



Tribunals Ontario

Human Rights Tribunal of Ontario

15 Grosvenor St., Ground Floor
Toronto ON M7A 2G6
Tel: 416-326-1312 or 1-866-598-0322
Fax: 416-326-2199 or 1-866-355-6099
TTY : 416-326-2027 or 1-866-607-1240
E-mail: hrto.registrar@ontario.ca
Website: www.tribunalsontario.ca/hrto

Tribunaux décisionnels Ontario

Tribunal des droits de la personne de l'Ontario

15 rue Grosvenor, rez-de-chaussée
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August 30, 2022

The Regional Municipality of Waterloo Police
Services Board
Donald Jarvis
Via email: djarvis@filion.on.ca

Kelly Donovan
Via email: donovandih@gmail.com

Waterloo Regional Police Association
Via email: nini.jones@jonespearce.com

**Re: The Regional Municipality of Waterloo Police Services Board v. Donovan
HRTO File Numbers: 2018-33237-S; 2018-33503-S**

Please find enclosed a Case Assessment Direction of the Tribunal in this matter, dated August 30, 2022.



HUMAN RIGHTS TRIBUNAL OF ONTARIO

B E T W E E N:

The Regional Municipality of Waterloo Police Services Board

Applicant

-and-

Kelly Donovan

Respondent

-and-

Waterloo Regional Police Association

Intervenor

AND B E T W E E N:

Kelly Donovan

Applicant

-and-

**The Regional Municipality of Waterloo Police Services Board
and Bryan Larkin**

Respondents

CASE ASSESSMENT DIRECTION

Adjudicator: Marla Burstyn

Date: August 30, 2022

File Numbers: 2018-33237-S; 2018-33503-S

[1] This Case Assessment Direction (“CAD”) provides important directions to the parties in advance of the preliminary hearing on September 8, 2022.

[2] Ms. Donovan has asked to record the hearing. As I understand it, there are two reasons for her request. First, it appears to be in part an accommodation request for a Code-related need. Second, she submits that recording the hearing achieves transparency. She indicates that she would like to have a court reporter record the hearing, and will do so at her expense.

[3] In response to this request, I am following the Tribunal’s Practice Direction on Recording Hearings.

[4] The applicant may self-record the preliminary hearing to supplement her notes and then provide a copy of the recording or transcription to the other parties and the Tribunal. Such recording or transcription does not form part of the HRTO’s record of proceedings, including the record filed in court in respect of any application for judicial review. Further, the recording or transcription may not be publicized or used for any purpose other than in the proceeding before the Tribunal.

[5] Alternatively, the applicant may retain a court reporter to record the hearing at her own expense. If so, the applicant must have transcripts produced and provide copies to the Tribunal and the other parties at her own expense. The official transcript will be considered part of the Tribunal’s record of proceedings and will be included in the record filed in court in respect of any application for judicial review. The recording or transcription may not be publicized or used for any purpose other than in the proceeding before the Tribunal and in respect of any application for judicial review.

Dated at Toronto, this 30th day of August, 2022.



Marla Burstyn
Member