

This practice direction outlines the Tribunal's approach to witness testimony and examination during electronic hearings.

## **General approach**

The Alberta Human Rights Commission [Bylaws](#) and the Tribunal's practice direction on [information to be filed before a hearing](#) state that before the hearing starts, each party is expected to provide a witness list and a brief summary of each witness' anticipated evidence. If a party does not provide this information by the deadline given to them, they will not be able to present a witness without the Tribunal's permission. Parties are responsible for ensuring they have scheduled relevant witness testimony to meet their case.

## **Scheduling Witnesses**

Prior to an electronic hearing, the parties will receive a link with instructions for signing on to the hearing. It is each party's responsibility to forward the link to their witnesses. The party calling a witness is responsible for ensuring the witness is present at the hearing at the scheduled time. This may include rescheduling the witness if the time for their testimony changes.

Witnesses do not attend the hearing before or after their time of testimony. Witnesses must be ready to join the hearing 15 minutes before their scheduled time of testimony. When the witness joins the hearing, they will be placed in the virtual waiting room and will not be able to see or hear anything until admitted to the virtual hearing room.

## **Documents Referenced During Witness Examination**

During a witness' testimony, the witness must not have any other documents or notes in front of them, except those placed before them by a party or representative.

The party or representative is expected to ensure that the witness has a copy of any relevant documents they will be asked to speak to by either party. This means that the party or representative will provide the witness a copy of the relevant documents before the witness' time of testimony. The Tribunal may use the screen sharing function to share a document for all participants to view, but for efficiency, the Tribunal prefers that witnesses and parties have access to the relevant documents directly.

## **Preliminary questions asked to the witness while under oath**

After the Tribunal affirms the witness and they are under oath, the Tribunal Chair asks the witness the following questions:

1. Do you agree that neither you, nor anyone at your location, will record or broadcast these proceedings?

2. Do you agree that during these proceedings you will not view any documents or information on any device, other than those presented to you in the virtual hearing, or those available in the documents put before you?
3. Do you agree that you will not discuss your testimony with any other person while you are testifying as a witness?
4. Have you closed all other windows on your computer in preparation for your witness testimony?
5. Is anyone else in the room, or able to hear or see this virtual hearing?

## Contact the Tribunal Office

**Website** [albertahumanrights.ab.ca/tribunal\\_process](https://albertahumanrights.ab.ca/tribunal_process)

**Email address** [AHRCTribunal@gov.ab.ca](mailto:AHRCTribunal@gov.ab.ca)

**Phone** 780-638-4635

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

TTY service for persons who are deaf or hard of hearing: to call toll-free within Alberta, dial 1-800-232-7215.