

Discipline Report

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This is the 49th periodic report to Fellows, Associates, and Affiliates prepared in accordance with Bylaw 20.12(8). Its primary purpose is to educate and inform all Fellows, Associates, and Affiliates about the disciplinary process and current disciplinary activities. Please send any comments or suggestions for improvements in these reports to me at my Online Directory address.

Meetings

Since the last discipline report of June 2019, the Committee on Professional Conduct (CPC) held one meeting. The next meeting of the CPC will be scheduled for the spring in Toronto.

Disciplinary Costs (\$000) to September 30, 2019

	FY 19–20		FY 18–19	
	Budget	Actual	Budget	Actual
Routine legal costs	75	35	75	48
Non-routine legal costs	0*	47	0*	85
Other costs	0*	0	0*	53
Total costs	75	82	75	186
	Actual		Actual	
Costs recovered	10.8		0	
No. of cases reviewed	13		17	

*Note: Non-routine legal costs and other costs are now paid from a discipline reserve of \$750,000.

Cases

(a) Charges filed and cases completed

A charge was filed against a former Fellow of the Institute. A guilty plea was submitted and a joint submission of penalty heard by the appointed Disciplinary Tribunal. Notice of the charge and referral of the charge to a Disciplinary Tribunal was published on May 30, 2018, in accordance with Bylaw 20.04(3.1). A notice to the membership of the details of the hearing was sent

out on February 12, 2019. An appeal was filed following the decision of the Disciplinary Tribunal. The decision of the Appeal Tribunal on the penalty will be published once it has been finalized.

(b) Cases outstanding where charges have been filed

Charges were filed in three previous cases and notices were published on July 29, 2019, for all three cases. Two of the cases resulted in a public reprimand and the third case will be reviewed by a Disciplinary Tribunal.

Anyone who wishes to request more information about the disciplinary process may obtain that information from the Executive Director.

(c) Other complaints and information

Since the last report, the CPC discussed 10 cases against 12 Fellows, Associates, or Affiliates including the cases noted above.

In two earlier cases and one new case, the CPC is still obtaining further information before deciding how to proceed and one earlier case has been dismissed following review of the CPC. One additional new case is being reviewed by an Investigation Team.

One earlier case is still under review by an Investigation Team. One earlier case involving three actuaries has been dismissed.

(d) Summary by practice area

The 11 cases set out above may be summarized by practice area as follows:

	Cases	Individuals
Life	6	6 members
Pension	2	4 members
P&C	0	0 members
Workers' Compensation	0	0 members
Actuarial Evidence	1	1 member
Other	1	1 member

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(e) Summary of CPC cases since 1992

In response to an interest that was expressed to the CPC, this discipline report includes additional statistics on past CPC cases:

- Since 1992, the CPC has completed 221 cases.
 - Of these 221 cases, 135 cases were dismissed, three cases resulted in a private admonishment without going to an Investigation Team (IT), and 83 cases were referred to Investigation Teams.
 - Of the 83 cases that were referred to ITs, 38 cases resulted in no charges being filed, and 45 cases resulted in charges being filed.
- Of the 45 cases that resulted in charges being filed, 11 cases resulted in private admonishments, 10 cases resulted in an admission of guilt and sanctions, and 24 resulted in public Disciplinary Tribunals.
 - Of the 24 Disciplinary Tribunal hearings, 22 resulted in either a guilty plea by the Respondent or a finding of guilt by the Disciplinary Tribunal on some or all of the charges. In the other two cases, the respondents were found not guilty by the Disciplinary Tribunal.

Louis Martin

Chair, Committee on Professional Conduct
