

# Service Practice for Requesting & Distributing Tribunal Materials

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## 1.0 This Practice Direction:

- Explains who may audio-record Tribunal hearings
- Explains how to request a transcript of a Tribunal hearing
- Explains how to request the following types of Tribunal documents:
  - Tribunal schedules
  - Decisions
  - Notices of Hearing
  - Exhibits

## 2.0 Audio Recording of Tribunal Hearings

2.1 Under the Police Services Act, the Tribunal is obligated to audio-record oral evidence presented at hearings

2.2 Counsel, self-represented parties, and media will be permitted to use electronic devices to audio-record Tribunal hearings only for the purposes of note-taking. No recording can be broadcast or used for any other reason

2.3 Requests to audio-record Tribunal hearings must be made directly to the Hearing Officer prior to the start of the hearing

2.4 As of 2010, all audio recordings from Tribunal hearings are kept indefinitely from the date of each recorded hearing

## 3.0 Video Recording of Tribunal Hearings

3.1 Under the Police Services Act no person shall take, or attempt to take, a photograph or video recording:

- 3.1.1 in the Tribunal
- 3.1.2 of any person entering or leaving the Tribunal
- 3.1.3 of any person in a TPS facility where there is reasonable ground for believing that the person is there for the purpose of attending or leaving the Tribunal

## 4.0 Requesting a Hearing Transcript

4.1 A transcript of a Tribunal hearing may be produced:

- 4.1.1 Upon written request from a party to the hearing or

#### 4.1.2 Upon written request from others

4.2 This request must be made by completing the Request Form for Tribunal Transcripts and sending it to the Tribunal. Those forms are available from the Tribunal website or by contacting the Hearings Office

4.3 Once the request is approved, the Tribunal will advise whether a transcript has already been prepared or if one would need to be created

4.4 If a transcript has already been prepared, a copy will be sent, subject to a photocopying fee

4.5 When no transcript has been prepared of a hearing recording, Tribunal staff will arrange for a transcript to be prepared and provide a cost estimate if requested

4.6 If more than one party requests a transcript, the Tribunal encourages the requesting parties to discuss sharing the cost

### 5.0 Requesting a Tribunal Schedule

5.1 Any person may request an electronic copy of the Tribunal schedule by e-mailing Corporate Communications

5.2 Tribunal schedules are posted outside of the Hearings Office, and can be accessed by the public

### 6.0 Requesting a Tribunal Decision

6.1 Any person may request an electronic copy of a Tribunal decision by e-mailing Corporate Communications

6.2 Tribunal decisions will be made available after they have been entered into the official record

### 7.0 Requesting a Notice of Hearing

7.1 Any person may request an electronic copy of a Notice of Hearing by e-mailing Corporate Communications

7.2 Notices of Hearing will be made available after the officer has made his/her first appearance in the Tribunal

## 8.0 Requesting an Exhibit

- 8.1 Parties to an appeal will receive a copy of the Record of Proceeding, which will include all documents, physical evidence and exhibits considered at the hearing and/or an exhibit list, upon completion of preparation for the Ontario Civilian Police Commission
- 8.2 Any person not a party to the appeal or anyone wanting to use an exhibit for other than purposes consistent with Part V of the Police Services Act may request an exhibit by e-mailing Corporate Communications
- 8.3 Exhibits are available during the proceedings, subject to vetting
- 8.4 Exhibits will be vetted by the Toronto Police Service for the purpose of removing personal or confidential information
- 8.5 Once vetted for release, exhibits can be viewed at TPS Headquarters or can be photocopied for a nominal fee, if they are not available electronically.