

# Regulation of Speech: Practical Considerations for Regulators



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# Scenario 1

The licensed professional has decided that certain other members of the profession are not competent. He presents papers at various professional conferences containing these criticisms and touting himself. One of the other practitioners makes a complaint.

# Scenario 2

The licensed professional posts obvious hate speech online, identifying themselves as a licensee in all the posts. A member of the public files a complaint.

The posts and the complaint have resulted in extensive media interest, and the media have asked for a statement from the regulator.

Would it make a difference if charges have or have not been laid under the hate speech provisions of the Criminal Code? Would it make a difference if there were a conviction?

# Scenario 3

A client of the licensed professional is dissatisfied with their work. The client posts negative reviews online, which results in legal threats from the licensed professional. The client complains to the regulator.

# Case Law

*White v. Association of Professional Engineers of Ontario*, 2006 CanLII 17320 (ONSDC)

*Association of Professional Engineers of Ontario (PEO) v. DiGiovanni*, 2021 ONAPE 27 (CanLII)

*Peterson v. College of Psychologists of Ontario*, 2023 ONSC 4685 (CanLII), aff'd 2024 CarswellOnt 13873 (Ont. C.A.), leave to SCC denied 2024 CanLII 7473 (SCC)

*Trozzi v. College of Physicians and Surgeons of Ontario*, 2024 ONSC 6096 (CanLII)

*Gould v. Ontario College of Teachers*, 2026 ONSC 1095 (CanLII)

*Doré v. Barreau du Québec*, 2012 SCC 12 (CanLII)

*Ontario College of Teachers v. Caranfa*, 2025 ONOCT 4 (CanLII)

# Questions?

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# Thank you

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