons with a Grade Ten education and average literacy; is intelligible without the need to reference case authority and other secondary sources; provides certainty of application and certainty of result; in the case of civil subject matter, minimizes the range of potential outcomes; and, is written in plain language to the extent possible. This can be matched with efforts and encouragement for simplified rules of procedure in provincial and superior trial courts and, if possible, adopt special rules of procedure that are specific to: family law matters; child protection and youth criminal justice matters; small claims matters; and, judicial review of the decisions of administrative tribunals dealing with subjects such as eligibility for social assistance, workers' compensation and unemployment benefits, landlord-tenant matters and so on.

### *Changing institutional priorities*

Changing justice priorities is another solution for justice-related problems in Canada. Some of these include: a shift from punitive to restorative approaches; a shift to transitional approaches; a shift to breakdown population/subgroup stereotypes; a shift from fault finding and blaming to understanding; a shift from defending and prosecuting to holding people accountable for their actions/inaction; a shift of attention to resolution; a shift in consideration from exclusively the individual to include the family and community. There may also be more case planning for special groups (i.e., youth, Aboriginal, women, and immigrant populations) – especially in the case of bail. It may also include a shift at law schools to create more understanding of civil law with the goal of national unity and improving talent pool of Canada’s legal and political leaders. This may also include shifts in funding models and prevention strategies. These would support and develop skills to promote positive change in an individuals and communities.

Addressing justice issues by changing priorities may also include considering (and perhaps privileging) new sources of information. Some of these include: different sectors; more understanding from research; more engagement with those affected by the justice system but not in the justice system; and more cooperation and collaboration among those affected by the justice system. There may be inspiration for justice reform outside of the system, for instance, dispute resolution can be online and courts can be more user friendly and accessible when they have the ability to control administration and structure.

### *Engaging in research and knowledge development*

Further, the Department of Justice can respond to justice issues with research and knowledge development. This will allow leaders to directly address concrete problems. For instance, Justice could also take the lead in understanding what the potential issues are that we will face with respect to the various types of legal/justice/crime issues due to technology. This should involve action research methods.

There is an increasing need for global rather than national responses to issues but there are complexities created by increasing internationalism and globalization. The Department of Justice could facilitate knowledge development with roundtable discussions in various key areas, including: privacy/confidentiality concerns; use of technology for the radicalization of Canadian youth; child pornography issues; cyberstalking/bullying; and other technological mechanisms used to perpetrate violence.

Additionally, we should explore the complexity of the poverty/discrimination – no access to justice/no social, cultural and economic rights – along with criminality. This can prevent crime, promote greater social justice and ensure access to justice in a non-discriminatory manner. The Department of Justice may also amend laws and focus on issues of ethics, conduct and such things as corporate behavior. In these instances, proscriptions may be necessary in a world where trust in personal judgment, or simply “doing the right thing”, has been severely diminished. These are all very diverse issues that require different groups of people at the table.

### *Creating new approaches and principles for legislation*

Finally, there can be new approaches and principles to creating legislation. All levels of government should review legislation, follow other countries and best practices to render public and transparent policy development and decision-making. There are examples that can be assessed nationally and internationally. There is also a need to challenge the boundaries between foreign and domestic legal responses, especially when it comes to global law enforcement.

Canada also needs to challenge the boundaries of traditional legal responses. There may not always be a need for formal processing where settlements, informal processes and mediation may be more effective. To be more effective, there may need to be more information, more research and more evaluations. There may also need to be more holistic approaches that include treatment and prevention. This can be matched with more communication, whether in real time or through social media, between youth and current leaders. For instance, we also cannot rely exclusively on coercion and control. When dealing with new justice/social problems like

radicalization, the international community can be consulted for information on robust programs (i.e., deradicalization programs). These programs run collaboratively by the departments of justice and social welfare in collaboration with the police. This programming provides alternatives to prison and practices (i.e., revocation of passports) that tend to anger people and discourage the sharing of information.

At the same time, new approaches need to ensure that laws do not unfairly criminalize youth who have taken an early wrong turn (from theft of material goods, to trafficking in sexual content involving classmates, to falling prey to radicalization). Thus legislative projects will need to be progressively minded, with fewer strict minimum sentences or indeterminate incarceration.

Finally, government should be more long-term and strategically focused rather than short-term and reactive. It can also be more preventative and rely on transitional justice approaches. Government will also need to develop new laws and create new global-level enforcement capabilities. To do this, government can engage public sector geniuses to help think through this new approach. We need to think about what may be in 10-20 years not only what is happening today and they have the creativity to think widely without borders and boundaries in mind so we work from unknown and then reality.

## Health (N = 5)

Action items for the health issues facing Canadians include: a) leadership and advocacy to develop priorities and investments and; b) strong programming for current and future issues with clear goals.

### *Leadership and advocacy to develop priorities and investments*

For the health of Canadians, we need institutional leaders, public involvement and clear advocacy from those involved in the provision of health or mental health services. This will help enhance investments and create commitments for parity of treatment in all dimensions of the healthcare system. Along with institutional leadership there should be: an adoption of the National Standard on Psychological Health and Safety in the Workplace; the creation of more mentally healthy workspaces; the promotion of mental health across the lifespan in homes schools and workplaces; and the prevention of mental illness and suicide.

### *Strong programming for current and future issues with clear goals*

Specific programming options can be implemented for health/mental health issues, including: interventions and programs designed to reduce the prevalence of stigmatizing behaviours and attitudes, particularly those focusing on police, first responders and youth; cross ministry, cross jurisdictional implementation and collaboration of integrated public health methodologies to simultaneously address the issues in a comprehensive, collaborative and coordinated manner; timely access to the full range of options for mental health services, treatments and supports, just as they would expect if they were confronting heart disease or cancer; transforming approaches to mental health and health services to foster recovery and wellbeing; and implementing appropriate and effective short-term and long-term treatments.

The goal is not only action to address health and mental health issues but also: reduce the overrepresentation of people with mental health problems and illnesses in the criminal justice system and provide appropriate services, treatment and supports to those who are in the system; acknowledge those problems or illnesses without stigma; foster recovery and wellbeing for people of all ages living with mental health problems and illnesses and uphold their rights; reduce disparities in risk factors and access to mental health services; and strengthen the response to the needs of diverse communities and Northerners.

## Privacy Surveillance and Data Analytics (N = 5)

Proposed solutions for privacy surveillance and data analytics problems include: a) new legislation and; b) new priorities.

### *New legislation*

Revamping/revising the Privacy Act could eliminate data silos in government departments, specify collectable information, transparently disclose the purpose for collected information, enhance the role of the privacy commissioner, create new powers and responsibilities for the privacy commissioner which will include monitoring of secondary use of data and reporting to the public on information held by government. Also, there could be prosecution of those who fail to meet a standard around diligent protection of private information. Legislative changes may also clearly differentiate private and public sectors and, clearly prohibit outsourcing of information processing.

### *New priorities*

The new priorities include the need to *balance* privacy, analytics, security and surveillance. There should also be a renewed priority on a *human-rights* based concept of privacy and disclosure to the public/*transparency*. For instance, specific attention needs to be paid to what data protection norms should apply – and how to do this transparently– in this growing grey regulatory space. Transparency in decision-making will become a crucial issue that cuts across public and private sector lines as data analytics, big data, and the complexity of relationships between governments and private sector suppliers of services to governments become prevalent.

## Aging (N = 8)

To respond to the problems of aging, Canada will need to: a) change policies, especially in the context of resource allocation and; make new investments to maintain current systems and structures.

### *Change policies, especially in the context of resource allocation*

We will need policy responses for the aging population and the emergence of a new leadership generation. Canada's working-age population is rapidly spilling into its retired, non- or semi-working population which leads to reductions in national productivity, greater demands for health and welfare services for the elderly, and a smaller tax base with which to finance both welfare and services. Policy change is needed to: raise the retirement age to 67; use tax breaks and government funding to spark the proliferation of home care and hospice services; increase the availability of affordable day care to encourage both more women in the workforce and higher childbirth rates; and reform immigration policies to refresh the national working-age population through new arrivals from around the world.

### *Make new investments to maintain current systems and structures.*

In addition to these areas of action, Canada will also need investment in infrastructure (both maintenance of existing systems and innovative development of new ones) and in transportation, communication, and public services. Canada will also need investment and commitment to: integration into the globalized economy, including tariff reduction and elimination, freer trade, and limited foreign investment in key industries; a stronger rule of law at home and making it a leading export to emerging economies that require the rule of law to fully graduate to developed nation status; and financial and policy support of Canada's universities, not just in sciences and engineering but also in pure knowledge advancement and education development.

## Annex A: Participant Bios

Note: Information was taken from various locations by Research and Statistics Division staff to create these bios. If you would like yours updated to reflect other information, please contact Cherami Wichmann ([Cherami.wichmann@justice.gc.ca](mailto:Cherami.wichmann@justice.gc.ca))

### **Avocats Sans Frontieres Canada– (group response)<sup>5</sup>**

ASFC (or Lawyers without Borders Canada/LWBC) is an organization for the defense of human rights, managing international cooperation programs and dozens of yearly missions in various countries, predominantly within South America. LWBC seeks to contribute to the defense and promotion of human rights, uphold the rule of law, fight against impunity, reinforce the security and independence of human rights lawyers, support the holding of fair trials, and contribute to the continuing education of stakeholders within the justice system, as well as members of civil society.

### **Shannon Allard-Chartrand**

Shannon is a Community Justice Program delivery professional for urban and rural Metis people. She is a Metis person and lives and works in the community. Shannon has been proactive in building capacity in Metis programming – identifying training needs and developing and implementing training plans to enhance service delivery. The Programming offered through the Metis Justice Institute is very effective in achieving results.

### **Wanda Thomas Bernard<sup>6</sup>**

Dr. Bernard has received numerous awards and honors for her trendsetting work, including her appointment to the Order of Canada in 2005 for her work on racism, to the Order of Nova Scotia in 2014 for her work to remove racial and social boundaries. She teaches in the area of anti-oppression and cultural diversity and was Team Leader for the Racism, Violence and Health study, funded by CIHR 2002- 2008. Wanda is a founding member, and past president of the Association of Black Social Workers, and is the first African Nova Scotian to hold a tenure track position at Dalhousie University and to be promoted to Full Professor. Dr. Bernard is a community engaged scholar who actively links her research, teaching, practice and community activism. Her work on race, racism and the impact of racism has led to her involvement in human rights cases as an expert witness.

### **Ray Boisvert<sup>7</sup>**

Ray Boisvert, President of ISECIS and former Assistant Director, Intelligence for the Canadian Security Intelligence Service (CSIS), offers uniquely sourced strategic and tactical consultative advice pertaining to critical risks affecting private and public sector business activities: cyber and “insider” threats, as well as modern day hazards related to espionage and terrorism. Through presentations on New Era Risk Management, and impacts of data surveillance on privacy – using information to predict, de-mystify, understand and mitigate organizational and personal threats – Mr. Boisvert offers important insights to businesses operating both domestically and internationally. With 30+ years of experience, and a dynamic presence, Mr. Boisvert is also a highly respected and sought-after keynote speaker, often seen in the news.

### **Julie-Anne Boudreau<sup>8</sup>**

Julie-Anne Boudreau is **Canada Research Chair in Urbanity, Insecurity and Political Action**. Professor Boudreau has already studied Montreal, Los Angeles and Toronto and is currently studying Paris and Brussels. She plans to expand her research to other metropolitan areas in order to determine how different social groups express their feeling of insecurity and how government responds. Her research will have a strategic impact on public policy making and the development of public practices, leading to significant, lasting benefits in terms of social

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<sup>5</sup> <http://www.asfcanda.ca/fr/qui-sommes-nous/valeurs-et-objectifs>

<sup>6</sup> <http://www.dal.ca/faculty/healthprofessions/socialwork/faculty-staff/our-faculty/wanda-thomas-bernard.html>

<sup>7</sup> <http://www.isecis.com/site/home>

<sup>8</sup> <http://www.chairs-chaires.gc.ca/chairholders-titulaires/profile-eng.aspx?profileId=1669>

conditions and quality of life in Canada's big cities. She plans to draw up an inventory of the various types of public policy to help decision makers devise solutions to the tensions of urban living.

#### **John Paul Boyd<sup>9</sup>**

John-Paul Boyd is the executive director of the Canadian Research Institute for Law and the Family, a non-profit organization associated with the University of Calgary. John-Paul is a well-respected lawyer who practiced family law in Vancouver, British Columbia and has also been trained as a mediator, parenting coordinator, arbitrator, and collaborative practitioner. He has particular interests in law and process reform, children's rights and involvement in the justice system, the conflicts of laws and jurisdictional issues, heuristics and decision-making processes, and the psychology of separation and divorce. He has been very active in various groups relating to changes to family law, public legal education.

#### **Myrna Dawson<sup>10</sup>**

A Canada Research Chair in Public Policy in Criminal Justice, Dawson joined the Department of Sociology & Anthropology at the University of Guelph in 2003. Formerly a news reporter, Dawson spent a good portion of her 'first career' writing about issues relating to violence, criminal justice and the law – an interest that has carried over into her 'second career' in which she conducts research that examines social and legal responses to violence. In 2011, Dawson took up a Visiting Scholar Fellowship at the Faculty of Law, University of Melbourne, and, in 2012, she was awarded a TC Beirne School of Law Distinguished Visiting Fellowship, University of Queensland, during which she continued to develop her research on intimacy, violence and the law in the international context. Dawson is an Academic Research Associate, Centre for Research and Education on Violence Against Women & Children, and a co-investigator and member of the executive in the Canadian Observatory on the Justice System's Response to Intimate Partner Violence.

#### **Nadine Duguay<sup>11</sup>**

Nadine Duguay is the Executive Director of 21inc (The 21 leaders of the 21st Century), an innovative non-profit organization dedicated to fostering entrepreneurial leaders under 40 years old across Atlantic Canada. Nadine is a natural leader who has a proven track record in instigating and implementing successful projects as well as grassroots initiatives (i.e.: Rotary Resurgo, MYPIE, WOMEN, El Nicho Alumni Fund). She was a member of the 2015 Governor General's Canada Leadership Conference. A champion of inclusiveness, Nadine is also a strategic thinker who will strive to find the creative solutions to any challenge. Nadine's true passion lies within grassroots initiatives and she can always be counted upon to mobilize the right people to change a deplorable situation into a thriving solution.

#### **Linda Duxbury<sup>12</sup>**

A professor with the Sprott School of Business at Carleton University, Linda Duxbury is a noted pioneer in the field of organizational health. Her interest in issues associated with managing a changing workforce has earned her a variety of awards that recognize her research, teaching and her contribution to public and private sector work places. Dr. Duxbury has done work with most departments in the federal public sector, most provincial governments, some municipalities, and with Crown Corporations, various Canadian policing departments and

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<sup>9</sup> <http://www.jpboyd.com/>

<sup>10</sup> <https://www.uoguelph.ca/socioanthro/myrna-dawson>

<sup>11</sup> <http://www.21inc.ca/index.php/en/> ; <http://www.leadershipcanada.ca/nadine-duguay/>

<sup>12</sup> <http://sprott.carleton.ca/directory/duxbury-linda/>

private sector companies in all sectors (telecom, natural resources, high technology, finance, retail). She has conducted many interviews and is sought out for speaking engagements.

### **Zahra Ebrahim<sup>13</sup>**

Zahra is the Founder/Principal of the design think tank and creative agency, archiTEXT. She has led innovation projects with some of Canada's largest charities and governing bodies. She is change driven, rule-bending creative, and deeply invested in using design and design process to explore community engagement, institutional innovation, and participatory citybuilding. Her practice is notorious for bringing unlike people, institutions and industries together in an effort to improve both the human and the designed experience. For the past six years, she has taught at the Ontario College of Art and Design, and has been the co-lead on the Community. Design. Initiative., a legacy project engaging some of North America's most marginalized youth in architecture and design. Zahra has served as Innovator in Residence at Canada's National Design Museum, is the co-founder of the Design Walk-In, a contributor to the Huffington Post, is the Chair of the board of Jane's Walk, serves on the board of St. Stephen's House, and is a visiting instructor at the Museum of Modern Art in New York City.

### **Craig Forcese<sup>14</sup>**

Craig's present research and writing relates to international law, national security, human rights and democratic accountability. Craig is the author of *National Security Law: Canadian Practice in International Perspective* (2008) and he is also the co-editor and co-author of *International Law: Doctrine, Practice and Theory* (2014), *The Laws of Government: The Legal Foundations of Canadian Democracy* (Second edition 2010), *The Human Rights of Anti-terrorism* (2008), and *Public Law* (2d Ed 2011). Craig's research and policy focus in other writings has included anti-terrorism and human rights and government national security secrecy law. Craig has also written (and served as an expert witness at the Arar commission) on diplomatic protection of Canadian nationals overseas in the anti-terrorism context and authored articles on use of military force in anti-terrorism, and oversight and review of intelligence agencies. He has published law review articles on state immunity, extraterritorial law and the regulation of transnational corporations, international trade law, diplomatic protection of aliens and international law and national security matters, including intelligence collection.

### **Jordan Furlong<sup>15</sup>**

Jordan Furlong is lawyer, speaker, industry analyst, consultant, a principal with the global consulting firm Edge International and a senior consultant with legal web development company Stem Legal Web Enterprises. He specializes in delivering dynamic and thought-provoking presentations to law firms, practice groups, and legal organizations at a time of unprecedented marketplace change. He has served as an award-winning editor of three top Canadian legal periodicals. Jordan is also a Fellow of the College of Law Practice Management and Past Chair of the College's InnovAction Awards, which recognize and reward creativity and innovation in legal services delivery. In 2012, he was named one of Canada's 25 Most Influential Lawyers by *Canadian Lawyer* magazine. Jordan has authored *Evolutionary Road* (published by Attorney At Work) and *Content Marketing and Publishing Strategies for Law Firms* (co-authored with Steve Matthews, published by The Ark Group). This blog, *Law21: Dispatches from a Legal Profession on the Brink*, has been named six straight years by the *ABA Journal* as one of the 100 best law blogs in North America.

### **Michael Geist<sup>16</sup>**

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<sup>13</sup> <http://www.architextinc.com/25619/our-people>

<sup>14</sup> <https://llmphd.uottawa.ca/en/people/forcese-craig>

<sup>15</sup> <http://www.law21.ca/about/>

<sup>16</sup> <http://www.michaelgeist.ca/about/>

Dr. Michael Geist is a law professor at the University of Ottawa and Canada Research Chair in Internet and E-commerce Law. He has obtained a Bachelor of Laws (LL.B.) degree from Osgoode Hall Law School in Toronto, Master of Laws (LL.M.) degrees from Cambridge University in the UK and Columbia Law School in New York, and a Doctorate in Law (J.S.D.) from Columbia Law School. Dr. Geist is a syndicated columnist on technology law issues with his regular column appearing in the Toronto Star, the Hill Times, and the Tyee. Dr. Geist is the editor of several copyright books including *The Copyright Pentology: How the Supreme Court of Canada Shook the Foundations of Canadian Copyright Law* (2013, University of Ottawa Press), *From “Radical Extremism” to “Balanced Copyright”*: Canadian Copyright and the Digital Agenda (2010, Irwin Law) and *In the Public Interest: The Future of Canadian Copyright Law* (2005, Irwin Law). In 2010, *Managing Intellectual Property* named him on the 50 most influential people on intellectual property in the world and *Canadian Lawyer* named him one of the 25 most influential lawyers in Canada in 2011, 2012 and 2013.

#### **Roger Gibbins<sup>17</sup>**

Dr. Roger Gibbins is a Senior Fellow at the Canada West Foundation. He held the position of President and CEO from 1998-2012. Prior to assuming the leadership of the Canada West Foundation in 1998, Roger was a professor of political science at the University of Calgary, where he started his academic career in 1973 and served as department head from 1987 to 1996. An ongoing appointment as a Faculty Professor of Political Science continues his association with the University of Calgary. Roger has authored, co-authored or edited 22 books and more than 140 articles and book chapters, most dealing with western Canadian themes and issues. In 1998 he was elected as a Fellow of the Royal Society of Canada, and was the President of the Canadian Political Science Association from 1999 to 2000. In 2007, Roger was presented with the Alberta Lieutenant Governor's Award for Excellence in Public Administration by the Institute of Public Administration of Canada. Dr. Gibbins was presented with the Peter Lougheed Award for Public Policy Leadership on September 22, 2010 by the Public Policy Forum.

#### **Mental Health Commission of Canada (represented by Ed Mantler)<sup>18</sup>**

The Mental Health Commission of Canada (MHCC) is a catalyst for improving the mental health system and changing the attitudes and behaviours of Canadians around mental health issues. Through its unique mandate from Health Canada, the MHCC brings together leaders and organizations from across the country to accelerate these changes. Ed Mantler is Vice President of Programs and Priorities at the Mental Health Commission of Canada. Ed strives to promote mental health in Canada and change the attitudes of Canadians toward mental health problems and mental illnesses. Ed's leadership fosters work with stakeholders to improve mental health services and supports, with particular focus on the ongoing development and implementation of innovative programs in Mental Health First Aid, Reducing Stigma, Psychological Health and Safety in the Workplace, and promotion of the Mental Health Strategy for Canada.

#### **Michael Haan<sup>19</sup>**

Michael Haan is an Associate Professor and Canada Research Chair in Population and Social Policy at the University of New Brunswick. From 2005 to 2010 at the University of Alberta, Dr. Haan was a Winspear-Archer Research Fellow in Immigration and Social Policy. He is also a research associate at the Prentice Institute for Global Population and Economy at the University of Lethbridge and at the McGill Centre on Population Dynamics. His research interests intersect the areas of demography, immigrant settlement, labour market

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<sup>17</sup> <http://cwf.ca/about-us/staff/dr-roger-gibbins>

<sup>18</sup> <http://www.mentalhealthcommission.ca/English/who-we-are> ; [http://www.mentalhealthcommission.ca/English/our-people?panel=1&quicktabs\\_our\\_people=1#quicktabs-our\\_people](http://www.mentalhealthcommission.ca/English/our-people?panel=1&quicktabs_our_people=1#quicktabs-our_people)

<sup>19</sup> [http://www.vanierinstitute.ca/fic\\_michael-haan](http://www.vanierinstitute.ca/fic_michael-haan)

integration and data development. Dr. Haan is widely consulted by provincial and federal governments for policy advice in the areas of immigration, settlement services, the Canadian labour market and population aging. Dr. Haan is currently investigator or co-investigator on over \$6 million worth of research focused on immigrant settlement, developing welcoming communities and identifying the factors that predict successful retention of newcomers. Since receiving his PhD in 2006 (University of Toronto), he has already published more than 50 articles and reports on these topics.

#### **Jon Husband<sup>20</sup>**

Jon Husband is a blogger, strategist, writer and futurist who studies the evolution of work, collaboration and organizational structures, and processes of all types, in this interconnected and interdependent era. He has worked in senior roles for a prestigious global HR consulting firm, as a thought leader with several high-tech firms, and as a facilitator and coach in the areas of leadership and organizational development. He writes and speaks about the dramatic changes being experienced by individuals and organizations in an era of interconnectivity - our collective emerging future. He is acknowledged by peers as a thought leader and "advance scout" with respect to the new social dynamics being created by the intersection of people and technology. He has suggested that we are all moving slowly from the dynamics of traditional hierarchy to an interconnected two-way flow of power, authority, and trusts he has termed "wirearchy".

#### **Mark Jaccard<sup>21</sup>**

Mark has been a professor since 1986 in the School of Resource and Environmental Management at Vancouver's Simon Fraser University. His PhD is from the Energy Economics and Policy Institute at the University of Grenoble. He has published over 100 academic papers, most of these related to his principal research focus: the design and application of energy-economy models that assess the effectiveness of sustainable energy and climate policies. For this career research, he was named a Fellow of the Royal Society of Canada in 2009 and British Columbia's Academic of the Year in 2008. He has contributed to several major processes and assessments, including the Intergovernmental Panel on Climate Change (93-96 and 2010-2012), the China Council for International Cooperation on Environment and Development (1995-2001 and 2007-2009), Canada's National Roundtable on the Environment and the Economy (2006-2009), British Columbia's Climate Action Team (2007-2009), and the Global Energy Assessment (2008-2012). In 2006, his book, Sustainable Fossil Fuels, won the Donner Prize for top policy book in Canada.

#### **Andrew Jackson<sup>22</sup>**

Andrew Jackson is the Broadbent Institute's Senior Policy Advisor. In September, 2012 he retired from a long career as Chief Economist and Director of Social and Economic Policy with the Canadian Labour Congress. In 2011, he was awarded the Sefton Prize by the University of Toronto for his lifetime contributions to industrial relations. Educated at the University of British Columbia and the London School of Economics and Political Science, where he earned a B. Sc. and a M.Sc. in Economics, Andrew is the author of numerous articles and five books, including Work and Labour in Canada: Critical Issues, which is now in its second edition with Canadian Scholars Press.

#### **Harold Jarche<sup>23</sup>**

Harold Jarche is an international consultant and speaker, helping people and businesses adapt to the network era. He has been described as "a keen subversive of the last century's management and education models". He

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<sup>20</sup> <http://www.banffcentre.ca/faculty/faculty-member/387/jon-husband/>

<sup>21</sup> <http://www.rem.sfu.ca/people/faculty/jaccard/>

<sup>22</sup> <http://broadbent.nationbuilder.com/andrewjackson>

<sup>23</sup> <http://jarche.com/about/>

knows that the ability to learn is the only lasting competitive advantage in an era of life in perpetual Beta. Harold provides pragmatic advice and guidance on connected leadership, social learning, personal knowledge mastery, and workplace collaboration. He also distills heady topics like complexity theory into practical advice. A graduate of the Royal Military College, Harold served over 20 years in the Canadian Armed Forces in leadership and training roles. Harold Jarche is focused on workplace transformation. He has been described as “a keen subversive of the last century’s management and education models”. Clients appreciate Harold for his extensive experience and network. His internationally renowned blog is “a beacon of light in the dark landscape of organizational learning”. According to one long-time reader, “Harold is one of the best thinkers out there on things relating to learning and work”.

#### **Fannie Lafontaine<sup>24</sup>**

Dr. Fannie Lafontaine, Canada Research Chair in International Criminal Justice and Human Rights, aims to understand how countries that face political tensions and have deficient legal systems can take responsibility for the implementation of justice for mass crimes with countless victims. A professor in the Faculty of Law at Laval University and lawyer with the Quebec Institute of International Studies, Fannie Lafontaine graduated from the National University of Ireland Galway (Ph.D.) and received first class honours from Cambridge University (LL.M.). She also graduated with distinction from Laval University (LL.B.). Before joining Laval University, Ms. Lafontaine worked as special adviser and human rights officer in the Executive Office of the United Nations High Commissioner for Human Rights in Geneva, as a human rights officer and special assistant to the President of the International Commission of Inquiry on Darfur, as a lawyer for the Global Justice Center (Justiça Global) in Rio de Janeiro, as a law clerk to the Honourable Louise Arbour at the Supreme Court of Canada, and as a Barrister at McCarthy Tétrault in Montréal.

#### **Avner Levin<sup>25</sup>**

Dr. Avner Levin is an Associate Professor at the Ted Rogers School of Management, and Chair of the Law & Business Department. He heads Ryerson University’s Law Research Centre which focuses on research related to law and legal education. He is also the Director of the Privacy and Cyber Crime Institute, a centre for research related to privacy and cybercrime. During the 2012-2013 academic year Professor Levin served as Ryerson University’s Interim Vice-Provost of Faculty Affairs and as Interim Assistant Vice-President of Human Resources. Professor Levin’s research interests include the protection and legal regulation of personal and private information, both locally and internationally. Among his recent research areas are social media, online advertising, the workplace, mobile devices, corporate risk management, electronic health records and the smart electricity grid. Professor Levin has published his work in journals such as the American Business Law Journal, the Canadian Journal of Law and Society, the International Journal of Information Security and the Journal of Entertainment and Technology Law.

#### **Theresa McClenaghan<sup>26</sup>**

Theresa was appointed as Executive Director of CELA in November 2007. She holds an LL.B. from Western and an LL.M. in constitutional law from Osgoode as well as a diploma in Environmental Health from McMaster. She was called to the Bars of Manitoba and Ontario. She focuses on environmental health and environmental safety, particularly in the areas of energy and water. Theresa has practiced public interest environmental law for over 25 years both in private practice and then at CELA. In 2006-7, Theresa was senior water policy advisor to the

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<sup>24</sup> <http://www.fd.ulaval.ca/faculte/personnel/40> ; <http://www.kirschinstitute.ca/faculty/fannie-lafontaine/>

<sup>25</sup> <http://www.ryerson.ca/tedrogersschool/bm/programs/law-business/avner-levin.html>

<sup>26</sup> <http://www.cela.ca/node/2559>

Ontario Minister of the Environment where she was responsible for overseeing the passage of the Clean Water Act, and implementation of the remaining Walkerton Inquiry recommendations. She has represented clients at the Supreme Court of Canada, Federal Court of Appeal and Trial Division and the Ontario Court of Appeal on a range of matters including pesticide by-laws and the Oncomouse patent. Theresa was co-counsel representing the Concerned Walkerton Citizens at the Walkerton Inquiry.

#### **Elizabeth McIsaac<sup>27</sup>**

A seasoned not-for-profit executive, Ms. McIsaac has served in a wide diversity of roles within the sector, from the front line to senior leadership roles. Elizabeth is an accomplished leader in the not-for-profit sector with extensive experience in research, teaching and working in direct service provision. Most recently she served as Executive Lead, Mowat NFP (Not-for-Profit Policy) at the Mowat Centre and Executive Director of the Toronto Region Immigrant Employment Council (TRIEC). At Mowat, she created a new sector-specific body of cutting-edge research and analysis on the sector's key challenges, including human capital renewal, building capacity, shared platforms and other issues. Prior to her role at TRIEC, Elizabeth held other senior leadership positions including Executive Director of the Association of International Physicians and Surgeons of Ontario and Director of Policy at Maytree where she played an instrumental role in the development of TRIEC.

#### **Tanzeel Merchant<sup>28</sup>**

A Toronto-based urban designer, architect, planner and writer. Tanzeel is the Director of the Ryerson City Building Institute. Prior to assuming this role, Tanzeel was the Manager of Growth Planning and Analysis at the Province's Ontario Growth Secretariat where he led the development and implementation of the award-winning Places to Grow initiative. From 2012-14, based in Fort McMurray and Edmonton, he worked with the government and the energy industry in leading the development of a long-term framework for a more sustainable and coordinated response to development in Canada's Oil Sands. In July 2014, Tanzeel was featured in the Toronto Star as one of 24 Canadians nationally with ideas that would shape the future of the country. He sits on the board of Heritage Toronto and the Pan Am Path. Tanzeel holds a Bachelor of Architecture from the Centre for Environmental Planning and Technology, and a Master of Urban Design from the Faculty of Architecture, Landscape and Design at the University of Toronto.

#### **Farah Mohamed<sup>29</sup>**

A social entrepreneur, Farah Mohamed created G(irls)20 and now serves as its CEO. G(irls)20 galvanizes the world's greatest resource – girls and women – and cultivates a new generation of female leaders through entrepreneurship and education. Designed G20 style, this Canadian based, globally active organization brings together one delegate from each G20 country, plus a representative from the European and African Unions, Afghanistan, Pakistan and the MENA region. The organization provides skills building (entrepreneurship, business planning, communications, technology navigation, leadership, etc.), a global Summit, global mentorships and the creation of delegate led initiatives. G(irls)20 is also the driving force behind Fathers Empowering Daughters. For 10 years, Farah worked closely with some of Canada's most senior politicians. Farah began her political career in 1995 with The Honourable Paddy Torsney. From 1999 to 2004, Farah served as the Director of Communications for The Honourable Anne McLellan and post politics, Farah served as Vice President, Public Affairs and Community Engagement for VON Canada.

#### **Roland Paris<sup>30</sup>**

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<sup>27</sup> <http://maytree.com/media-centre/maytree-welcomes-elizabeth-mcisaac-new-president.html>

<sup>28</sup> [http://www.ryerson.ca/citybuilding/aboutus/bio\\_tanzeel.html](http://www.ryerson.ca/citybuilding/aboutus/bio_tanzeel.html)

<sup>29</sup> <http://www.girls20.org/>

<sup>30</sup> <http://aix1.uottawa.ca/~rparis/>

Roland Paris is University Research Chair in International Security and Governance at the University of Ottawa, founding Director of the Centre for International Policy Studies, and Associate Professor in the Graduate School of Public and International Affairs. His research interests are in the fields of international security, international governance and foreign policy. Before this, he was Director of Research at the Conference Board of Canada, a foreign policy advisor in the Department of Foreign Affairs and the Privy Council Office, Assistant Professor of Political Science at the University of Colorado-Boulder and Visiting Researcher at the Johns Hopkins School of Advanced International Studies. Paris' academic writings have appeared in leading scholarly journals including *International Security* and *International Studies Quarterly* and his book *At War's End: Building Peace After Civil Conflict* (Cambridge University Press, 2004) won the Grawemeyer Award and the International Studies Association's prize for best book. In 2014, the Secretary-General of the North Atlantic Treaty Organization appointed him to a ten-member international panel of experts to advise on the future of NATO.

### **Tom Rankin<sup>31</sup>**

Tom specializes in leadership development, change management, and organization design. His skills and experiences are in learning needs assessment and program design, adult learning, facilitation, large group methods, strategic planning, socio technical systems analysis and design, adaptive organization design, multi stakeholder relations, and union management. Tom has extensive experience helping clients develop and implement macro and micro organizational structures in both existing and new (Greenfield) facilities; reconfigure business and work processes; determine work unit boundaries and accountabilities; design inter unit and organization wide integration and coordination mechanisms; clarify management accountabilities, responsibilities and authorities; redefine roles and relationship among line and staff groups; and align organizational systems (e.g., performance measures, training, compensation, performance management). He has been an adjunct assistant professor at York University in Toronto, a part time lecturer at the University of Stockholm, and an instructor in the Faculty of Management at the University of Toronto.

### **Teresa Scassa<sup>32</sup>**

Teresa began her academic career at Dalhousie Law School (1992-2007). She served as Associate Dean of the Law School (2000-2004), and as Associate Director (2001-2005) and Director (2005-2007) of Dalhousie's Law and Technology Institute. In 2007, she joined the Faculty of Law, Common Law Section of the University of Ottawa, and was awarded the Canada Research Chair in Information Law in the fall of 2007. Teresa is the author of *Canadian Trademark Law* (LexisNexis/Butterworths, 2010) and co-author of *Law Beyond Borders: Extraterritorial Jurisdiction in an Age of Globalization* (Irwin Law, 2014), *Intellectual Property for the 21st Century: Interdisciplinary Approaches* (Irwin Law, 2014) and *Electronic Commerce and Internet Law in Canada*, 2d ed. (CCH Canadian Ltd., 2012). Her recent research has focused on intellectual property, privacy and law and technology and currently has ongoing research projects on trademarks and the freedom of expression, on intellectual property issues in citizen science, on legal issues in digital cartography, and on various issues related to open government and open data.

### **Daniel Schwanen<sup>33</sup>**

Daniel Schwanen is an award-winning economist with a passion for international economic policy. He is spearheading Institute programs focused on the link between Canada's international trade and investment policy and Canadians' standards of living. Having earned degrees in economics from the Université de Montréal and Queen's University, Daniel began his career in the financial services industry, becoming International

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<sup>31</sup> [http://estaconsulting.org/?page\\_id=203](http://estaconsulting.org/?page_id=203)

<sup>32</sup> [http://www.teresascassa.ca/index.php?option=com\\_k2&view=item&id=4:teresa-scassa-biography-english&Itemid=56](http://www.teresascassa.ca/index.php?option=com_k2&view=item&id=4:teresa-scassa-biography-english&Itemid=56)

<sup>33</sup> <http://www.cdhowe.org/daniel-schwanen>

Economist at the CIBC in 1986. He first joined the C.D. Howe Institute in 1990, producing widely-cited research on international trade, Canada's economic union, climate change policy, and the economics of cultural policy. His work in the 1990s earned him foreign visitorships in the United States, Japan and Australia. After joining the Institute for Research on Public Policy in 2001, Daniel earned the Policy Research Initiative's Outstanding Research Contribution Award for his paper "A Room of Our Own: Cultural Policies and Trade Agreements." In 2007, he co-wrote the independent review of Australia's Progress to Achieve APEC Goals, presenting the report at APEC's Senior Officials meeting as part of APEC's peer review process. Most recently, his work there focused on the G20 and international economic policy coordination.

#### **Nora Spinks<sup>34</sup>**

A renowned speaker, consultant and thought-leader, Nora Spinks has spent more than 25 years working with progressive organizations as well as business, labour, government and community leaders across Canada and abroad to strengthen families, create productive and supportive work environments, and build healthy communities. Nora has earned a reputation as one of Canada's top authorities on work-life quality, families and family life, providing information, insights and inspiration to diverse organizations and individuals across Canada. She currently sits on the board of the Canadian Institute for the Relief of Pain and Disability (CIRPD). Her words have appeared in many publications, including textbooks (*Advancing Women's Careers* and *Managing Human Resources*), UN publications (*Family Futures* and *Deep Roots*) and numerous articles for Canadian media outlets. Nora has received numerous accolades, including the Queen Elizabeth II Diamond Jubilee Medal, the Canada 125 Award for Exemplary Community Service and the Workplace Wellness Pioneer of the Year Award.

#### **Janice Stein<sup>35</sup>**

Janice Gross Stein is the Belzberg Professor of Conflict Management in the Department of Political Science and was the founding Director of the Munk School of Global Affairs at the University of Toronto (serving from 1998 to the end of 2014). She is a Fellow of the Royal Society of Canada and a member of the Order of Canada and the Order of Ontario. Her most recent publications include *Networks of Knowledge: Innovation in International Learning* (2000); *The Cult of Efficiency* (2001); and *Street Protests and Fantasy Parks* (2001). She is a contributor to *Canada by Picasso* (2006) and the co-author of *The Unexpected War: Canada in Kandahar* (2007). She was the Massey Lecturer in 2001 and a Trudeau Fellow. She was awarded the Molson Prize by the Canada Council for an outstanding contribution by a social scientist to public debate. She is an Honorary Foreign Member of the American Academy of Arts and Sciences. She has been awarded Honorary Doctorate of Laws by the University of Alberta, the University of Cape Breton, McMaster University, and Hebrew University.

#### **Irvin Studin<sup>36</sup>**

Irvin Studin is the President of the Institute for 21st Century Questions, and also Editor-in-Chief and Publisher of *Global Brief* magazine. He is the co-founder of Ukraine's Higher School of Public Administration (Kiev) and Professor of Public Policy in Russia's Academy of National Economy and Public Administration (Moscow). Between 2009 and 2014, he was MPP Program Director and Assistant Professor in the School of Public Policy and Governance, University of Toronto. He worked for a number of years in the Privy Council Office (Prime Minister's department), as well as in the Australian Department of the Prime Minister and Cabinet in Canberra. The first ever recruit of the Canadian government's Recruitment of Policy Leaders programme, he co-authored Canada's 2004 national security policy, and principal-authored Australia's 2006 national counter-terrorism

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<sup>34</sup> <http://www.vanierinstitute.ca/team>

<sup>35</sup> <http://munkschool.utoronto.ca/profile/janice-stein/>

<sup>36</sup> <http://www.i21cq.com/people/irvin-studin/>

policy. Studin holds degrees from the Schulich School of Business (York University), the London School of Economics and the University of Oxford. His PhD is from Osgoode Hall Law School.