



[Home](#) > [Practice Directions](#)

## Practice Directions

Practice Direction # 4

January 17, 2012

### AUDIO RECORDINGS OF CASE MANAGEMENT CONFERENCES (RECORDINGS)

The rules of the Tribunal that govern proceedings at case management conferences are intended to encourage a full and frank discussion of all substantive and procedural matters that arise in relation to the Claim. This includes the canvassing of all matters that may assist the parties toward a negotiated resolution of the claim. This direction is intended to establish general rules governing the provision of recordings to parties and intervenors. It is an objective of the practice direction that recordings be of utility to the parties, which may include intervenors, while ensuring to the parties that any discussion relating to settlement or any matter that any party may consider privileged or otherwise detrimental to the interests of a party is not available outside of the confines of the case management conference.

#### 1. Provision of Recordings to a Party

A party may, by request of counsel, request a copy of a recording. The request must be by email to the Registry of the Specific Claims Tribunal, to the attention of the Director of Registry Services (the Director). The written request must include the following statement:

*I agree on behalf of (Claimant, or Canada, or other party, as the case may be) that the recording of the case management conference held on (date of conference) will not be published or distributed in whole or in part in any medium and will be used only by counsel for the purposes of the proceedings, which may include consultation with our client.*

A copy of any such request must be provided to the other parties, for information purposes only.

#### 2. Provision of Recordings to Intervenors

The above direction will, except as noted below, apply in respect of requests for the provision of recordings by an intervenor.

Requests by intervenors must be made by counsel, by email to the Director, marked for the attention of the Tribunal Member presiding at the case management conference.

A copy of any such request must be provided to the parties. A party may, within 10 days of receipt of a copy of a request, advise the Director of its position concerning the provision of a recording.

#### 3. General

The Member presiding at the case management conference may:

1. Order further conditions for the provision of the recording to any party or intervenor.
2. Deny the provision of the recording to an intervenor, or redact the recording, where he or

she is of the opinion that matters discussed in the course of a case management conference do not affect the intervenors' interests.

The Chairperson of the Tribunal may, in the absence of the Presiding Member, or on the request of the Presiding Member, act in his or her stead.

Justice Harry Slade  
Chairperson

Date Modified:2012-01-18