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CONSULTATIONS

Updates to Human Rights Tribunal of Ontario Rules of Procedure

The Human Rights Tribunal of Ontario (HRTO) is streamlining its processes to facilitate fair, just and expeditious resolutions of the matters before it and reduce delays. The HRTO values your feedback and is seeking your input on a number of changes.

The HRTO is preparing to launch a **mandatory mediation** process whereby all applications will proceed to a mediation, after confirming jurisdiction. Mediations have proven to be very successful in resolving applications at the HRTO and are aligned with the HRTO's mandate, which encourages resolution through alternative dispute resolution methods rather than traditional adversarial approaches.

In addition, if an application does not settle at a mandatory mediation, the matter will proceed directly to hearing disclosure with timelines tied to the mediation date, not the hearing date.

The HRTO is also considering eliminating **Case Management Conference Calls and Summary Hearings** from the hearing process as these have not led to efficient resolution of applications.

To enable these improvements and align with current practices, the HRTO will be updating its **Rules of Procedure** as follows:



- Rule 1.4 Removal of the definition of “case conference”
- Rule 1.16 (c) Removal of reference to fax number
- Rule 1.17 Removal of reference to
 - (a) to fax transmission and
 - (b) hand delivery
- Rule 1.17 Amend:
 - (c) increased size of attachment to 30mb
- Rule 1.19 Removal of reference to fax
- Rule 1.19.1 Change to: If a party files a bound paper copy of documents, they must file either an electronic copy or a second unbound paper copy of the same documents.
- Rule 1.21 Removal of reference to:
 - (a) hand delivery and
 - (d) fax
- Rule 1.21 Amend:
 - (e) email
- Rule 1.22 Remove reference to:
 - (b) by fax
 - (e) by hand
- Rule 10 (related to withdrawal of an application) Simplifying the process to withdraw an application
- Rule 12.5 (related to commission applications under Section 35 of the Human Rights Code) Remove
- Rule 13 (related to dismissal of application outside the jurisdiction of the Tribunal)

Update to align with the Practice Direction on Jurisdiction

- Rule 15 (related to mediation) Revise to support mandatory mediation
- Rule 16 (related to disclosure of documents) Amend to tie document disclosure deadline to mediation date, not hearing date, and to articulate expectations of parties
- Rule 17 (related to disclosure of witnesses) Amend to tie witness disclosure deadline to mediation date, not hearing date, and to articulate expectations of parties
- Rule 19 (related to request for an order during proceedings) Amend to limit when requests for orders may be filed and when they may be addressed by the HRTO
- Rule 19 A (related to summary of hearings) and Form 26 to be removed to support a streamlined hearing process
- Rule 21 (related to expedited proceedings) and Forms 14 and 15 to be removed to support a streamlined hearing process
- Rule 23 (related to interim remedies) and Forms 16 and 17 to be removed to support a streamlined hearing process



These updates will support operational changes made to streamline the HRTO's hearing process and optimize its resources, including reducing the number and types of events scheduled to minimize the time spent by staff and adjudicators on scheduling events and writing decisions that do not result in case resolution. It will also reduce the average case lifecycle to promptly resolve matters and enable the HRTO to better meet its Key Performance Indicators.

Individuals and stakeholders can submit their feedback in writing via email to HRTO.registrar@ontario.ca. Please include "HRTO Consultation" in the subject line of your email.

The consultation will be open for four weeks, from October 25, 2024 to November 22, 2024.

The current [Rules of Procedure](#) are available on the HRTO's website.