

REGULATIONS IN A TIME OF DISRUPTION

OTTAWA CONFERENCE & EVENT CENTRE
200 COVENTRY ROAD, OTTAWA
DECEMBER 11-12, 2017

DAY 1



PROGRAMME

MONDAY, DECEMBER 11, 2017

WHAT CAN BE DONE TO TRANSFORM THE REGULATORY SYSTEM TO BE MORE AGILE, OPEN AND RESPONSIVE?

8:00 - 9:00 AM



Registration

COFFEE/TEA & NETWORKING

9:00 - 9:15 AM

Welcome Address

ANDREA LYON

Deputy Clerk of the Privy Council & Associate Secretary to the Cabinet

9:15 - 9:45 AM



Opening Speaker

SUNIL JOHAL

Policy Director, Mowat Centre, School of Public Policy and Governance, University of Toronto

9:45 - 10:45 AM



CONFERENCE CONVERSATIONS #1

REGULATING IN A CONNECTED WORLD...

WHAT IS THE NEXT PHASE?

New and complex risks to citizens can often come from societal changes that cut across sectoral boundaries. Regulatory cooperation is an important way for governments to manage large-scale disruption (ie. emerging technologies) to specific industries while ensuring the Canadian market is a promising environment for economic growth. This session will explore a variety of concepts related to effective and agile regulatory cooperation models as well as the benefits for individual regulators.

MODERATOR: *Jeannine Ritchot, Executive Director, Regulatory Cooperation Division, Treasury Board of Canada Secretariat*

GUEST PANELISTS:

Giles Gherson, Deputy Minister, Ministry of Economic Development and Growth, Ministry of Research, Innovation and Science & Responsible for Small Business, Government of Ontario

John Walter, Chief Executive Officer, Standards Council of Canada

Patrick O'Reilly, Economic Counselor, U.S. Department of State

Karen Proud, President, Consumer Health Products Canada

10:45 - 11:00 AM



Networking Break

11:00 AM - 12:00 PM

Breakout Sessions

Open Regulation

A STRATEGIC FRAMEWORK FOR PUBLIC ENGAGEMENT

*How do governments decide when it is time to inform, consult, involve, collaborate or empower? The Centre for Dialogue at Simon Fraser University has developed a **six-step framework** which clearly defines the goals, outcomes and scope of an engagement process. This interactive session will road-test this framework against a series of scenarios and case studies.*

PRESENTER: *Shauna Sylvester, Director, Centre for Dialogue, Simon Fraser University*

Agile Regulatory Frameworks - Part I

RISK, REGULATIONS AND POLICY: WHAT DO YOU REGULATE?

In times of disruption, regulations need to be agile and flexible to manage dynamic economies. However, realities such as regulatory agencies being at capacity, overly prescriptive regulations and traditional compliance enforcement models pose limitations. Jurisdictions around the world are beginning to tackle these challenges through innovative approaches such as performance-, outcome- or risk-based regulations, alternate delivery instruments and/or unconventional compliance promotion strategies. This seminar will feature the experience of experts who have shaped and applied these approaches.

MODERATOR: *Srikanth Mangalam, President, Public Risk Management (PRISM) Institute*

GUEST PANELISTS:

Graham Russell, Chief Executive, Better Regulation Delivery Office, UK Government

Dr. Christopher Hodges, Professor of Justice Systems, and Fellow of Wolfson College, University of Oxford

Bonnie Rose, Chief Executive Officer and Registrar, Retirement Homes Regulatory Authority, Ontario

Geoff Barrett, A/ Director General, Consumer Product Safety Directorate, Health Canada

Digital Regulatory Services

USER-CENTRIC REGULATORY SERVICES

Improving regulatory service delivery – and designing services based on the needs of users – is no longer optional. User expectations (fueled by the rise of Amazon, Facebook and other platforms) have created demands that government is struggling to meet. This session will present Transport Canada's experience in attempting to meet those demands by moving its regulatory authorization services (permits, licenses and certificates) online.

PRESENTER: *Scott McNaughton, Chief, User-Centered Design Team, Transport Canada*

Lessons Learned

STRAIGHT TALK FROM SEASONED REGULATORS

In this interactive session, participants will have the opportunity to hear reflections from seasoned regulators and pose questions.

FEATURING:

Anne Bermonte, Director, Regulatory Modernization Branch, Ministry of Economic Development and Growth, Government of Ontario

Topic: Government of Ontario's "Red Tape Challenge"

Benoit D. Turcotte, Executive Director, Regulatory Frameworks and International Engagement, Transport Canada

Jacqueline Booth, Director of Regulatory Affairs, Rail Safety Directorate, Transport Canada

Topic: Regulatory and Program Impacts from the Lac Mégantic Tragedy

The Knowledge Corner

COST-BENEFIT ANALYSIS 101

An overview of the purpose of Cost-Benefit Analysis in the regulatory development process and a look at recurring issues.

PRESENTER: *Nancy Bergeron, Chief, Cost-Benefit Analysis, Transport Canada, Co-Chair of the CFR Cost-Benefit Analysis Community of Practice*

12:00 - 1:00 PM



Lunch (provided)

NETWORKING OPPORTUNITY

1:00 - 2:15 PM



CONFERENCE CONVERSATIONS #2

DELIVERING SMARTER REGULATIONS

What does it take to make the regulatory development process more efficient and effective? Is process or principles slowing the system down? Is streamlining the only answer? What happens when we don't regulate fast enough or too quickly? This conversation will examine today's ambitious regulatory agenda, and the opportunities and limitations with the system.

MODERATOR: *Kevin Perry, Assistant Deputy Minister, Government of Ontario*

GUEST PANELISTS:

Nina Purcell, Director of Wales and Local Delivery, Food Standards Agency, UK Government

Diane Allan, Director General, Multimodal Strategies and Program Integration, Transport Canada

Dr. Christopher Hodges, Professor of Justice Systems, and Fellow of Wolfson College, University of Oxford

Patricia Pledge, Senior Counsel, Advisory and Development Services Section, Legislative Services Branch, Department of Justice

Rory McAlpine, Senior Vice President, Government & Industry Relations, Maple Leaf Foods

2:15 - 2:45 PM



Conference Keynote Address

MICHAEL WERNICK

Clerk of the Privy Council and Secretary to the Cabinet

2:45 - 3:15 PM



Networking Break

3:15 - 4:15 PM

Breakout Sessions

Open Regulation

OPEN ONLINE REGULATORY CONSULTATION

In this workshop, we'll open up and explore together the implications of an open-by-default approach to the later stages of regulatory consultations. You'll get a hands-on demo of the eRegs Canada Gazette Part I online consultation pilot conducted by the CFR and Health Canada in March 2017 and an introduction to the plans and prototypes for Pilot 2. Pilot 1 did not display stakeholder submissions publicly, but the second pilot will do so, moving closer to the style of regulatory consultations in other jurisdictions. Canada is also moving towards more open, interactive, transparent regulatory consultations, and there are a number of decisions the design team will be making that could have interesting implications for regulators. We'll explore those implications together.

PRESENTERS:

Lisa Fast, Co-founder, Vation Inc.

Ioana Finichiu, Policy Analyst, Community of Federal Regulators

SMART REGULATORY DELIVERY: HOW DO YOU REGULATE?

The success of a regulation is in its ability to be delivered. However, innovative regulations (such as risk or outcome-based approaches) may require different frameworks for administration, oversight and delivery. This seminar will highlight examples, from various sectors, of smart approaches to regulatory delivery including:

- *Designing integrated risk-based resource allocation models for protecting food safety in Canada*
- *Risk-based inspections of rail cars carrying hazardous materials in the United States*
- *Digital technologies to collect compliance data and remote monitoring of compliance across food establishments in the United Kingdom*
- *Risk-Assessment: Regulatory Innovations in Finland*

MODERATOR: **Srikanth Mangalam**, President, Public Risk Management (PRISM) Institute

GUEST PANELISTS:

Alyssa Daku, Executive Director, Integrated Risk Management, Canadian Food Inspection Agency

Dr. Phani K. Raj, Federal Railroad Administration, U.S. Department of Transport

Nina Purcell, Director of Wales and Local Delivery, Food Standards Agency, UK Government

Minna Päivinen, Director of Research, Finnish Safety and Chemicals Agency, Government of Finland

Digital Regulatory Services

DIGITAL IDENTITY: A CANADIAN MADE APPROACH

Our lives have become digital. The majority of services that we now consume are mediated through our digital devices – our computers, our mobile phones, and digital assistants that exist in the cloud – available wherever we go. Digital services need to know who we are – that is, our digital identity. What was once viewed as a simple username and password has evolved into an ongoing digital presence that promises to provide us with efficiency and convenience. How we approach digital identity as a country can be fraught with privacy issues, security implications, and how we interact as a society at large. This presentation will provide an insight on the Canadian perspective on digital identity from both the public and private sector perspective. The session will also cover how our Canadian values are shaping the digital identity infrastructure of the future.

PRESENTER: **Tim Bouma**, Senior Analyst, Security and Identity Management, Chief Information Officer Branch, Treasury Board of Canada Secretariat

Lessons Learned

STRAIGHT TALK FROM SEASONED REGULATORS

In this interactive session, participants will have the opportunity to hear reflections from seasoned regulators and pose questions.

FEATURING:

Neil Bouwer, Assistant Deputy Minister, Treasury Board of Canada Secretariat

Topic: Outcome-Based Regulations

Aaron McCrorie, Director General, Civil Aviation, Transport Canada

Topic: Transport Canada's experience with UAV regulation development

The Knowledge Corner

DESIGN THINKING 101

Design thinking is solution-based thinking and methodology which is user-focused. It provides the structure and methods for advanced problem-solving in a collaborative and creative way. Design thinking looks at understanding the users' needs and delivering what is possible. There are five phases of design thinking: Empathize, Define, "Ideate", Prototype and Test. During this session participants will be walked through each of the phases and cover the types of tools which can be used. Examples of application of design thinking within the public sector will also be discussed.

PRESENTER: **Nilufer Erdebil**, Chief Executive Officer, Spring2 Innovation



HOW CAN GOVERNMENT EXPERIMENT IN THE REGULATORY SPACE WHILE MAINTAINING ITS ROLE AS A TRUSTED REGULATORY AUTHORITY?

8:00 - 9:00 AM



Registration / Check-in

COFFEE/TEA & NETWORKING

9:00 AM

Opening Remarks

TINA GREEN*Assistant Deputy Minister, Regulatory Operations and Regions Branch, Health Canada, and CFR ADM Co-Champion*

9:15 - 10:15 AM

Opening Speaker

**PRASANNA LALDAS***Lead Digital Strategist, The World Bank*

SANDBOXED IN: REGULATING THE DIGITAL WORLD AT SCALE

Digital technologies (i.e Internet of Things) are rewriting the rules of the game for regulators. How are regulators coping? This talk summarizes experiences from around the world and discusses ideas to release regulatory practices beyond the safe confines of sandboxes.

10:15 - 10:45 AM



Networking Break

10:45 AM - 12:00 PM



CONFERENCE CONVERSATIONS #3

BALANCING TRUST AND EXPERIMENTATION AS A REGULATORY AUTHORITY

*With the potential of emerging technologies to disrupt industry at scale, how can we build citizen trust while engaging in untested approaches with industry? This panel will explore concepts around citizen trust in public institutions as well as the raised expectations for governments to innovate and improve regulatory service delivery.***MODERATOR: Anatole Papadopoulos**, Executive Director, Canadian Digital Services**GUEST PANELISTS:****Graham Russell**, Chief Executive, Better Regulation Delivery Office, UK Government
Gilles Leclerc, Superintendent, Securities Markets, Autorité des marchés financiers, Québec**Chrystia Chudczak**, Executive Director, Innovation Lab, Innovation, Science and Economic Development Canada**Dr. Evert Lindquist**, Professor, School of Public Administration, University of Victoria
Carole Piovesan, Associate at McCarthy Tetrault

12:00 - 1:00 PM



Lunch (provided)

NETWORKING

1:00 - 3:30 PM

Breakout Sessions

Prototyping Workshop 1

APPLYING BEHAVIOURAL INSIGHT TO IMPROVE COMPLIANCE

The Innovation Hub (Government of Canada) and the Ministry of Government and Consumer Services (Government of Ontario) will explore the application of behavioural insights (BI) for the regulatory community. This session will focus on developing behaviourally-informed interventions and proving the causal effect of these interventions. Participants will learn how to map the behavioural journey of the users of regulation (citizens, businesses), understand the behavioural barriers that they may face in compliance, and develop interventions to improve outcomes. Finally, randomized controlled trials (RCTs) will be explored as the gold-standard for experimental design for testing 'what works' in the regulatory space.

CURATORS:

Elizabeth Hardy, Senior Lead – Behavioural Insights, Impact and Innovation Unit, Privy Council Office

Noah Gitterman, Senior Policy Advisor, Ministry of Government and Consumer Services

Haris Khan, Advisor, Behavioural Insights, Impact and Innovation Unit, Privy Council Office

Prototyping Workshop 2

REGULATION CO-DESIGN:

A CASE STUDY WITH AUTOMATED VEHICLES

Emerging technologies, such as automated vehicles, continue to increase in scale at an accelerated rate with the potential to be highly disruptive to society. Their complexities and uncertainties are challenging the governments' capacities to understand, to determine an appropriate response, and to intervene quickly. This session aims to test innovative models for the rulemaking process and explore principles that may aid in the government's ability to react. Participants in this session will experience rapid prototyping for accelerated rulemaking.

CURATORS:

Jerry Koh, Director of Systems Innovation and MaRS Solutions Lab

Margy Vilé, Designer, Innovation Lab, Innovation, Science and Economic Development Canada

Prototyping Workshop 3

ENVISIONING REGPAL

Advances in technology have elevated the expectations of citizens and businesses to be able to access information at their fingertips – and that technology should also be well-designed with the end-user in mind. RegPal intends to fulfill those expectations by offering a quick and efficient solution for Canadian businesses to find regulations that apply to them (at present there is no aggregated source to help them find this information). This workshop is a co-creative session where participants will help pinpoint features and adaptations that should be considered with the re-design of a RegPal prototype. This will be achieved through five exercises: review of the scope and "whole-systems" context for a RegPal platform, envisioning what a successful RegPal platform would look like, back-casting from the vision to realize effective changes and shifts, prioritizing measures towards success (including action planning), and finally presenting their conclusions to the room to spark engaging discussions and recommendations.

CURATORS:

Eman El-Fayomi, Design - User Experience (UX), Canadian Digital Service

Stéphane Tourangeau, Capacity building lead, Canadian Digital Service

Workshop 4

BLOCKCHAIN

Blockchain is one of the most potentially disruptive emerging technologies. Applicable in a variety of sectors, it has the potential to revolutionize status quo business models and impact industry verticals. From financial services, to the energy sector, to media and telecommunications, (and many industries in between) Blockchain has already begun establishing itself as an integral component in countering fraud, expediting business processes and enhancing data security. This session will delve into the future of Blockchain in the regulatory space. In addition to a high-level overview of Blockchain's business implications, it will explore how regulators might engage with incumbents who are trying to innovate with Blockchain technology, how they might approach radically new business models, and how they might themselves become users of Blockchain to simplify their own functional processes.

CURATOR:

***Iliana Oris Valiente**, Managing Director and Global Blockchain Innovation Lead at Accenture, and Founder, ColliderX Applied Blockchain Research and Development Hub*

The Knowledge Corner

ALL ABOUT REGULATORY INTELLIGENCE: APPLYING CONCEPTUAL MODELLING AND DATA ANALYTICS TO REGULATORY MANAGEMENT

While regulations routinely evolve to meet the needs of society, it is often unclear if they actually achieve their intended outcomes. In this age of big data and artificial intelligence, the important question is how can we operate and review regulations (or government policies) based on data-driven evidence? Explore the use of conceptual modeling techniques and data visualization tools for monitoring the performance and assessment of regulations, programs and other enforcement activities.

PRESENTER: ***Okhaide Akhigbe**, Doctoral Candidate, Electronic Business, uOttawa*

- Break -

WORLD CAFÉ : EXPLORING ARTIFICIAL INTELLIGENCE (AI) & THE IMPLICATIONS ON THE REGULATORY SYSTEM

This session will provide an overview of Artificial Intelligence (AI). Participants will move between AI theme-based stations where they will be able to brainstorm the potential implications of AI on the regulatory system with members of the Interdepartmental AI working group and practitioners using AI in government.

PRESENTERS:

***Michael Karlin**, Advisor, Chief Information Officer Branch
Treasury Board of Canada Secretariat*

***Rima Sakr**, Outreach and Engagement Advisor, Digital Collaboration - Chief
Information Officer Branch, Treasury Board of Canada Secretariat*

3:30 - 4:00 PM

Closing Speaker



JEAN-GUY FORGERON

Assistant Secretary, Regulatory Affairs Secretariat, Treasury Board of Canada Secretariat, and CFR ADM Co-Champion

4:00 - 4:15 PM

CONFERENCE CONCLUSION