



Tribunals Ontario

Licence Appeal Tribunal

Practice Direction on Recording Hearings at the Licence Appeal Tribunal

The Licence Appeal Tribunal (the “Tribunal”) has developed the following practice for audio recording its hearings. The procedure below provides general information only and is intended to supplement Rules 13.2 and 13.3 of the *Licence Appeal Tribunal, Animal Care Review Board, and Fire Safety Commission Common Rules of Practice and Procedure, Version 1 (October 2, 2017)*. The Tribunal may vary the practice to recording hearings where appropriate.

General Practice on Audio Recording

Except where required by statute, the Tribunal does not normally record its hearings. The Tribunal may record a hearing on its own initiative.

As required by statute, the Tribunal will record hearings held under the following legislation and any other legislation that may require the Tribunal to record hearings:

1. the *Private Career Colleges Act*;
2. O. Reg. 279/02 under the *Post-Secondary Education Choice and Excellence Act, 2000*; and
3. sections 94 and 95 of the *Highway Traffic Act* (licensing of motor vehicle inspection stations and registration of motor vehicle inspection mechanics).

If the Tribunal records a hearing as required by statute or on its own initiative, it will normally do so by having a court reporter attend the hearing.

Recording as Accommodation under the *Human Rights Code*

The Tribunal will record a hearing when it is necessary to accommodate the needs of the panel, a party or a representative under the *Human Rights Code*. Please contact the Tribunal as soon as possible if you require accommodation.



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Self-recording

A party may record a hearing on an audio recording device in order to supplement their notes. A party who wishes to self-record a hearing must seek permission of the Tribunal. The panel may limit a party's right to self-record a hearing.

A party who self-records a hearing must provide a copy of the recording to all other parties and, upon request, to the Tribunal. A recording made by a party does not become part of the Tribunal's record of proceedings.

Use of Court Reporters

The Tribunal may permit a party, upon request, to have a court reporter record a hearing at that party's expense.

If a party has been granted permission to have a court reporter record the hearing, that party must:

- arrange for the attendance of the court reporter at the hearing;
- pay the court reporter directly for the cost of their attendance; and
- ensure that all parties have an equal right to request a transcript from the court reporter.

A party who requests a transcript from the court reporter does so at their own expense. A party who obtains a transcript may be required to provide a copy of the transcript to all other parties, to the Tribunal, or both. The transcript will not be considered part of the Tribunal's record of proceedings unless a copy of the transcript is provided to the Tribunal.

Making a Recording Request

Requests for permission to self-record or have a court reporter record a hearing must be made to the Tribunal in writing at least 10 days prior to the hearing and must be copied on all other parties.