



Tribunals Ontario

Tribunaux décisionnels Ontario

Human Rights Tribunal of Ontario Stakeholder Meeting

May 22, 2026

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Executive and Leadership Team

Tribunals Ontario Executive Office

- Sean Weir – Executive Chair
- Harry Gousopoulos – Executive Director

HRTO Leadership Team

- Stacey Ferguson – Associate Chair
- Fariha Khan – Registrar
- Lorissa Sciarra – Director of Strategic Development and Delivery
- David Langlois – Vice-Chair
- Will McNair – Vice-Chair

Tribunal Update

Current State at the HRTO

Intake

- Additional progress constrained by record breaking increase in intake of 5,729 new applications, representing a 26% increase over the previous fiscal year.
 - 67% increase in intake over the last 3 years.
- If current intake trends persist, the projected 2026 intake for the calendar year would be approximately 6,100 new applications.

Caseload and Throughput (2025/2026)

- Active caseload was 8,765 representing a reduction of 10% from its peak in early 2023.
- Closed 7% more applications than new applications opened.
- 56% of the caseload is within the target lifecycle of 18 months.
- 77 decisions from merits hearings, which is the highest since 2018.
- The average number of days from filing to settlement decreased from 755 to 462, representing a year-over-year improvement when comparing March 2025 to March 2026.

Current State at the HRTO

Tribunal Capacity

- 50 new members have been onboarded since January 2024.
 - This includes 7 adjudicators providing French-language services, strengthening bilingual adjudicative capacity.

Stakeholder Feedback & Court Guidance

- Feedback from stakeholders and guidance from the courts helps us improve our process.

Rules Reform and Process Changes

- HRTO remains committed to modernizing and updating its Rules of Procedure and Practice Directions to streamline processes, improve accessibility and resolve applications more efficiently for parties.
- First phase of changes introduced in June 2025 are delivering positive early results, including encouraging outcomes from mandatory mediation.

Recap of Phase 1: HRT0 Rules Changes and Goals for Phase 2

Phase 1 Rules of Procedure Changes – June 2025

Mandatory Mediation

- Mandatory mediation introduced in June 2025 to support earlier resolutions and a reduction in matters requiring adjudication. Exemptions provided in appropriate circumstances.
- New process is delivering positive early results.
 - First cases scheduled for mandatory mediation as of November 2025.
 - As of March 31, 2026, the HRT0 completed 652 mandatory mediations, with a 43% resolution rate.

Extensions, Rescheduling and Adjournment Requests

- HRT0 also modernized processes for managing adjournments, rescheduling, and extension requests. Changes were intended to create a more predictable and consistent tribunal process and help ensure cases proceed in a timely manner, improving overall efficiency.
- Since June 1, 2025, prescribed forms and Practice Directions have replaced informal requests, improving consistency, structure, efficiency, and clarity for parties.
- In practice, requests continue to be granted where appropriate.

Phase 2 Objectives

- ✓ Continue to identify opportunities to modernize tribunal processes and improve accessibility and efficiency at the HRTO.
- ✓ Respond to stakeholder feedback, including concerns related to abandonments and other procedural issues.
- ✓ Address directions from the courts relating to jurisdictional reviews.
- ✓ Support and operationalize changes implemented under Phase 1 of the Rules amendments.
- ✓ Implement minor housekeeping changes to improve clarity and consistency of the Rules.

Phase 2 - Proposed Changes to Rules and Practice Directions

Mandatory Mediation

Objective: Continue to prioritize mediation early in the process to promote timely resolution and ensure rules accurately reflect the tribunal's practices. The changes provide clarity to parties regarding mandatory mediation, and the new Practice Direction provides additional information to parties.

Proposed Rules and Practice Direction Updates:

- Update Rule 15 to reflect existing practice and clarify that not all applications will proceed to mediation (e.g., applications dismissed on jurisdictional grounds and applications proceeding directly to a summary hearing or other event).
- Introduce a new Practice Direction addressing the mediation process and outcomes; confidentiality requirements; exemptions from mandatory mediation; and consequences for non-attendance.

Benefits:

- Aligns Rules with practice and improves transparency.
- Strengthens expectations and procedural fairness for parties.
- Focuses mediation resources where they are needed.
- Reinforces commitment to efficient early resolution.

Summary Hearings

Objective: Prioritize the use of summary hearings to efficiently resolve cases that do not require a full merits hearing and move matters forward more effectively.

Proposed Rules and Practice Direction Updates:

- Remove the requirement for parties requesting a summary hearing (Form 26) to deliver the Practice Direction.
- Update the Practice Direction to clarify:
 - Summary hearing requests are typically considered after mediation.
 - Consequences of not attending a scheduled summary hearing.
 - Flexibility to provide scheduling information and preparation instructions through a Registrar's letter rather than a Case Assessment Direction.

Benefits:

- Eliminating an unnecessary procedural step.
- Simplifies and aligns Rules and Practice Directions with current tribunal practice.
- Improves transparency of the summary hearing process.
- Clarifies expectations for parties and supports more efficient, streamlined processes.

Jurisdictional Screening

Objectives

- Implement the Divisional Court's guidance in *Bokhari v. Top Medical Transportation Services* around jurisdictional screening.
- Clarify and simplify the tribunal's approach to jurisdictional reviews for parties and stakeholders.
- Establish a consistent process for parties including clear timelines and opportunities to make submissions.
- Support access to justice through plain-language guidance and clear communication about when and how jurisdictional reviews occur.

Jurisdictional Screening

Proposed Change to Rule 13

- Clarify that the tribunal may review jurisdiction at any stage, before or after an application is delivered to the respondent(s).
- Establish a standard process for raising jurisdictional issues, using a Notice of Intent to Dismiss and providing 28 days for parties to make submissions.

Practice Direction

- Updated to reflect the revised Rule 13 and the tribunal's application of the plain and obvious standard for preliminary jurisdictional screening.

New FAQ document

- A plain-language FAQ document to help parties understand when and how jurisdictional reviews may occur and what is expected of them.

Training

- Ongoing training for members to ensure consistent understanding and application of the revised approach.

Abandonments

Current State:

- Until recently, applications were dismissed as abandoned when an applicant failed to provide required submissions by a specified deadline.

Objective: Improve fairness and clarity and give applicants a meaningful opportunity to respond as they will be provided a final follow up letter.

Proposed Process Changes: Going forward, where no response is received by a mandatory submission deadline set by the tribunal, the tribunal will issue a final follow up letter to the parties, which will:

- Provide the applicant an additional 28 days to submit the required materials or response.
- Clearly explain the potential consequences of non-response, including dismissal of the application as abandoned.
- Direct parties to available information and supports to assist with next steps.

Benefits:

- Balances efficiency with fairness by offering a defined “second chance” safeguard, reducing inadvertent dismissals.

Reconsiderations

Objective: Greater clarity, predictability, and alignment with other TO tribunals processes in the reconsideration process.

Proposed Rules and Practice Direction Updates:

- Update Rule 26 to better reflect how reconsideration requests are already handled in practice
- Update the Practice Direction:
 - Parties in receipt of a Request for Reconsideration may respond within 14 days, even without tribunal direction.
 - Reconsideration requests will generally be assigned to a different adjudicator.
 - Improper or non-compliant requests may be returned to the parties with a Registrar's letter explaining why the request will not proceed.
- Amend Forms 20 and 21 and guides to reflect the revised process and better support parties in completing reconsideration materials correctly.

Benefits:

- Stronger support for access to justice through clearer processes, forms, and communication.

Withdrawals of an Application

Simplified Withdrawal Process:

- Applicants may withdraw an application by confirming their intention in writing (including by email), with the respondent copied; Form 9 becomes optional rather than mandatory.

New Practice Direction:

- A new Practice Direction will explain how to request a withdrawal, confirm options for providing notice of withdrawals, and set clear expectations for notifying respondents.

Benefits:

- Reduces unnecessary administrative and adjudicative steps, supports timely file closure, improves efficiency, and maintains fairness and transparency for all parties.

Communicating with the HRTO

Current State:

- Parties are sometimes unclear how to communicate with the tribunal and contact individual members or staff directly and send excessive or duplicative correspondence. Some parties do not consistently review tribunal communications, contributing to delays, confusion, and inefficiencies in case management.

Objective: Reinforce clear, consistent expectations for how parties communicate with the tribunal.

Updated Practice Direction:

- Clarify that parties must regularly monitor and respond to tribunal correspondence, and that failure to do so may result in procedural consequences.
- Reinforce appropriate communication practices, including clear and focused written communications, directing all correspondence to the Registrar, and confirming that direct communication with tribunal members or staff is not appropriate.

Benefits:

- Goal is to promote timely and efficient participation by parties, reduce unnecessary or duplicative correspondence, and clearly reinforce parties' responsibilities within tribunal processes.

Housekeeping and Other Changes

Commission Applications & CMCC Practice Direction

Proposed Changes to Rules for Commission Applications

- Remove the mandatory requirement to convene a case conference for Commission applications (Rule 12.5), reflecting how these matters are currently managed in practice.
- Also remove the definition of “case conference” from Rule 1.4, as the term is only referenced in Rule 12.5.

Updated Practice Direction on Case Management Conference Calls

- Updated to remove outdated references to structures and processes.
- Clarify that case conferences are discretionary, not required, and may still be directed where appropriate.

Housekeeping Updates

- The upcoming phase includes housekeeping updates to ensure Rules, Practice Directions, and public-facing materials - including the Applicant and Respondent Guides - are clear, consistent, and aligned with current tribunal practices and revised communication expectations.
- Documents have been refreshed to remove outdated references (including the removal of Social Justice Tribunals Ontario references), update contact information, improve formatting, and make minor refinements to maintain alignment with Phase 2 rule amendments.
- The following Practice Directions are being updated with housekeeping changes:
 - 1) Practice Direction on Establishing a Regular Contact Person for an Organization
 - 2) Practice Direction on Requests to Expedite an Application and Requests for an Interim Remedy
 - 3) Practice Direction on Filing Applications on Behalf of Another Person under Section 34(5) of the Code
 - 4) Practice Direction on Case Management Conference Calls
 - 5) Practice Direction on Hearings before the Human Rights Tribunal of Ontario
 - 6) Practice Direction on Requests for Language Interpretation

Consultation Process

Consultation Timelines

- Draft Rules and Practice Directions were posted on the Tribunal's website on May 13, 2026.
- Stakeholders are invited to provide feedback on the proposed changes.
- Feedback should be submitted no later than June 5, 2026, to support the finalization of the updates.
- The Tribunal will review all feedback received and aims to release the finalized Rules and Practice Directions in July 2026.
- Stakeholders are encouraged to share their suggestions that could support efficient and timely case resolution.
- Ongoing feedback may be submitted to hrto.registrar@ontario.ca.

Questions / Answers