

January 29, 2020

Via Facsimile 613-996-9138

Roger Bilodeau, Q.C.
Registrar
Supreme Court of Canada
301, Wellington St., Ottawa, ON, K1A 01J

Dear Mr. Bilodeau:

**Re: Ahmed Bouragba v. Ontario College of Teachers
File No. 39001**

We write further to this Court's letter dated December 31, 2019. We respectfully request that this application for leave to appeal be dismissed, with costs. The application raises no matters of national importance in respect of which leave ought to be granted.

This application arises from a decision of the Ontario Court of Appeal dated May 24, 2019 (the "Leave Decision"). The Ontario Court of Appeal denied Mr. Bouragba leave to appeal two applications for judicial review which had themselves been dismissed by the Divisional Court.¹

1. In *Bouragba v. Ontario College of Teachers*, 2018 ONSC 6940, the Divisional Court dismissed Mr. Bouragba's application on the basis that there was "no factual basis underpinning the allegation of a reasonable apprehension of bias."² The Investigation Committee of the College had declined to refer complaints made by Mr. Bouragba against three individuals to discipline.
2. In *Bouragba v. Ontario College of Teachers*, 2018 ONSC 6935, the Divisional Court concluded that there was "no merit to the allegation that the Applicant was denied procedural fairness", and "no evidentiary basis to support any allegation of reasonable apprehension of bias".³ The Divisional Court held that the Investigation Committee's decision fell within "a range of reasonable outcomes" and commented that "[d]eference is owed to such decisions by professional regulatory bodies."⁴ The Investigation Committee of the College had declined to refer a complaint made against Mr. Bouragba to discipline and had issued a written caution to Mr. Bouragba.

¹ Notice of Application for Leave to Appeal, dated August 22, 2019.

² *Bouragba v. Ontario College of Teachers*, 2018 ONSC 6940, at para. 6.

³ *Bouragba v. Ontario College of Teachers*, 2018 ONSC 6935, at paras. 5, 7

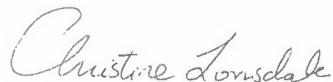
⁴ *Bouragba v. Ontario College of Teachers*, 2018 ONSC 6935, at para 15.

The matters in which Mr. Bouragba seeks leave, are matters of importance to the parties but they do not raise any issues of national importance. In each case, the Divisional Court considered the factual record before the Investigation Committee. Both of the Divisional Court's decisions appropriately applied the reasonableness standard to its review of the Investigation Committee's decisions, consistent with this Court's decision in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65. The decisions of the Divisional Court turned on the factual context before each Investigation Committee. Mr. Bouragba has no prospect of success in convincing this Court that a different standard ought to have applied and no issue of national importance is raised, which warrants this Court's intervention.

Notwithstanding Mr. Bouragba's unfounded attacks on the integrity of several judges in the Ontario Court of Appeal and Divisional Court, the Ontario Court of Appeal's Leave Decision was fair and appropriate. Mr. Bouragba's allegations that the Court of Appeal's decision was "abusive jurisprudence" is without foundation. Mr. Bouragba's contention that the Leave Decision was the result of the Ontario College of Teachers being "systemically protected by influenced lower Courts," or the "influencing financial and political power of the lawyer of the interveners," or the product of the "influence of the lawyers of the corporations on the judicial system"⁵ are also without merit. This Honourable Court ought not to revisit the Court of Appeal's Leave Decision and respectfully ought to deny Mr. Bouragba leave to pursue these grievances before the Supreme Court of Canada.

We trust that this response is sufficient to assist the Court in deciding on Mr. Bouragba's leave application.

Yours truly,



Christine Lonsdale

CLL/cw

⁵ Notice of Application for Leave to Appeal, dated August 22, 2019.