



Tribunals Ontario

Tribunaux décisionnels Ontario

Hearing Audio Recordings Policy

(Disponible en français)

Overview

This Policy outlines Tribunals Ontario's approach to audio recording its hearings. Recording hearings will assist tribunals in carrying out their functions and providing quality service.

This Policy applies to all tribunals within Tribunals Ontario except for the Ontario Civilian Police Commission (OCPC). The OCPC typically does not record its hearings unless required to do so by statute but may record at its own discretion.

Which events will be recorded by Tribunals Ontario?

Effective April 1, 2024, Tribunals Ontario will audio record its Hearings. "Hearing" means any in-person, video conference and teleconference hearing in a proceeding, including motion hearings, summary hearings and preliminary hearings.

Tribunals Ontario will not record Pre-hearing Events unless the tribunal orders otherwise. "Pre-hearing Event" means any pre-hearing conference or alternative dispute resolution mechanism, including a case conference, case management hearing, settlement conference, or mediation.

Tribunals Ontario will not record motions that are heard during Pre-hearing Events unless the tribunal orders otherwise.

Can individuals make their own hearing recordings?

Individuals may only make their own audio recording of a hearing with the approval of the tribunal and in accordance with applicable legislation, rules, orders, and conditions. It is an offence to make a recording of a tribunal hearing except as permitted by s. 29 of the *Statutory Powers Procedure Act*. Individuals are prohibited from recording Ontario Parole Board hearings under R.R.O. 1990, Reg. 778.



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Technical issues

Audio recordings will normally be created using the recording function in Zoom. Where it is not possible to record a Hearing due to technical difficulties, the tribunal may proceed with the Hearing without a recording, subject to legal requirements.

While Tribunals Ontario will take all reasonable measures to create and store complete audio recordings in accordance with its records retention policy, equipment or other technical difficulties may arise in the making of a recording. As a result, Tribunals Ontario cannot guarantee the completeness, quality, or existence of any recording. Therefore, if a party wishes to ensure the creation and retention of a complete audio recording of a Hearing, the party should consider retaining a court reporter if permitted by the tribunal's rules and practices.

Transcripts

Unless required by legislation, tribunals will not usually create transcripts from their recordings.

Individual tribunal rules and practices

This Policy is to be interpreted in accordance with any legislative provisions or other applicable law that may apply to constituent boards and tribunals. Recording procedures may also vary by tribunal. Further information may be found in each tribunal's rules of procedure, practice directions, and guidelines.