



Health Professions Review Board

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Practice Directive 9

Use of Artificial Intelligence (AI) in Tribunal Proceedings

This Practice Directive provides guidance to participants in Review Board proceedings who wish to use AI tools to assist them in the review process

What is Artificial Intelligence

AI is a term for technologies that allow computers to perform tasks that are usually done by humans. AI systems use algorithms, data, and computational power to simulate human intelligence. Generative AI is a technology that can take inputs like text, images, or audio, and generate new content from them.

Use of Artificial Intelligence Tools by Review Board Members

Adjudication is a human responsibility. Review Board members hear cases and make decisions based on the evidentiary record and submissions. They are fully accountable for their decision-making. Members do not use AI to write decisions, but may use approved, secure AI tools to assist in analysis of evidentiary material.

Use of Artificial Intelligence Tools by Participants

AI tools may be used by parties to a review but, if you rely on AI for research or to prepare documents for the Review Board, you must do so carefully. Keep these key points in mind:

1. Use of the Record

Parties are not permitted to put any part of the Record into an AI tool such as ChatGPT.

2. Use Reliable Sources

AI might give you incorrect or made-up legal sources. Always verify the information by going directly to recognized legal databases like CanLii for case law. This protects the integrity of our justice system.

3. Human Responsibility

You are responsible for the accuracy of any submissions AI helped prepare, so

- a. review them to make sure they say what you intended; and
- b. disclose that AI was used in preparing them.

Resources:

Canadian Human Rights Tribunal Practice Direction: Use of artificial intelligence (AI) in Tribunal proceedings

https://chrt-tcdp.gc.ca/en/about-us/practice-direction-use-artificial-intelligence-ai-tribunal-proceedings?utm_source=substack&utm_medium=email

Canadian Judicial Council Guidelines:

<https://cjc-ccm.ca/en/news/canadian-judicial-council-issues-guidelines-use-artificial-intelligence-canadian-courts>

For lawyers, the Law Society has a practice resource:

<https://www.lawsociety.bc.ca/Website/media/Shared/docs/practice/resources/Professional-responsibility-and-AI.pdf>

BC Government draft principles on AI use in government services:

<https://digital.gov.bc.ca/policies-standards/ai/draft-responsible-use-principles/#:~:text=Our%20updated%20guiding%20AI%20principles,privacy%2C%20fairness%20and%20human%20rights>

The Federal Court has set out Interim Principles and Guidelines on the Court's Use of Artificial Intelligence, and issued a Notice on the Use of Artificial Intelligence in Court Proceedings:

<https://www.fct-cf.gc.ca/en/pages/law-and-practice/artificial-intelligence>

<https://www.fct-cf.gc.ca/Content/assets/pdf/base/FC-Updated-AI-Notice-EN.pdf>



David Hobbs, Chair
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