

## **Hearing Recording and Transcripts**

February 17, 2015

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The Tribunal records its oral hearings. (See Appendix A for applicable rule.)

This Practice Direction replaces the Practice Direction issued March 20, 2013.

### **Audio Recording**

Copies of the audio recording are not given to the parties as a matter of routine practice.

A party who wants to listen to the audio recording, including identifying portions they want transcribed, should contact the case manager. The case manager will make arrangements for the party to attend the Tribunal to listen to the audio recording.

A party who requires a copy of the audio recording, as an accommodation or for other reasons, must make a written request to the Tribunal, setting out the reasons for the request. The request should propose conditions for the order granting the request, or attach a draft order with conditions. (See Appendix B for model order.)

The audio recording, or any unofficial transcript made from it, does not form part of the Tribunal's record of the proceedings for the purpose of judicial review.

### **Official Transcript**

A party who requires a certified transcript of all or part of the hearing should contact the case manager.

The case manager will provide the party with the contact information for a transcription company contracted with the Tribunal to transcribe the Tribunal's audio recordings. The party must then submit their request for all or part of a transcript of the audio recording and the required fee directly to the transcription company. The Tribunal will provide the audio recordings to the transcription company.

Where a certified transcript is obtained, it will be considered part of the Tribunal's record of the proceedings. Accordingly, for the purpose of judicial review, it forms part of the Tribunal's record that may be filed in the BC Supreme Court.



Bernd Walter  
Chair

## **APPENDIX A**

### *Tribunal's Rules of Practice and Procedure*

#### **Rule 32 – Hearings**

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#### **Hearings are recorded**

- (2) A hearing of a complaint is recorded by the tribunal.
- (3) A participant must apply to request a copy of the audio recording, as an accommodation or for other reasons.
- (4) Any unofficial transcript made from an audio recording does not form part of the tribunal's record of the proceedings.

#### **Transcript of hearing**

- (5) A participant who wants a certified transcript of all or part of a hearing must notify the tribunal to request directions.
- (6) A participant bears the cost of obtaining a certified transcript of all or part of a hearing.
- (7) A certified transcript forms part of the tribunal's record of the proceedings.

**APPENDIX B**  
**BRITISH COLUMBIA HUMAN RIGHTS TRIBUNAL**  
**MODEL ORDER FOR ACCESS TO AUDIO RECORDINGS**

Re: [Name of Complainant(s) v. Name of Respondent(s)]  
[Case No.]

1. The Tribunal will make a copy of the Computer Discs (“CDs”) available to [name of participant] for the limited purpose of [insert purpose], and for no other purpose without further order of the Tribunal or a court of competent jurisdiction.
2. The CDs will be made available as soon as reasonably practical after [name of participant] signifies [his or her] agreement in writing to the Tribunal to the following terms and conditions:

[Name of participant]:

- a) will not use or permit any other person to use the CDs for any purpose except that identified in paragraph 1, and in particular, will not use the CDs for the preparation of unofficial transcripts of the proceedings;
- b) will not copy or permit any other person to copy the CDs or any part of them;
- c) will not store or permit any other person to store the digital contents of the CDs or any part of them on, or transfer those contents to, any other device;
- d) will not upload or permit any other person to upload the CDs or any part of them or any of their contents to the Internet or otherwise make the CDs or any of their contents available through any other medium;
- e) will not distribute or permit any other person to distribute the CDs or any of their contents in any way;
- f) will store the CDs in a secure place, where they cannot be accessed by any person except pursuant to the terms of this order; and
- g) will return the CDs to the Tribunal no later than the date when the purpose for which the audio recording was provided to the applicant as described in paragraph 1 has concluded, or [specify date], whichever is sooner.

I agree to these terms and conditions:

\_\_\_\_\_  
[Name of participant]

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tribunal Member