

## **Alberta Human Rights Tribunal Practice Direction Requests for Anonymization of Tribunal Decisions**

### **Introduction**

The Tribunal is committed to a process that is fair, just and expeditious. Hearings are open to the public, and all hearing decisions are posted in the public domain.

The Alberta Human Rights Tribunal has developed the following approach to requests for anonymization of Tribunal decisions. In applying this Practice Direction, the Tribunal must balance the public interest in freedom of expression and open justice with any significant consequences of identifying the person requesting anonymization.

The Tribunal may consider this issue on its own motion or on application by a party, and may vary this approach where appropriate.

### **General approach**

Tribunal decisions will use initials to identify children under the age of 18 and may use initials to identify other parties and participants in a hearing, where it is necessary to protect the identity of minors.

The Tribunal may, in exceptional circumstances, protect the confidentiality of personal or sensitive information, including sensitive health information.

While hearings are public, they may not be recorded by any party, except with advance permission of the Tribunal. See Practice Direction on [Recordings and Transcript of Proceedings](#).

For more information on the presumption of an open and transparent administrative system and making an application for anonymization, see the Tribunal decision: *Yang v Alberta New Home Warranty Program*, 2020 AHRC 35 at paragraphs 7-22 (<http://canlii.ca/t/j6xfq>).

### **Request for Anonymization**

Where a party or other participant wishes to request that their initials, rather than their name, be used in a matter before the Tribunal, they must make the request in writing, as soon as they are aware of the need for anonymization. Most times, this will be as soon as the complaint reaches the Tribunal: when it is referred by the Director to the Tribunal, or when a complainant requests a review of the Director's decision under section 26 of the *Alberta Human Rights Act*.

The request for anonymization should set out the exceptional reasons that the party is requesting privacy protection, the nature of the protection (anonymization of their name), supporting evidence, and any case law they rely upon.

The other parties involved in the complaint do not need to respond to a request for anonymization unless the Tribunal requests one.

Other requests for anonymization are rarely granted because they interfere with the principal of open and transparent justice. These include where a party requests that the Tribunal order a publication ban that certain information about the case cannot be published, or an exclusion order that the public is excluded from some or all of the hearing. It is unusual for the Tribunal to grant such a request, and an application for such an order must include reasons for the request, supporting documents and cases, and arguments why such a measure should be ordered by the Tribunal.

### **How to file a request**

The party will deliver the application to the Tribunal Registrar, and serve all other parties, including the Director if they are a party:

By email: [AHRCTribunal@gov.ab.ca](mailto:AHRCTribunal@gov.ab.ca)

By courier or hand delivery: Office of the Chief of the Commission and Tribunals,  
7th Floor Commerce Place, 10155-102 Street, Edmonton, Alberta T5J 4L4