

Chief Adjudicator Directive 7 [revision 2]

Transcript Distribution Policy

Transcripts will be distributed only as follows:

A. General:

1. Transcripts, other than those referred to in section 6, are distributed on the undertaking that they will be used solely for the purpose they were provided, and are not to be distributed further.

B. To adjudicators:

2. To the presiding adjudicator upon request.
3. To a review adjudicator.
4. To the Chief Adjudicator, upon request, in order to support the duties outlined in Schedule D, III(s)(i).

C. To experts:

5. To an expert retained to do an assessment of a claimant and parties entitled to question the expert. When a transcript is provided to an expert, one will also be provided to the parties who participated in the hearing. When requested, all parties who participated in the hearing will also receive a copy of the transcript of the oral examination of an expert that occurs following the receipt of an expert report.

D. To claimants:

6. Upon request, limited to his or her evidence, for memorialisation purposes. Claimant transcripts are redacted to remove third party identifiers.
7. Upon request, a transcript of the closing comments to the claimant.

E. To alleged perpetrators:

8. Upon request, but limited to a transcript of the alleged perpetrator's testimony. Alleged perpetrator transcripts are redacted to remove third party identifiers. Neither the alleged perpetrator nor his or her legal counsel are entitled to a transcript of the claimant's hearing.

F. To parties:

9. Significant adjournment: Upon request where, because of an adjournment, a significant period of time has elapsed (in excess of four months). The transcript will be provided to other participating parties.

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10. Change in representation: To a party's representative when a change in representation occurs and the new representative was not in attendance at the hearing. The transcript will be provided to other participating parties .
11. Deciding to seek a review: Upon request, subsequent to receipt of a decision for the stated purpose of deciding to seek a review of a decision. The transcript will be provided to other participating parties.
12. Review submissions refer to passages in transcript: To all participating parties where a claimant who has received a transcript of his or her testimony and in support of a requested review makes specific reference to passages in the transcript.
13. Alleged perpetrator hearings:
 - (a) Upon request, where an extended period of time (in excess of four months) has elapsed since the hearing for the alleged perpetrator. The transcript will be provided to other participating parties.
 - (b) To claimant's counsel where counsel was not in attendance at the hearing of an alleged perpetrator. The transcript will be provided to other participating parties.
14. Re-openers:
 - (a) Upon request, a transcript of the original hearing will be provided to any participating party. The transcript will be provided to other participating parties.
 - (b) If available, a transcript of the teleconference for a re-opener will be provided upon request. The transcript will be provided to other participating parties.
15. Short Form Decisions: A transcript of an adjudicator's oral reasons in support of a Short Form Decision shall be provided to a participating party, upon request. The transcript will be provided to other participating parties.
16. Complex Track cases: A transcript of Complex Track hearings, or such portions thereof as the adjudicator deems necessary, shall be provided to the participating parties, upon request, with leave of the adjudicator. Adjudicators must identify specific start/end times if a portion of a hearing is requested.
17. Unavoidable absence: Upon request of the presiding adjudicator, to a party who was unavoidably absent from a hearing or teleconference. The transcript will be provided to other participating parties.
18. Potential for negotiated settlement: To all participating parties when any party identifies the claim as potentially suitable for a negotiated settlement.