

# Sympathy for the Devil: Revisiting the Situation of the Alleged Culprit in Professional Disciplinary Processes

By Dr. Bruce Ally and Khaleel Khan

The mere thought of being subjected to a disciplinary process can intimidate even the most hard-working regulated professionals among us. However, the fact is that there are such things as difficult clients and assignments from you-know-where, and dealing with them may bring about reactions that are neither flattering nor acceptable, given the cold reality of regulation in the public interest *vis à vis* accepted standards of practice. Further, it has been observed that, in order to minimize the impact on their personal and professional lives, those subjected to discipline by their regulatory association may tend to agree to consequences and conditions flowing from investigation of the subject of the complaint which they would otherwise challenge were they not subject to personal constraint in some manner. Based on anecdotal experience the authors discuss, in a cursory fashion, one of the underlying complications found in modern workplaces that may be at the root of disciplinary matters, and suggest a positive orientation

towards crafting mutually acceptable outcomes of professional disciplinary processes.

The fast pace and intense competition of today's society brings ever-increasing demands on everyone in the workforce. We attempt to shed light on worker performance by examining the possible effects of communications technology as but one aspect of the modern workplace. Based on observation of numerous workplace mediations and disciplinary cases, the reality experienced by many is that technological change has inserted an additional layer of stress in the guise of supposed time- and labour-saving processes intended to make life, and work, simpler. The concept of the "paperless office" spoken of thirty years ago has not been realized in many workplaces.

Current communications technology has produced increased demands in the workplace generally, and on the management and coordination side in particular. For example, emails often arrive at rapid-fire pace, both from

## 120<sup>th</sup> AOLS Annual General Meeting

February 22 - 24, 2012 – Ottawa Marriott Hotel

### EVENT SPONSOR

The CG&B Group Inc. and Novex Insurance Company



Insurance  
Financial Services  
Investments

[www.cgbgroup.com](http://www.cgbgroup.com)

**NOVEX**  
GROUP INSURANCE

### PLATINUM SPONSORS

**SOKKIA**



Bob Morrow  
The Connectors  
Insurance Group Ltd.

**Leica**  
Geosystems