Information and Privacy Commissioner,
Ontario, Canada

Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER PO-4158-I

Appeal PA19-00379

Human Rights Tribunal of Ontario

June 24, 2021

Summary: The appellant had an application before the Human Rights Tribunal of Ontario (the HRTO). Her conduct in that proceeding eventually resulted in the dismissal of her application as an abuse of process and her being declared a vexatious litigant before the HRTO. In this context, the appellant submitted a broad access request to the HRTO under the *Freedom of Information and Protection of Privacy Act* (the *Act*) for detailed information over a ten-year period. The request asked for information relating to the HRTO's operating budget, salaries, expenses and benefits for former and current Executive Chairs, Associated Chairs, Vice-Chairs, Members, executive and administrative staff at the HRTO, including external consultants. The HRTO denied access to the records on the basis that the request was frivolous and vexatious within the meaning of section 10(1)(b) of the *Act*. The appellant appealed and, during mediation, narrowed her request in some respects, including limiting the timeframe to a five-year time period. The HRTO maintained its position. In this order, the adjudicator upholds the HRTO's decision and dismisses the appeal. The HRTO is to notify the IPC if it seeks any further remedy, such as restrictions on the appellant's future access requests.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, as amended, sections 10(1)(b) and 27.1; section 5.1 of Regulation 460.

Orders Considered: Orders MO-3908, PO-4013, PO-4142, MO-1924 and MO-1782.

OVERVIEW:

[1] The issue in this appeal is whether the Human Rights Tribunal of Ontario (HRTO)[1] was entitled to deny the appellant's access request under the *Freedom of Information and Protection of Privacy Act* (the *Act*) on the basis that the request was frivolous or vexatious.

[2] By way of background, in May 2013, the appellant filed an application with the HRTO, alleging discrimination with respect to employment contrary to the *Human Rights Code*.[2]

[3] It is clear from reading the materials filed in this appeal that the appellant's conduct before the HRTO was challenging. Details of that conduct will be discussed later in this order. Eventually, in April 2019, the HRTO held a hearing to determine whether the appellant's application should be dismissed as an abuse of process and/or whether she should be declared a vexatious litigant. In a decision dated August 2019, the HRTO dismissed the appellant's application as an abuse of process and declared her a vexatious litigant.

[4] Shortly after her HRTO hearing in April 2019, the appellant submitted a seven-page access request to the HRTO under the *Act* for information relating to the HRTO's operating budget and other items. The request was divided into 10 parts, each part with several subparts. The first part read as follows:

> # 1, a breakdown of the TOTAL OPERATIONAL BUDGET of the HUMAN RIGHTS TRIBUNAL ONTARIO (HRTO) for the years 2010-2019, with as much specific details, line by line, as is available, such as dollar figures, according to:
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> • STAFF,
>
> • ADMINISTRATION OVERHEAD,
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> • staff TRAVEL expenses, BENEFITS,
>
> • all other expenses for operations of the HRTO, etc.
>
> • All members, advisors, consultants, to the HRTO Practice Advisory Committee, with individual names of each person since 2010 to the present day, on this HRTO PRACTICE ADVISORY COMMITTEE

[5] A copy of the full access request is reproduced as an appendix to this order. The

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[1] Tribunals Ontario, Social Justice Division.
[2] R.S.O. 1990, c. H. 19.

HRTO's access decision summarized the request as follows:

> For the HRTO, the former SJTO and Tribunals Ontario, for the time period 2010-2019, you are requesting information and records that include:
>
> • Detailed, line-by-line information related to operational budgets and future budgetary projections for the organizations identified above.
>
> • Extensive information related to salaries, expenses and benefits for current and former Executive Chairs, Associated Chairs, Vice-Chairs, Members, executive and administrative staff at the organizations identified above, and responses to an extensive series of questions related to these individuals.
>
> • Detailed information related to external consultants and advisors for the organizations named above.

[6] The HRTO denied the appellant's request as frivolous or vexatious pursuant to section 10(1)(b) of the *Act*. The appellant appealed the HRTO's decision to the IPC and, during mediation, she narrowed her original request to the following:

> 1) Limiting the time frame – instead of 2010, to all responsive information from Jan 1, 2015 to the present day [September 18, 2019]
>
> 2) Other than as applies to the still-included outside (external) consultants, I limit the request to specific job titles:
>
> My amended FOI will include the:
>
> • Registrars
>
> • Vice-chairs within the HRTO.
>
> For all HRTO Registrars and Vice-chairs, my FOI request includes all ANNUAL MONETARY or other compensation, they receive while serving as REGISTRAR or Vice-chairs within the HRTO, since Jan 1, 2015.
>
> 3) My FOI still includes:
>
> • all outside (external) consultants, in all capacities, and
>
> • INDICATE in what CAPACITIES that each of the outside consultants serve
>
> 4) For all outside consultants:
>
> • all manner and amounts of compensations, whether MONETARY or otherwise, from Jan 1, 2015 to the present day,

> • whether each of the outside consultants are COMPENSATED or not COMPENSATED IN ANY MANNER, from Jan 1, 2015 to the present day, including,
>
> The designation of "outside (external) consultants" includes persons who previously worked within the HRTO, but left their official internal position within the HRTO (including any prior REGISTRARS and Vice-chairs) but continued at any time during any time since Jan 1, 2015, upon their departure from that internal HRTO position, to serve in any capacity as an external consultant to the HRTO, in any manner, with the manner, and time periods of their outside consultation services to be specified as part of the responsive information
>
> 5) Please note that I do NOT limit my FOI request to already published information.

[7] The HRTO maintained its decision that the appellant's narrowed access request was frivolous and vexatious. As further mediation was not possible, the appeal was transferred to the adjudication stage, where an adjudicator may conduct a written inquiry under the *Act*.

[8] An adjudicator sought and received representations from the parties. Pursuant to this office's *Code of Procedure* and *Practice Direction Number 7*, the parties' representations were shared between them.[3] The appeal was then transferred to me to continue with the adjudication of the matter. I have reviewed the appeal file, including all of the representations submitted to date, and determined that I do not need further information before rendering a decision.

[9] In this order, I find that the appellant's request was made in bad faith or for a purpose other than to gain access, within the meaning of section 5.1(b) of Regulation 460. Accordingly, I find that the appellant's request is frivolous or vexatious within the meaning of section 10(1)(b) of the *Act*, and I uphold the HRTO's decision to deny the access request on that basis. The HRTO is to advise if it seeks any further remedy, such as restrictions on the appellant's ability to file further access requests with the HRTO.

DISCUSSION:

[10] The issue before me in this appeal is whether or not the appellant's access request is frivolous or vexatious, as contemplated by section 10(1)(b) of the *Act*, considered with section 5.1 of Regulation 460. Section 10(1)(b) reads, in part:

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[3] The adjudicator did not share with the HRTO the appellant's part 2 of 2 representations and the two attachments. At the appellant's request, this part of her representations and attachments were destroyed and they have not been considered.

> Every person has a right of access to a record or a part of a record in the custody or under the control of an institution unless,
>
> > the head is of the opinion on reasonable grounds that the request for access is frivolous or vexatious.

[11] This section provides institutions with a summary mechanism to deal with frivolous or vexatious requests. This is a powerful discretionary authority and should not be exercised lightly, as it can have serious implications on the ability of a requester to obtain information under the *Act*.[4] On appeal to this office, the burden of proof is on the HRTO to provide sufficient support for its decision to declare the request frivolous or vexatious.[5]

[12] If an access request is found to be frivolous or vexatious, the IPC will uphold the institution's decision to deny access on that basis. In addition, it may impose conditions such as limiting the number of active requests and appeals the appellant may have in relation to a particular institution.[6]

Grounds for a frivolous or vexatious claim

[13] Section 5.1 of Regulation 460 of the *Act* provides that:

> A head of an institution that receives a request for access to a record or personal information shall conclude that the request is frivolous or vexatious if,
>
> > (a) the head is of the opinion on reasonable grounds that the request is part of a pattern of conduct that amounts to an abuse of the right of access or would interfere with the operations of the institution; or
> >
> > (b) the head is of the opinion on reasonable grounds that the request is made in bad faith or for a purpose other than to obtain access.

HRTO's representations

[14] By way of background, the HRTO explains that the appellant was declared a vexatious litigant by the Ontario Superior Court in 2012 and later by the HRTO itself, in 2019.[7] The latter event unfolded in the following way.

[15] In May 2013, the appellant filed an application with the HRTO alleging

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[4] Order M-850.
[5] Order M-850.
[6] Order MO-1782.
[7] The HRTO provided the citations for both these decisions but I am not including them because to do so would identify the appellant.

discrimination with respect to employment. The hearing commenced in August 2014 and was rescheduled to continue in October 2014. The appellant sought and was granted an adjournment. Subsequently, continuation dates for June 2016 were also adjourned because the appellant submitted a medical note stating that she was unable to attend the hearing and was uncertain when she would be able to attend further hearing days. According to the HRTO, the appellant then failed to comply with numerous adjudicative directions, hindering the adjudicative process.

[16] In January 2018, the HRTO wrote and asked the appellant to advise whether she intended to continue with her application before it. The appellant filed a further letter from her family physician stating that the June 2016 note remained in effect and that the appellant did not want further medical information to be released to the HRTO. Nonetheless, the appellant filed voluminous written submissions (80 pages of written materials) in support of her application before it. The appellant failed to comply with further directions from the HRTO, and took the position that she was unable to participate in a hearing, but proceeded to repeatedly file voluminous written submissions, none of which responded to the HRTO's directions.

[17] In April 2019, the HRTO held a hearing to determine whether the appellant's application should be dismissed as an abuse of process and/or whether she should be declared a vexatious litigant. During that hearing, the appellant's conduct was, according to the HRTO, inappropriate, intemperate, insulting and disrespectful, and included personal attacks against the HRTO's decision-makers.

[18] In a decision issued in August 2019, citing the appellant's failure to comply with the HRTO's directions and her conduct, the HRTO dismissed the appellant's application as an abuse of process and declared her a vexatious litigant.

[19] The HRTO says that the number of requests filed by the appellant, their nature and scope, and the purpose of the present request together demonstrate an abuse of the right of access on the appellant's part. It argues that the appellant has failed to meaningfully narrow the scope of her request, noting that she continues to seek all records disclosing monetary and other compensation received by external consultants, Vice-Chairs and Registrars for a five-year period. The HRTO submits that given the history preceding the access request, it is evident that the request was made for "nuisance value" and for the purpose of harassing and burdening the HRTO.[8] It says that the history between it and the appellant indicates that the appellant is frustrated with the HRTO and is using the access process under the *Act* to express her frustration.[9] It notes that it does not need to demonstrate a "pattern of conduct" where a request is made in bad faith or for a purpose other than to obtain access.

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[8] See Order PO-3775.
[9] See Order PO-3539.

[20] The HRTO goes on to argue that the appellant has demonstrated a pattern of conduct that would interfere with its operations of an institution. It refers to two previous access requests filed by the appellant. The first was in June 2015, while the appellant's application was still before the HRTO, when the appellant requested the name of the Vice-Chair who had, as a result of her own health issues, delayed the appellant's application before the HRTO. In August 2016, again while the appellant's application was before the HRTO, she sought copies of all Oaths of Allegiance and all Oaths of Office by HRTO Vice-Chairs and the HRTO Registrar. This request was denied under the labour relations exclusion in section 65(6)3 of the *Act*. The HRTO submits that in filing the request at issue before me, the appellant has persisted in seeking similar information.

[21] The HRTO also notes that in May 2018, the appellant filed a 24-page privacy complaint with the IPC, where she accused the HRTO of applying a double standard since it protected health information about Vice-Chairs but required more personal details from her with respect to her adjournment requests. The HRTO took the position that the complaint was a collateral attack on its adjudicative process. Ultimately, the appellant's complaint was closed.

The appellant's representations

[22] The appellant takes issue with her having been declared a vexatious litigant previously, and submits that the HRTO's declaring her as such was a form of retaliation on its part, resulting from her legitimate criticisms of the HRTO. She submits that she was unfairly treated by the HRTO Vice-Chair and that the practices of the HRTO itself are unjust.

[23] The appellant denies that her access request was made in bad faith or for any improper objective beyond an intention to use the information in some legitimate manner.

[24] In response to the HRTO's submissions about her previous requests for Oaths of Office and Oaths of Allegiance, she states that there is nothing improper in her seeking the public disclosure of these records. She argues that the HRTO's response to her access request is an attempt to discredit her for having made her previous access requests, and that the records she has requested should be made public. She submits that there are conflict of interest concerns in respect of the HRTO's hiring of external consultants, and a reasonable apprehension of bias on the part of HRTO adjudicators.

[25] In addition, the appellant argues that her narrowed access request was thoughtful, greatly simplified and offered in a spirit of compromise and goodwill.

Analysis and findings

[26] For the reasons set out below, I find that the HRTO has established that the appellant's access request, and her narrowed request, are frivolous or vexatious and the HRTO was entitled to deny the requests pursuant to section 10(1)(b) of the *Act*. I

make this finding because in my view, the appellant's requests were made in bad faith and for an improper purpose, within the meaning of section 5.1(b) of Regulation 460.

[27] Because the HRTO also argued that the appellant's requests form part of a pattern of conduct, I will briefly address that argument first.

Section 5.1(a) – pattern of conduct

[28] To establish the requirements of section 5.1(a) of Regulation 460, a finding of a pattern of conduct on the part of the requester is required before proceeding to a determination of whether the pattern of conduct either amounts to an abuse of the right of access or would interfere with the institution's operations.

[29] Previous IPC orders have explored the meaning of the phrase "pattern of conduct." In Order M-850, the former Assistant Commissioner Tom Mitchinson stated:

> [I]n my view, a "pattern of conduct" requires recurring incidents of related or similar requests on the part of the requester (or with which the requester is connected in some material way).

[30] The cumulative nature and effect of a requester's behaviour may also be relevant in determining whether there is a pattern of conduct.[10]

[31] In determining whether a request forms part of a pattern of conduct that amounts to an abuse of the right of access, institutions may consider a number of factors, including the cumulative effect of the number, nature, scope, purpose, and timing of the request.[11]

[32] As stated earlier, the appellant filed one access request in each of June 2015 and August 2016, respectively, prior to filing the current one in April 2019. Both access requests related to the HRTO's Registrar and Vice-Chairs.

[33] Also in the appeal file before me are two access decisions of the HRTO, both dated August 2, 2018, and both addressed to the appellant. One decision relates to a request for a copy of the appellant's own HRTO file. That request was granted in large part. The other decision is in relation to a request for employment information relating to a former HRTO Vice-Chair. That request was denied on the basis of the employment records exclusion in the *Act* (section 65(6)). The HRTO's representations do not appear to mention these particular prior access requests.

[34] Both parties' submissions refer to the appellant's having been declared a vexatious litigant by both the courts and the HRTO. IPC orders have determined that

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[10] Order MO-2390.
[11] Orders M-618, M-850 and MO-1782.

"pattern of conduct" under section 5.1(a) involves consideration of conduct under the access scheme in the *Act*;[12] it is not intended to include proceedings in other fora. However, as noted below, such conduct can be considered in a determination of whether the appellant's access request was made in bad faith or for a purpose other than to gain access, which I discuss under section 5.1(b).

[35] In any event, it is clear that the appellant has made a number of access requests over the years for various information about the Vice-Chairs and Registrars at the HRTO, and it is arguable that the appellant has demonstrated a pattern of conduct in respect of her access requests. However, given my findings under section 5.1(b), below, I do not need to make any finding about whether the appellant's current access request forms part of a pattern of conduct, nor whether any such pattern of conduct amounts to an abuse of the right of access or would interfere with the HRTO's operations. The HRTO's submissions on the latter point, in particular, were brief, general and lacking in detail.

Section 5.1(b) – bad faith or a purpose other than to obtain access

[36] For the following reasons, I find that the appellant's access request, and her narrowed request, were both made in bad faith and for a purpose other than to obtain access.

[37] "Bad faith" has been defined as:

> The opposite of "good faith", generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfil some duty or other contractual obligation, not prompted by an honest mistake as to one's rights, but by some interested or sinister motive. ... "bad faith" is not simply bad judgement or negligence, but rather it implies the conscious doing of a wrong because of dishonest purpose or moral obliquity; it is different from the negative idea of negligence in that it contemplates a state of mind affirmatively operating with furtive design or ill will.[13]

[38] As previous IPC decisions have noted, it is difficult to assess whether a requester has an improper motive for an access request because requesters will seldom admit to a purpose beyond a genuine desire to obtain the information. Determining whether such a collateral purpose exists requires drawing inferences from the nature of the request and the surrounding circumstances.[14]

[39] It is worth stressing that, where a party's prior history with an institution is

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[12] Orders M-906, M-1066, M-1071, MO-1519, and P-1534.
[13] Order M-850.
[14] Order MO-1782.

problematic, that history is persuasive only if it serves to demonstrate that the access request at issue was improperly motivated. The IPC has consistently held that where there is a difficult relationship between a requester and an institution, that history alone is not sufficient to establish that an access request was frivolous or vexatious.[15]

[40] Moreover, I agree with prior IPC decisions that have found it is perfectly legitimate for a requester to use information gained from an access request to challenge an institution's actions or processes. In Order MO-1924, former Senior Adjudicator John Higgins addressed an institution's argument that the objective of obtaining information to further a dispute between it and the requester was not a legitimate exercise of the right of access. In rejecting that position, Senior Adjudicator Higgins stated:

> This argument necessitates a discussion of whether access requests may be for some collateral purpose over and above an abstract desire to obtain information. Clearly, such purposes are permissible. Access to information legislation exists to ensure government accountability and to facilitate democracy (see *Dagg v. Canada (Minister of Finance)*, [1997] 2 S.C.R. 403). This could lead to requests for information that would assist a journalist in writing an article or a student in writing an essay…. [R]equesters may also seek information to assist them in a dispute with the institution, or to publicize what they consider to be inappropriate or problematic decisions or processes undertaken by institutions. To find that these reasons for making a request are "a purpose other than to obtain access" would contradict the fundamental principles underlying the *Act*, stated in section 1, that "information should be available to the public" and that individuals should have a "right of access to information about themselves". *In order to qualify as a "purpose other than to obtain access", in my view, the requester would need to have an improper objective above and beyond a collateral intention to use the information in some legitimate manner.* (emphasis added).

[41] Here, however, I readily draw the inference that the appellant's access request was made in bad faith and for an improper purpose over and above that of gaining access to the requested information. Specifically, after years of fraught relations with the HRTO, including a consistent failure to abide by its directions, the appellant had a hearing to determine whether her HRTO application should be dismissed and whether she should be declared a vexatious litigant. The resulting written decision of the presiding Vice-Chair makes it clear that the appellant's behaviour at that hearing was difficult, to put it mildly – in fact, she was "ungovernable" and that formed a large part of the basis for the HRTO's decision to dismiss her application and declare her a vexatious litigant.

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[15] See, for example, Orders MO-3908, PO-4013 and PO-4142.

[42] Five days after that hearing, the appellant submitted the extremely broad access request at issue in this appeal.

[43] The appellant stresses that she is requesting the information at issue because she believes its disclosure is a matter of public interest. That may be, and in fact, in general a requester does not need to establish a reason for making an access request under the *Act.* However, even assuming that the appellant legitimately wants the information she requested, I am satisfied that the request was made in bad faith because she also made the request as retaliation against the HRTO. Given the circumstances I have described above, I find that, contrary to the appellant's assertion, she does have an improper objective over and above any intention to use the information in a legitimate manner.

[44] I again stress that the fact that there is a history of acrimony between the HRTO and the appellant is an insufficient basis, on its own, for a finding that the appellant made her request in bad faith. Here, however, from the timing of the appellant's request, and its extremely broad subject matter—ten years' worth of information falling into ten categories and various sub-categories, all to do with HRTO Vice-Chairs, consultants and staff—it is clear to me that the appellant was motivated by a desire to harass or annoy the HRTO. The breadth and detail of the original request, in the context of her history with the HRTO, strongly suggests that the appellant is using the access to information regime in retaliation for what she perceives as unjust treatment by the HRTO.

[45] I am also not persuaded that the appellant's narrowing of the access request during mediation assists her. I agree with the HRTO that the narrowing was not meaningful, given that the appellant continued to seek a wide range of information about HRTO staff and consultants over a five-year period. The narrowed request was not, as the appellant argues, offered in a spirit of compromise and goodwill. Rather, in my view, it was self-serving, and designed to try to avoid a finding on the IPC's part that her access requests are frivolous and vexatious.

[46] Finally, while the fact that the appellant has been declared a vexatious litigant may not be relevant to a "pattern of conduct" finding under section 5.1(a), it is relevant here. The appellant has been declared a vexatious litigant by both the courts and the HRTO. Those findings stand and the IPC is not the forum for the appellant to challenge them. In my view, the appellant has established herself as an individual who uses legal processes for her own ulterior purposes.

Conclusion and remedy

[47] The tests under section 5.1 of Regulation 460 set a high threshold. I find that this threshold has been met in the circumstances of this appeal and that the HRTO has established reasonable grounds for finding that the appellant's requests are frivolous or vexatious within the meaning of section 10(1)(b) of the *Act*. The HRTO was entitled to deny access to the requested records on that basis and I uphold its decision to do so.

[48] As mentioned above, where an access request is found to be frivolous or vexatious, the IPC may also impose conditions such as limiting the number of active requests and appeals the appellant may have in relation to a particular institution.[16]

[49] The HRTO did not make any submissions on whether the IPC should grant any remedy over and above upholding its access decision, and I decline to do so at this time. If the HRTO seeks any further remedy, such as an order imposing any conditions on the appellant's future access requests, it is to notify me and I will invite submissions on that matter.

[50] In her representations, the appellant raised issues about the public interest in disclosure of the information she seeks. She also raised questions about the HRTO's record-keeping and procurement practices. The HRTO states that it is in full compliance with record-keeping and procurement requirements. None of these issues is relevant to the issue before me. For that reason, I will not comment on them.

ORDER:

1. I uphold the HRTO's decision to deny the access request, and the narrowed request, on the basis that they are frivolous or vexatious within the meaning of section 10(1)(b) of the *Act.*

2. The HRTO is to notify me if it is seeking any further remedy. This notification is to be made by **July 8, 2021**.

Original signed by: June 24, 2021
Gillian Shaw
Senior Adjudicator

[16] Order MO-1782.

APPENDIX

Appellant's access request dated April 8, 2019

FREEDOM OF INFORMATION REQUEST, ***FOR EACH POINT REQUESTED HEREIN, the applicable time period is 2010 to the present day,*** regarding :

a. HUMAN RIGHTS TRIBUNAL of ONTARIO (HRTO), and related staff, and members, as follows

b. The SOCIAL JUSTICE TRIUBUNAL ONTARIO, now called TRIBUNALS ONTARIO, for all executive, and administrative members

I would like to receive all available ONTARIO GOVERNMENT information on :

1, a breakdown of the TOTAL OPERATIONAL BUDGET of the HUMAN RIGHTS TRIBUNAL ONTARIO {HRTO) for the years 2010-2019, with as much specific details, line by line, as is available, such as dollar figures, according to:

- STAFF,
- ADMINISTRATION OVERHEAD,
- staff TRAVEL expenses, BENEFITS,
- all other expenses for operations of the HRTO, etc.
- All members, advisors, consultants, to the HRTO Practice Advisory Committee, with individual names of each person, since 2010 to the present day, on this HRTO PRACTICE ADVISORY COMMITIEE

2, breakdown of SALARIES of all administrative and executive HRTO staff- each separately identified, line by line -- , including the REGISTRARS, assistant REGISTRAR, etc, with as much detail as is available

3, salaries and all related expenses of VICE-CHAIRS of the HRTO,

Apparently, these VICE CHAIRS at the HRTO are NOT CONSIDERED to be staff employees of the HRTO, but they are all on the Ontario government SUNSHINE LIST each year, and are apparently the PRIMARY EXPENSE of the operations of the HRTO- see my further inquiry on this point, below

Please provide details of

- their salaries, and
- amounts of their annual benefits, and

- all other forms of compensation to them, such as travel expenses, benefits, and
- PER DIEM payments for the PART-TIME VICE CHAIRS of the HRTO, and
- all related expenses for both the FULL-TIME VICE-CHAIRS, and
- the PART-TIME-VICE-CHAIRS etc.

4, all other breakdown of annual costs at the HRTO, that are in addition to the above, #1-3

5, any detailed info on BUDGETARY PROJECTIONS for FUTURE YEARS, if available

The routinely annual published information on the internet does not give any of the above DETAILS, that I seek.

6, since 2010 to the present day, further to # 3, above,

Please provide all available information on VICE CHAIRS at the HRTO, as follows:

a. Who are they appointed by?

b. What is the legislation by which they are appointed?

c. Who are they employed by? Or are they self-employed?

d. To what ONTARIO MINISTRY do they belong?

e. Which Ontario government office, authority, etc., are they held accountable to?

f. Specifically for the VICE CHAIR, what are the qualifications necessary for a person to become a VICE CHAIR with the H R T O ?

g. What is the *PUBLIC* OATH OF OFFICE that a VICE CHAIR of the HRTO must sign?

h. What is the term of service of a Vice chair of the HRTO?

i. In addition to the above, what other PUBLIC responsibilities must a Vice Chair of the HRTO fulfill?

j. NAMES of all VICE-CHAIRS that have served at the HRTO since 2010, to the present day, and their dates of service, from first day, to their final day, by day, month, year

For each of the above categories of information, as per # 6 a-i, inclusive, please provide, since 2010 to the present day, the same information for the positions of:

7, REGISTRAR, of the HRTO

a. Who are they appointed by?

b. What is the legislation by which they are appointed?

c. Who are they employed by? Or are they self-employed?

d. To what ONTARIO MINISTRY do they belong?

e. Which Ontario government office, authority, etc., are they held accountable to?

f. What are the qualifications necessary for a person to become a REGISTRAR of the HRTO?

g. What is the *PUBLIC* OATH OF OFFICE that a REGISTRAR of the HRTO must sign?

h. What is the term of service of a REGISTRAR of the HRTO?

i. In addition to the above, what other PUBLIC responsibilities must a REGISTRAR of the HRTO fulfill?

j. NAMES of all REGISTRAR that have served at the HRTO ***since 2010, to the present day,*** and their dates of service, from first day, to their final day by day, month, year, including their salaries, benefits received, and all other compensations, for each individual, for each year from 2010 to the present day

8, Assistant REGISTRAR of the HRTO - same as# 7 a) - j) inclusive, above, for **REGISTRAR**

9, ***since 2010 to the present day,*** all other executive and administrative positions at the HRTO: please name, and identify each of these positions, and provide the same information, as requested in the above, # 6 a-i, inclusive

10, ***since 2010 to the present day,*** all budgetary amounts, and ALL NAMES of external HRTO advisors, who consult, advise, or are otherwise paid, to advise, consult, provide reports to, the HRTO, including:

A) for all external HRTO advisors, consultants, etc., since 2010 to the present day,

- names of all individuals, and groups, corporations, associations, etc, including, BUT NOT LIMITED TO, all names of individuals and groups, and representatives of groups, who have been on the HRTO Practice Advisory Committee

- copies of contracts, or any service agreements, written or oral agreements, with each of these individuals and groups, including, BUT NOT LIMITED TO, all names of individuals and groups, and representatives of groups, who have been on the HRTO Practice Advisory Committee

- copies of memorandums of understanding, or equivalent, with each of these individuals and groups, including, BUT NOT LIMITED TO, all names of individuals

and groups, and representatives of groups, who have been on the HRTO Practice Advisory Committee

B) copies of all :

a. written reports, or consultations

b. memorandums,

c. all written opinions,

d. all verbal opinions on record, whatever medium

e. emails

provided to the HRTO by each of these external consultants, advisors, etc., ***since 2010 to the present day,***

DEFINITION - an external consultant, advisor, is anyone, or any group, who is not DIRECTLY a part of the HRTO; this INCLUDES, any person, or group, within ANY OTHERONTARIO GOVERNMENT Ministry, department, or other Ontario government consultants, WHO ARE NOT from within the HRTO itself, but have had dealings, consultations, communications, and have written reports for, or otherwise provided consultative services to, or for, the HRTO

External consultants, advisors, etc. INCLUDES:

All persons ***who may have previously been employees, VICE CHAIRS,*** **or** ***any other members of the HRTO, but have left their former positions at the HRTO and may now work in:***

- any private capacity anywhere outside of the HRTO, plus
- any person who has left the HRTO, for a new position in another branch of the ONTARIO government,
- or any other public service branch of the provincial or federal government

Since 2010 **to** ***present day,*** all the same information, as requested above for the HRTO, on the

- SOCIAL JUSTICE TRIBUNAL ONTARIO (SJTO) and
- TRIBUNALS ONTARIO (TO)

for each of the executive and administrative SJTO/TO positions, including, but not limited to:

1. CEOs

2. EXECUTIVE CHAIRS,
3. Associate Chair or a
4. Vice Chair
5. Other SJTO/TO Members

such as presently, for [named individual], Executive Chair, of the TRIBUNALS ONTARIO, and all other such executive positions at the SJTO, and TO, from 2010 to the present day.