

# Reporters warn typing pools would compromise transcripts

BY ROBERT TODD  
Law Times

Court reporters in the province say the quality of transcripts will suffer if apparent government plans to shift to an automated, typing-pool style system go ahead.

"We're concerned that the record is really going to be compromised, and people are really going to pay the price for that," says Kimberley Neeson of the Chartered Shorthand Reporters' Association of Ontario.

A memo, obtained by *Law Times* and sent to lawyers last month, suggests a new system could be introduced in which the bulk of transcripts will be compiled by typists at centralized offices. Helen Haggith, president of OPSEU Local 154 and involved in court reporter issues, compiled the memo.

The system would see three positions created for court reporting in the province, said the memo. An "electronic court

monitor" would take the record in court, and a "transeditor" would type transcripts from one of eight regional offices. A "voice-writer" would be used in cases in which an overnight transcript has been requested, according to the memo, and would read the record into voice-recognition software and edit the final transcript.

*Law Times'* requests for comment from the Ministry of the Attorney General were not returned by press time.

The ministry's apparent plans have become part of ongoing collective agreement talks between the ministry and OPSEU, the union representing court reporters employed by the government, says Neeson. She says the issue is going before an arbitrator.

"It's an access to justice issue, in that everyone who's before the court deserves a good transcript," says Neeson, who was president of the CSRAO in the mid-1990s when a failed attempt was made at creating a typing-pool system similar to what Neeson says the



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government is now proposing.

"The typing-pool model doesn't work," she says. "A lot of the things we do are fairly complex. . . . If you don't have access to being able to look at documents, to ask questions, to get spellings of witnesses' names, it's a problem."

Neeson says CSRAO is asking for the support of the Ontario Bar Association, Criminal Lawyers' Association, the Association in Defence of the Wrongly Convicted, other legal organizations, and the general public to block any attempts by the province to move to a typing-pool system.

CLA president Frank Addario says the government has yet to approach the organization

regarding its plans for court reporting, "because they claim it's part of contract negotiations."

He says the CLA's position is: "The single determinant for the government ought to be maintaining or improving the accuracy of transcripts and the speed with which they're produced.

"We think that in-court court reporters have shown themselves to be the best producers of accurate transcripts," continues Addario. "So I'm very worried that transcript production is going to be contracted out to inexperienced typists who've never been in a courtroom, don't understand the terminology, and are unable to seek clarification of things that are not said clearly because they're not present."

A previous attempt at automated court reporting happened in 1994 when NDP finance minister Floyd Laughren came up with a plan to save \$60

million by slashing the jobs of half of the province's 720 court reporters. Neeson says that plan was scrapped after results from pilot projects showed the system didn't work. Addario calls the pilots "a disaster."

Neeson says British Columbia has adopted a typing-pool model for court reporters at some levels. She says private companies there are often contracted to compile transcripts from tapes.

"What also happens is, those who can afford it will bring in their own court reporter," says Neeson. "So you get a bit of a two-tiered justice system happening there."

The CLA last week wrote to the ministry regarding the review of court reporting, and Addario says he's confident the ministry will consider the association's advice.

"I don't think anything's a done deal yet," he says. **LT**