

Alberta Human Rights Tribunals Practice Direction

Recordings and transcripts of proceedings

Introduction

The Alberta Human Rights Tribunal (the Tribunal) has developed the following approach regarding recording hearings and ordering transcripts. The Tribunal may vary this approach where appropriate, where an accommodation is necessary, or as ordered by the Court.

The Tribunal records its hearings where the merits of a complaint are being considered. The recording is made for the sole purpose of providing it to the Court as part of the certified record if and when there is an appeal. The hearing recording is not otherwise available to the parties or the public. This practice is to ensure Tribunal processes are conducted with less formality, and to avoid delays caused by reference to recordings during a hearing.

A party who has a disability-related need may record a hearing as a memory aid. However, the party must inform the Tribunal in advance of the hearing that they will be using such a recording device, and may not use the recording for any other purpose. Under no circumstances may the party permit the recording to be posted or re-broadcast online or elsewhere, nor give the recording to another person who will post or re-broadcast the recording. The party must not allow a witness who has yet to testify to listen to the recording. Any such recording shall not be considered part of the official certified record of proceedings. No other personal recording of the hearing is permitted, including by the media.

Transcript of proceedings

In advance of a hearing, a party may request to have a hearing recorded or transcribed, at its own expense, by an official court reporting service. Where the Tribunal so permits, the party must undertake to produce a transcript of the recording at its own expense, and must provide copies as they become available to the Tribunal and all other parties. Many tribunals do not record or transcribe their proceedings. In general, the Tribunal will not order a transcript of its hearings, or release its recording for the purposes of using it in another forum.

Where a decision of the Tribunal is appealed, the recording of the hearing will become part of the certified record of proceedings filed with the Court of Queen's Bench and served on the parties, as per section 37 of the Alberta Human Rights Act.