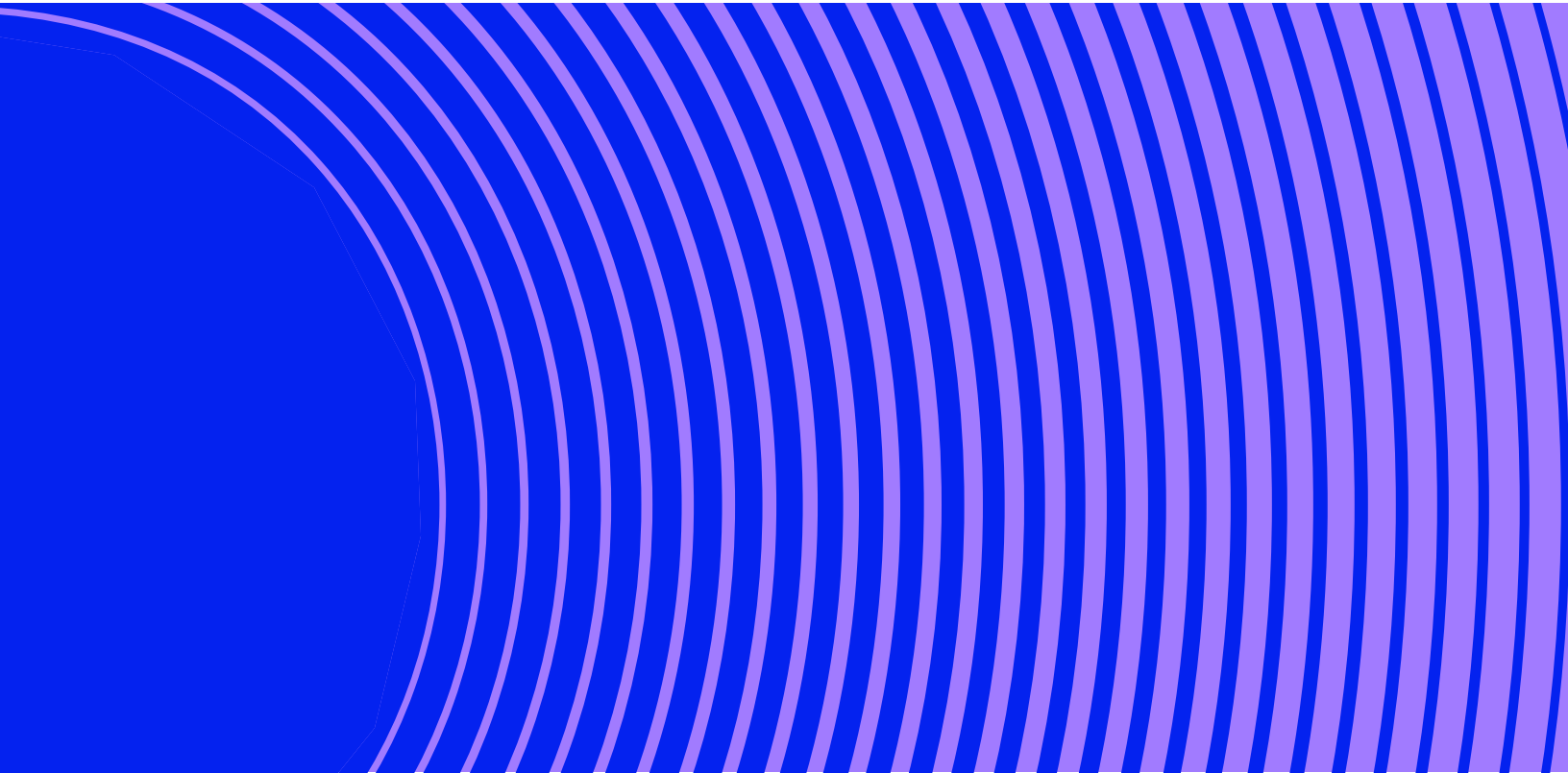


# Access to Justice through the Tribunal System:

Selected Annotated Bibliography



Lisa Moore

Canadian Forum  
on Civil Justice

2024



Canadian Forum on Civil Justice   
Forum canadien sur la justice civile

The Canadian Forum on Civil Justice (CFCJ) is a national not-for-profit organization dedicated to civil justice reform and access to justice research and advocacy. Established by the Canadian Bar Association in 1998 and affiliated with Osgoode Hall Law School, the CFCJ envisions an accessible, sustainable and effective justice system for all Canadians.



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#### **ACKNOWLEDGEMENTS**

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#### **RECOMMENDED CITATION**

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## ABOUT THIS BIBLIOGRAPHY

This selected annotated bibliography presents research on access to justice and the tribunal system. It includes a selection of articles, papers and reports on provincial tribunals in Ontario, Saskatchewan, British Columbia, and Quebec, federal tribunals, and some international research. This bibliography is limited to publications from 2000 to present. The publications in this bibliography are listed in reverse chronological order. In each instance, the title of the publication, the name of the author(s), the publication type, the publication date, the focus of the publication, including the name of any tribunal discussed in the publication, and an overview of the publication are included.

The goal of this bibliography is to provide a research and information resource on questions of access and administrative justice relevant to the Canadian context.

This bibliography was produced as part of the CFCJ's Access to Justice through the Tribunal System project.<sup>1</sup>

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<sup>1</sup> See CFCJ, "Access to Justice through the Tribunal System", online: CFCJ <<https://cfcj-fcjc.org/our-projects/access-to-justice-through-the-tribunal-system/>>.

**TITLE:** **Tribunals for Access to Justice in Canada**  
**AUTHOR(S):** Noel Semple  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** April 2024  
**FOCUS:** General Canada

**OVERVIEW:** This article discusses the potential of tribunals to improve access to justice. The article examines the role of tribunals as alternatives to trial-level courts, highlighting four relative benefits of legal problem resolution through tribunals. The article also explores the potential for tribunals to vindicate legal rights in ways that are distinct from trial-level courts.

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**TITLE:** **Tribunals in Canada: A Coming of Age**  
**AUTHOR(S):** Noel Semple  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** April 2024  
**FOCUS:** General Canada

**OVERVIEW:** This article proposes a differentiation in the law between tribunals mandated to resolve disputes and agencies responsible for law-making, policy-implementation, or asset-management. The article explores the history of tribunals and agencies in Canada, the ways in which administrative law limits further development of tribunals, and how pro-functional tribunals could become a reality.

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**TITLE:** **The Inaccessibility of Justice in Ontario's Adjudicative Tribunals: Symptoms and Diagnosis**  
**AUTHOR(S):** Noel Semple  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** October 2023  
**FOCUS:** The Landlord and Tenant Board (LTB), the Human Rights Tribunal of Ontario (HRTO), the Licence Appeal Tribunal's Automobile Accident Benefits Service (LAT-AABS), and the Social Benefits Tribunal (SBT)

**OVERVIEW:** This article seeks to identify factors contributing to an erosion of access, effectiveness, and impartiality at four adjudicative tribunals in Ontario. The article discusses the extent of growing access-to-justice obstacles for Ontarians resolving disputes through these four tribunals and the role of the government in addressing these obstacles.

**TITLE:** **Society of Ontario Adjudicators and Regulators (SOAR) - Tribunal Adjudicators Performance Evaluation Preliminary Research**

**AUTHOR(S):** Julie Lassonde; Society of Ontario Adjudicators and Regulators

**PUBLICATION TYPE:** Report

**DATE OF PUBLICATION:** June 2023

**FOCUS:** General Ontario

**OVERVIEW:** This report presents findings from preliminary research on adjudicator performance evaluation practices. The research is informed by document review and responses from tribunal members representing 22 tribunals. The research was carried out in 2023. Based on this preliminary research, SOAR recommends additional research, particularly involving data collection from adjudicators not in management roles.

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**TITLE:** **Five Steps to User-centred Tribunal Design**

**AUTHOR(S):** Paul Aterman and Emily Farrimond

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** March 2023

**FOCUS:** Social Security Tribunal of Canada, user-centred design

**OVERVIEW:** This article proposes five, cost-effective steps to improve access to justice at the Social Security Tribunal of Canada (SST). The article applies four years of insights and best practices in user-centred design to discuss a way forward for the SST that would enable better access to justice through improved management, a culture shift, and increased reliance on empirical research.

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**TITLE:** **Jurisdiction and Access to Justice: An Analysis of Human Rights Tribunal of Ontario-issued Notices of Intent to Dismiss**

**AUTHOR(S):** Frank Nasca

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** October 2022

**FOCUS:** Human Rights Tribunal of Ontario

**OVERVIEW:** This article examines the increased use of Notices of Intent to Dismiss (NOID) at the Human Rights Tribunal of Ontario. The article explores patterns in the use of NOIDs from 2008 to 2021 and the implications of the increased use of NOIDs for procedural fairness and access to justice at the Tribunal.

**TITLE:** **An Administrative Justice Fix: A Model Act**  
**AUTHOR(S):** Ron Ellis  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** March 2022  
**FOCUS:** General Ontario

**OVERVIEW:** This article conceptualizes new Ontario legislation called, the Administrative Justice Act. The article presents an example of how this legislation might be written, if the grounds for its enactment included: ensuring freedom from partisan government influence, impartiality in the administration of justice in Ontario's tribunal system, and fairness, timeliness, optimal competence and other factors deemed important for access to justice through the tribunal system. The article is framed as a response to events which raise questions about the ability for the provincial justice system to withstand political influence.

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**TITLE:** **Examining the Social Security Tribunal's Navigator Service: Access to Administrative Justice for Marginalized Communities**  
**AUTHOR(S):** Laverne Jacobs and Sule Tomkinson  
**PUBLICATION TYPE:** Report  
**DATE OF PUBLICATION:** January 2022  
**FOCUS:** Social Security Tribunal

**OVERVIEW:** This report presents key findings from a study of Canada's Social Security Tribunal (SST) Navigator Service, introduced in 2019. The study is informed by data gathered from (1) self-represented parties using the service and receiving a decision between 2019 and 2021; (2) feedback from SST navigators; and (3) information from government officials who contributed to the design and implementation of the SST Navigator Service. The report identifies strengths and weaknesses of the SST Navigator Service, including for marginalized communities. The study focuses on Canada's Pension Plan - Disability (CPP-Disability) appeals heard by the SST.

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**TITLE:** **Does the Notice of Objection Mechanism Available to Civil Resolution Tribunal Small Claims Parties Enhance Access to Justice?**  
**AUTHOR(S):** Rebecca Dickson  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** September 2021  
**FOCUS:** Civil Resolution Tribunal, British Columbia

**OVERVIEW:** This article investigates whether the use of the Notice of Objection (NoO) mechanism in disputes before British Columbia's Civil Resolution Tribunal (CRT) enhances justice. The article explains what the NoO is, how and when it is used, and whether its use aligns with the definition of justice presented in the article. The article also offers several recommendations for the NoO mechanism.

**TITLE:** **Access to Administrative Justice for Community Users:  
A Litigator’s Perspective**

**AUTHOR(S):** Selwyn A. Pieters

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** June 2021

**FOCUS:** Human Rights Tribunal of Ontario

**OVERVIEW:** This paper explores obstacles to accessing administrative justice, based largely on experiences of the author’s clients with the justice system. The article also discusses impacts of changes enacted in the justice system in the wake of the COVID-19 pandemic and offers recommendations to improve access to administrative justice.

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**TITLE:** **The “Digital Transformation” at Tribunals Ontario:  
The Impact on Access to Justice**

**AUTHOR(S):** Kathy Laird

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** June 2021

**FOCUS:** Human Rights Tribunal of Ontario (HRTO), the Landlord and Tenant Board (LTB), the Social Benefits Tribunal (SBT) and the Child and Family Services Review Board (CFSRB).

**OVERVIEW:** This article examines issues of quality of justice and justice outcomes for litigants following the move to digital or electronic hearings at Tribunals Ontario in 2020-21. The article considers these issues in the context of four tribunals: the Human Rights Tribunal of Ontario, the Landlord and Tenant Board, the Social Benefits Tribunal and the Child and Family Services Review Board.

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**TITLE:** **Adapting the Role of Tribunal Counsel to Promote Access  
to Justice: How Far Can We Go?**

**AUTHOR(S):** Michelle A Alton, Surman Furmah, Kayla Seyler

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** March 2021

**FOCUS:** General Canada

**OVERVIEW:** This article examines the potential for the tribunal counsel role to be adapted to better support parties in the tribunal system. The article proposes a people-centered approach involving active adjudication and more on-the-record assistance from tribunal counsel. The article identifies tribunal proceedings involving self-represented parties as a priority for this modified tribunal counsel role.

**TITLE:** **Tribunal Independence: The Constitutional Foundation - An Epiphany Moment on the Road to Tribunal Justice**

**AUTHOR(S):** Ron Ellis

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** March 2021

**FOCUS:** General Ontario

**OVERVIEW:** This article invites a reframing of the case for tribunal independence to center the needs of Canadians who seek to access justice through adjudicative tribunals. This framing—according to the author—reflects a bottom-up approach rather than a top-down approach that focuses on tribunal independence based in Canada’s constitutional structure. The decision in *Uber Technologies Inc. v. Heller* forms the context for this discussion.

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**TITLE:** **Peer Review and Adjudicative Independence: Finding the Right Balance in Administrative Justice**

**AUTHOR(S):** Christopher Bredt and Mannu Chowdhury

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** March 2021

**FOCUS:** General Ontario

**OVERVIEW:** This article considers peer review as part of tribunal decision-making. Specifically, the article is concerned with the process of tribunal adjudicators sharing draft decisions with lawyers and colleagues for comments on substance or alignment with legal principles. The article discusses the decision in *Shuttleworth v. Ontario (Safety, Licensing Appeals and Standards Tribunals)* as part of the argument illustrating the timeliness of changing the law on peer review. The article includes discussions on risks and benefits of peer review, the use of peer review in the administration of justice, how peer review could be changed, and six steps for administrators to consider in managing or implementing peer review.



**TITLE:** **Rethinking Fairness in Tribunal Adjudication to Best Promote Access to Justice**

**AUTHOR(S):** Michelle A. Alton

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** September 2019

**FOCUS:** General Canada, Ontario

**OVERVIEW:** This article examines the role of adjudicative tribunals in Ontario and, more generally, across Canada in facilitating access to justice. The article discusses factors for consideration in designing adjudicative processes to ensure they advance fairness and access to justice. The article explores the meaning of “hybridized” adjudication in the context of adjudicative tribunals and advances user-centricity, “structured flexibility”, resources, and assistance as important factors for individual adjudicative tribunals to weigh in tailoring their services to meet the access-to-justice needs of populations and the justice system.

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**TITLE:** **Janus-Faced Justice? The Role of Legal Technology in the Provision of Access to Justice**

**AUTHOR(S):** Eleanor De

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** March 2019

**FOCUS:** General International, British Columbia

**OVERVIEW:** This short paper discusses the potential for technology and digitisation to provide cost efficiencies, improve transparency, and advance access to justice in some cases. The paper presents the online Civil Resolution Tribunal (CRT) in British Columbia, Canada as an example of a tribunal borne from concerns for more access to the justice system by the public.

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**TITLE:** **Navigating Power and Claiming Justice: Tenant Experiences at Saskatchewan’s Housing Law Tribunal**

**AUTHOR(S):** Sarah Buhler, Rachel Tang

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** January 2019

**FOCUS:** Housing Law Tribunal, Office of Residential Tenancies (Saskatchewan)

**OVERVIEW:** This article presents findings from interviews with twenty low-income earners in Saskatoon, Saskatchewan who resolved housing disputes before Saskatchewan’s housing law tribunal – the Office of Residential Tenancies (ORT). The interviews demonstrate that similar power imbalances in landlord-tenant relations that are at the root of many housing problems are also evident in the hearing process at the ORT. The article provides insights into the preparation process for tenants appearing before the ORT and perceptions of fairness in the hearing process and based on the outcome of the housing tribunal process.

**TITLE:** **AI-Supported Adjudicators: Should Artificial Intelligence Have a Role in Tribunal Adjudication**

**AUTHOR(S):** Jesse Beatson

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** September 2018

**FOCUS:** General Canada

**OVERVIEW:** In this article, the author anticipates the use of artificial intelligence (AI) to support administrative adjudication in Canada in the future. The article considers the potential for AI systems to assist decision-making by tribunal adjudicators specifically. The article discusses possible advantages, implementation challenges, and risks of AI-supported adjudication (ASA), advising that smaller-scale implementation of ASA would be better at the outset.

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**TITLE:** **Designing Administrative Justice**

**AUTHOR(S):** Lorne Sossin

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** January 2017

**FOCUS:** General Canada

**OVERVIEW:** This article discusses the development of design thinking in law. It explores how questions raised in the bottom-up process of design thinking—which centres user’s needs—differ from questions (related to policy, jurisdiction, etc.) typically raised in forming a new tribunal. The article considers design thinking in the context of administrative justice in Canada more broadly and presents criteria to consider in designing a new tribunal through this user-centred approach.

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**TITLE:** **Online Dispute Resolution and Justice System Integration: British Columbia’s Civil Resolution Tribunal**

**AUTHOR(S):** Shannon Salter

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** January 2017

**FOCUS:** Civil Resolution Tribunal (CRT), British Columbia

**OVERVIEW:** The focus of this article is British Columbia’s Civil Resolution Tribunal (CRT). The article discusses online dispute resolution (ODR) through the CRT, including why and how the CRT was developed and the benefits of ODR for access to civil justice. The article also discusses challenges and advantages of the CRT as well as potential challenges of integrating ODR into public justice processes more generally.

**TITLE:** **Results of Research into the Process of Appointments and Re-appointments to Administrative Tribunals in Québec**

**AUTHOR(S):** Zinejda Rita; Society of Ontario Adjudicators and Regulators

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** April 2016

**FOCUS:** General Quebec

**OVERVIEW:** This paper discusses the ways in which the system for appointing administrative judges in Quebec differs from that of other Canadian provinces. This paper examines the appointment and re-appointment process for administrative judges in Quebec and considers issues of transparency, the potential for political bias, and the lack of a unified statutory framework.

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**TITLE:** **Evaluating the Impact of Remedial Authority: Adjudicative Tribunals in the Health Sector**

**AUTHOR(S):** Steven Hoffman and Lorne Sossin

**PUBLICATION TYPE:** Book chapter/paper

**DATE OF PUBLICATION:** 2016

**FOCUS:** The Ontario Health Professions Appeals and Review Board (HPARB) and the Health Services Appeals and Review Board (HSARB)

**OVERVIEW:** This paper explores how and why empirical research could be used to investigate the influence of adjudicative tribunals in the health sector. The paper discusses the general purpose that adjudicative tribunals serve in the health sector, empirical methods that could be used to evaluate the performance of tribunals in the health sector, the potential benefits of these evaluations, challenges to assessing adjudicative tribunals in the health sector, and potential next steps to ensure more empirical research in this area.

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**TITLE:** **International Framework for Tribunal Excellence**

**AUTHOR(S):** Council of Australasian Tribunals

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** November 2012

**FOCUS:** General International

**OVERVIEW:** Drawing on the approach developed for the “International Framework for Court Excellence”, this document identifies a series of indicia, grouped into eight categories, which can be used to evaluate the work of tribunals. The indicia used to develop the framework are based in core values to which tribunals aspire and how excellence is understood in the tribunal space. The Framework includes a questionnaire that can be used for ongoing evaluation of tribunals.

**TITLE:** **Ontario's Administrative Tribunal Clusters: A Glass Half-full or Half-empty for Administrative Justice?**

**AUTHOR(S):** Jamie Baxter and Lorne Sossin

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** September 2012

**FOCUS:** General Ontario

**OVERVIEW:** This article examines the tribunal cluster model advanced as part of Ontario's Adjudicative Tribunals Accountability, Governance and Appointments Act in 2010. The article discusses the various aspects of tribunal clustering and explores the potential for tribunal clustering to introduce more cohesiveness in the delivery of administrative justice. The article examines tribunal clusters in the context of two tribunals in Ontario and looks to possible lessons on tribunal clustering from Australia.

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**TITLE:** **Administrative Justice & Adjudicative Ethics in Canada**

**AUTHOR(S):** Lorne Sossin

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** May 2012

**FOCUS:** General Canada

**OVERVIEW:** This article offers a definition of the term "adjudicative ethics" and discusses what makes adjudicative ethics distinct from judicial ethics. The article also discusses some of the limitations and challenges of processes invoking adjudicative ethics.

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**TITLE:** **Administrative Justice and Innovation: Beyond the Adversarial/Inquisitorial Dichotomy**

**AUTHOR(S):** Samantha Green and Lorne Sossin

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** August 2011

**FOCUS:** General Commonwealth (predominantly Canada and Australia)

**OVERVIEW:** This paper describes how active adjudication differs from the adversarial and inquisitorial models. Further, the paper discusses how active adjudication could be adopted as the standard in administrative justice, and what would change for decision-makers, justice seekers and advocacy more generally in tribunal processes based on active adjudication. The paper identifies active adjudication as occupying an expansive space between the adversarial and inquisitorial models, and outlines the benefits that derive from active adjudication, including improved efficiency, fairness and effectiveness.

**TITLE:** **Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009: Cause for Concern - The Tribunal Independence Issue**

**AUTHOR(S):** Ontario Bar Association

**PUBLICATION TYPE:** Report

**DATE OF PUBLICATION:** June 2011

**FOCUS:** General Ontario

**OVERVIEW:** This report by the Ontario Bar Association discusses the *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009*. The Act, which considers issues of accountability and governance at the province's adjudicative tribunals, presents questions which the Ontario Bar Association considers a "repudiation of the rule-of-law principle of judicial institutional independence" to which the Association responds in this report.

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**TITLE:** **Performance Measurement for Tribunals - Quality**

**AUTHOR(S):** Gary Yee

**PUBLICATION TYPE:** Paper

**DATE OF PUBLICATION:** November 2010

**FOCUS:** General Canada

**OVERVIEW:** This short paper discusses aspects of an effective performance measurement framework for tribunals. The paper underscores the importance of performance measurement for accountability of tribunals. The paper focuses on performance measurement related specifically to quality.

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**TITLE:** **Dunsmuir and the Independence of Adjudicative Tribunals**

**AUTHOR(S):** Ron Ellis

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** October 2010

**FOCUS:** General Canada

**OVERVIEW:** This article considers the decision in *Dunsmuir v. New Brunswick (2008)* and its implications for the independence of members of adjudicative tribunals. The article discusses issues of procedural fairness and the contract-based nature of the relationship between governments and adjudicative tribunal members. The discussion takes place in the context of the Dunsmuir decision's reference to public officials being dismissed without an explanation or an opportunity respond to the dismissal.

**TITLE:** **Access to Justice and Beyond**  
**AUTHOR(S):** Kent Roach and Lorne Sossin  
**PUBLICATION TYPE:** Paper  
**DATE OF PUBLICATION:** June 2010  
**FOCUS:** General Ontario

**OVERVIEW:** This paper explores how moving some legal disputes away from the costly court system to a more effective tribunal structure could expand access to justice for middle-income earners. This proposition is raised in the context of Michael Trebilcock's 2008 Legal Aid Review and his scholarship discussing the importance of improved access to justice for Ontario's middle class.

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**TITLE:** **A Wavering Commitment?: Administrative Independence and Collaborative Governance in Ontario's Adjudicative Tribunals Accountability Legislation**  
**AUTHOR(S):** Laverne Jacobs  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** January 2010  
**FOCUS:** General Ontario

**OVERVIEW:** This article examines the *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009* [ATAGAA], and the potential for the ATAGAA to foster greater accountability in Ontario's tribunal system, without comprising tribunal independence. The article raises concerns about the ATAGAA's lack of attention to contemporary questions of tribunal accountability identified through academic literature and recent case law.

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**TITLE:** **The Elusive Search for Accountability: Evaluating Adjudicative Tribunals**  
**AUTHOR(S):** Steven Hoffman and Lorne Sossin  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** 2010  
**FOCUS:** The Ontario Health Professions Appeal and Review Board (HPARB) and the Health Services Appeal and Review Board (HSARB)

**OVERVIEW:** This article presents two health tribunals in Canada as case studies for understanding challenges and opportunities for advancing empirical research on adjudicative tribunals in the health sector. The article expounds on the role and functioning of adjudicative tribunals, how the work of these tribunals in the health sector could be assessed, potential challenges of conducting assessments, and possible ways to advance empirical assessments in this area.

**TITLE:** **I Can See Clearly Now: Videoconference Hearings and the Legal Limit on How Tribunals Allocate Resources**

**AUTHOR(S):** Lorne Sossin and Zamora Yetnikoff

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** January 2007

**FOCUS:** Landlord and Tenant Board (LTB)

**OVERVIEW:** This article discusses benefits and concerns in the use of videoconferencing in disputes before Ontario’s Landlord and Tenant Board (formerly the Ontario Rental Housing Tribunal). The article explores the response of the judiciary to the use of video conferencing in some judicial and tribunal settings, and the circumstances under which a decision to reduce costs by holding a hearing via videoconference could be deemed procedurally unfair or substantively unreasonable.

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**TITLE:** **Tribunals and Guidelines: Exploring the Relationship between Fairness and Legitimacy in Administrative Decision-making**

**AUTHOR(S):** France Houle and Lorne Sossin

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** September 2006

**FOCUS:** General Canada, Immigration and Refugee Board (IRB)

**OVERVIEW:** This article interrogates the use of guidelines as a policy instrument by administrative tribunals, and the legal principles grounding their use. The article examines the specific role and functioning of tribunals in policy-making and discusses how guidelines might be classified. The article urges additional analysis on the legal status of guidelines and further research and consideration of the legal issues guidelines raise.

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**TITLE:** **Tribunals Imitating Courts - Foolish Flattery or Sound Policy?**

**AUTHOR(S):** David Mullan

**PUBLICATION TYPE:** Journal article

**DATE OF PUBLICATION:** May 2005

**FOCUS:** General Canada

**OVERVIEW:** This article discusses the “due process explosion” and the extent to which agencies and tribunals, in adopting procedural fairness regulations, begin to closely resemble courts and the traditional adversarial model. The article explores whether this represents a positive shift for agencies and tribunals, particularly in their capacity as alternatives to the courts.

**TITLE:** **Discovering What Tribunals Do: Tribunal Standing Before the Courts**  
**AUTHOR(S):** Laverne Jacobs and Thomas Kuttner  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** November 2002  
**FOCUS:** General Canada

**OVERVIEW:** This article explores the relationship between Canada's tribunals and courts in administrative law. The article focuses on this relationship when questions of tribunal standing arise following an application for judicial review, and when evidentiary issues are raised and tribunals must explain their actions to the courts.

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**TITLE:** **Tribunals: Divergence and Loss**  
**AUTHOR(S):** Robin Creyke  
**PUBLICATION TYPE:** Journal article  
**DATE OF PUBLICATION:** September 2001  
**FOCUS:** General Australia

**OVERVIEW:** The focus of this article is on the style and functioning of tribunals in Australia. The article considers whether there are differences in how tribunal decisions are made or assessed. The article also discusses the Administrative Review Tribunal, which was proposed as an administrative body responsible for reviewing tribunal decisions made by tribunal administrators.