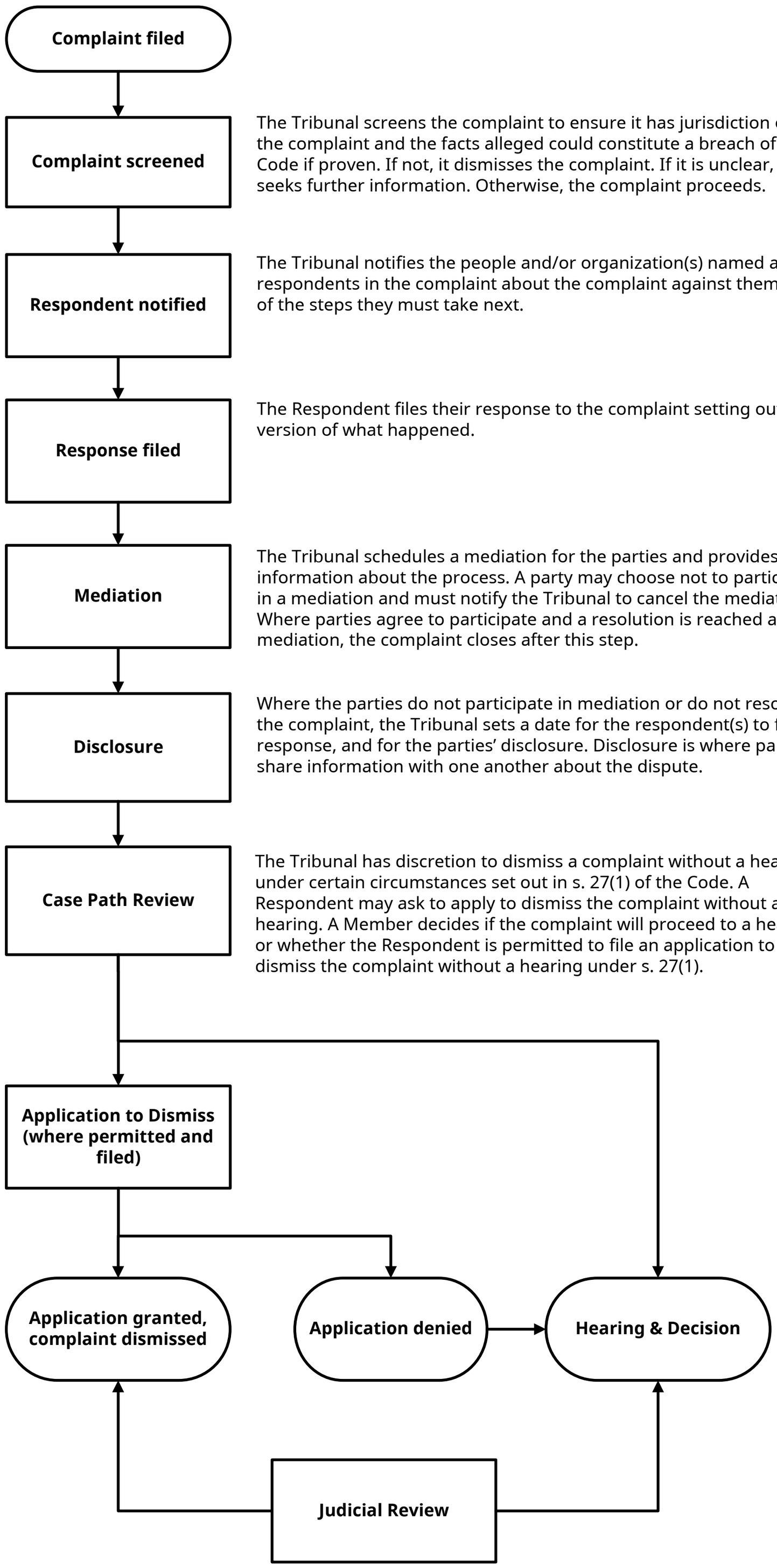
Typical process for a complaint at the BC Human Rights Tribunal in 2026



The Tribunal screens the complaint to ensure it has jurisdiction over the complaint and the facts alleged could constitute a breach of the Code if proven. If not, it dismisses the complaint. If it is unclear, it seeks further information. Otherwise, the complaint proceeds.

The Tribunal notifies the people and/or organization(s) named as respondents in the complaint about the complaint against them, and of the steps they must take next.

The Respondent files their response to the complaint setting out their version of what happened.

The Tribunal schedules a mediation for the parties and provides information about the process. A party may choose not to participate in a mediation and must notify the Tribunal to cancel the mediation. Where parties agree to participate and a resolution is reached at mediation, the complaint closes after this step.

Where the parties do not participate in mediation or do not resolve the complaint, the Tribunal sets a date for the respondent(s) to file a response, and for the parties' disclosure. Disclosure is where parties share information with one another about the dispute.

The Tribunal has discretion to dismiss a complaint without a hearing under certain circumstances set out in s. 27(1) of the Code. A Respondent may ask to apply to dismiss the complaint without a hearing. A Member decides if the complaint will proceed to a hearing or whether the Respondent is permitted to file an application to dismiss the complaint without a hearing under s. 27(1).

The final step in the Tribunal's process is a hearing of the complaint. At a hearing, all parties put forward their own evidence and question the evidence of the others before making arguments about what they say should happen. The Tribunal member that heard the matter will then make a final decision that is binding on all parties.

Where a party believes the Tribunal made an error in a decision, the party can apply to the British Columbia Supreme Court for judicial review of the decision.