

**Human Rights Tribunal  
of Ontario**

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**Tribunal des droits de la personne  
de l'Ontario**

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Tribunal File No.: **2010-07633-I**

March 11, 2011

Michael Jack  
c/o Lloyd Tapp  
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MCSCS, Legal Services  
c/o Chris Donszelmann  
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Ontario Provincial Police Association  
c/o Marty MacMarow  
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Barrie, Ontario L4M 2Y1

**RE: Michael Jack vs. Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety & Correctional Services and operating as the Ontario Provincial Police**

**Subject: Notice of Application**

A legal proceeding has been commenced at the Human Rights Tribunal of Ontario (HRTO). The Application, filed by Michael Jack on December 14, 2010, has been assigned HRTO File number **[2010-07633-I]**. The HRTO file number must be included on all your correspondence and any documents filed with the HRTO.

The applicant names Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety & Correctional Services and operating as the Ontario Provincial Police as respondent to the Application.

The applicant also identifies Ontario Provincial Police Association as a person or organization which may be affected by the Application.

**By April 18, 2011 the respondent must file a Response (Form 2).**

**By April 18, 2011 the affected party or parties may file a Request to Intervene (Form 5).**

You, your representative and your witnesses are entitled to accommodation of any *Human Rights Code*-related needs. The HRTO's Policy on Accommodation and Accessibility is available at <http://www.hrto.ca/hrto/?q=en/node/44>. Notify the Registrar as soon as possible if accommodation is required.

The HRTO's Rules of Procedure, Guides, Practice Directions and Policies are available on our website, [www.hrto.ca](http://www.hrto.ca), or by contacting the HRTO by email at [hrto.registrar@ontario.ca](mailto:hrto.registrar@ontario.ca), by phone (416-326-1312 or toll free 1-866-598-0322, TTY 416-326-2027 or TTY toll free 1-866-607-1240), or in person at 655 Bay Street, 14<sup>th</sup> floor, Toronto, Ontario, M7A 2A3. These documents are available in a variety of accessible formats.

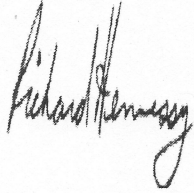
## **FILING DOCUMENTS WITH THE HRTO**

Documents filed as email attachments may not exceed 10 Mb. See Rule 1.17(e).

At least two hard copies of any document larger than 20 pages must be provided to the HRTO. One of the copies must be unbound. See Rule 1.19.1. If you are filing bound documents with the HRTO please provide an index to the bound documents and, if possible, an electronic version. All written communications must be addressed to the Registrar. With the exception of the Response (Form 2), any document, including emails, **must** be copied to the other parties before being filed with the HRTO. The HRTO cannot accept any materials unless you confirm that they have been copied to the other parties.

The HRTO will send information to the address you have provided to us. If your contact information changes, you must advise the HRTO immediately.

Yours truly,

A handwritten signature in black ink, appearing to read "Richard Hennessy". The signature is written in a cursive style with a large initial "R".

Richard Hennessy  
Registrar

## **IMPORTANT INFORMATION FOR THE APPLICANT**

The HRTO has delivered your Application to the respondent(s) named in the Application and to any organization or person named as an affected person in the Application.

The respondent(s) will have thirty-five days to file a Response to the Application. After reviewing the Response for completeness the HRTO will deliver a copy of the Response to you.

Rule 9.1 of the HRTO's Rules of Practice requires an applicant who intends to prove a version of the facts different from those set out in a Response to deliver and file a Reply (Form 3) setting out the different version, unless that version of facts is already set out in the Application. An applicant may also file a Reply to respond to new matters raised in the Response.

If you named a person or organization as an affected party in your Application, they will have thirty-five days to deliver a Request to Intervene. If they do so, you will have an opportunity to respond to that Request.

## **IMPORTANT INFORMATION FOR THE RESPONDENT(S)**

The HRTO has received an Application that names you as a respondent. A copy of the Application is attached.

To respond to the Application, you must file a completed Response (Form 2) with the HRTO **no later than April 18, 2011**. You must include the HRTO File number [**2010-07633-I**] on your Response and on all documents and materials filed with the HRTO. You may wish to review the HRTO's Rules of Procedure, Guides and Practice Directions, all available on the HRTO's website at [www.hrto.ca](http://www.hrto.ca), before completing your Response.

Your Response will be reviewed for completeness before being delivered to the applicant. A complete Response must provide the information requested in each section of the Form 2, respond to each allegation set out in the Application, and must also include any additional facts and allegations on which you rely. The HRTO may not permit you to present evidence or make submissions with respect to a fact or issue that was not raised in your the Response.

If you fail to respond to the Application, the HRTO may deem you to have accepted all of the allegations in the Application, deem you to have waived all rights with respect to further notice or participation in the proceeding, proceed to deal with the Application without further notice to you and decide the matter based only on the material before the HRTO.

Once your Response is accepted by the HRTO for processing, the HRTO will deliver it to the applicant, to any other respondent(s) and to any organization or person identified as an affected party.

HRTO forms are available on the HRTO's website, or by request by email, [hrto.registrar@ontario.ca](mailto:hrto.registrar@ontario.ca), phone (416-326-1312, toll-free 1-866-598-0322, TTY 416-326-2027 or TTY toll-free 1-866-607-1240), or in person from our office at 655 Bay St., 14<sup>th</sup> Floor, Toronto, ON, M7A 2A3. These forms are available in a variety of accessible formats.

## **IMPORTANT INFORMATION FOR TRADE UNIONS/ OCCUPATIONAL OR PROFESSIONAL ORGANIZATIONS/ AFFECTED PERSONS**

The HRTO is in receipt of an Application that identifies you as a person or organization that may be affected by the Application. A copy of the Application [2010-07633-I] is attached. The HRTO File Number must be included on all correspondence and any documents filed with the HRTO.

The HRTO's Rules of Procedure define affected person as "a person, organization, trade union or other occupational or professional association identified in an Application or Response as being affected by a proceeding and entitled to notice of the proceeding".

As a named affected person you may make a Request to Intervene (Form 5) in the proceeding. You may wish to review the HRTO's Rules of Procedure, Guides and Practice Directions, all available on the HRTO's website at [www.hrto.ca](http://www.hrto.ca), before completing your Request to Intervene.

Your Request to Intervene must be filed with the HRTO **no later than April 18, 2011**. If you do not make a Request to Intervene by this time the HRTO may proceed without further notice to you.

Follow these steps to make a request to intervene:

1. Fill out Form 5.
2. Deliver a copy of Form 5 to all parties (applicant and respondent(s)) and any other affected persons or organizations identified in the Application or the Response.
3. Complete a Statement of Delivery (Form 23).
4. File Form 5 and Form 23 with the HRTO.

HRTO forms are available on the HRTO's website, or by request by email, [hrto.registrar@ontario.ca](mailto:hrto.registrar@ontario.ca), phone (416-326-1312, toll-free 1-866-598-0322, TTY 416-326-2027 or TTY toll-free 1-866-607-1240), or in person from our office at 655 Bay St., 14<sup>th</sup> Floor, Toronto, ON, M7A 2A3. These forms are available in a variety of accessible formats.