



Human Rights Tribunal of Ontario

Request to Expedite Proceedings - Rule 21 (Form 14)

(Disponible en français)

www.hrto.ca

An Applicant may request an expedited process by completing this Request to Expedite Proceedings (Form 14). This Form must be filed together with the Application.

Before completing this Form, please see the Tribunal's **Practice Direction on Requests to Expedite an Application and Requests for an Interim Remedy** for important information.

Follow these steps to make your request:

1. Fill out this Form 14.
2. Obtain the necessary declarations signed by persons with direct first-hand knowledge detailing all of the facts upon which you rely in support of your request. Include any documents that support the request.
3. File Form 14 and the attached declarations at the same time as you file your Application to the Tribunal.

Information for all parties and affected persons identified in the Application who receive a copy of this Request to Expedite Proceedings:

You may respond to this Request to Expedite an Application by completing a Response to a Request to Expedite an Application (Form 15).

If the Tribunal does not direct otherwise, follow these steps to respond:

1. Fill out Form 15.
2. Deliver a copy of Form 15 to all parties and any affected persons identified in the Application.
3. Complete a Statement of Delivery (Form 23).
4. File Form 15 and Form 23 with the Tribunal.

Unless otherwise directed, you must file your Response to a Request to Expedite a Proceeding no later than **seven (7)** days after the Request to Expedite a Proceeding was delivered to you.

Download forms from the Tribunal's web site www.hrto.ca. If you need a paper copy or accessible format, contact us.

Human Rights Tribunal of Ontario
655 Bay Street, 14th floor
Toronto, Ontario
M7A 2A3

Phone: 416-326-1312 Toll-free: 1-866-598-0322
Fax: 416-326-2199 Toll-free: 1-866-355-6099
TTY: 416-326-2027 Toll-free: 1-866-607-1240
Email: hrto.registrar@ontario.ca



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1. Your Information (person or organization making this Request)

First (or Given) Name	Last (or Family) Name	Organization (if applicable)
David	Wright	Ryder Wright Blair & Holmes LLP333

Street #	Street Name	Apt/Suite
333	Adelaide St. W..	3 RD Floor

City/Town	Province	Postal Code	Email
Toronto	Ontario	M5V 1R5	dwright@rwbh.ca

Daytime Phone	Cell Phone	Fax	TTY
416 340-9070	416 402-8614	416 340-9070	

If you are filing this as the Representative (e.g. lawyer) of one of the parties please indicate:

Name of party you act for and are filing this on behalf of: FIFA Women's World Cup 2015 Invitees

LSUC No. (if applicable): 28715G

What is the best way to send information to you?

(if you check email, you are consenting to the delivery of documents by email)

Mail Email Fax

1. Describe in detail the urgent circumstances that may affect the fair and just resolution of the merits of the Application if the Application proceeds in accordance with the Tribunal's regular process.

In this Application the Applicants assert that the Respondents' decision to hold FIFA Women's World Cup 2015 Canada matches on artificial turf playing fields discriminates on the basis of sex against the Applicants, and all players in the tournament, in that FIFA Men's World Cups have always been played on natural grass fields. The Applicants seek as remedies orders that will require the FIFA Women's World Cup 2015 Canada to be played on natural grass fields.

The tournament games will commence on June 6, 2015 and conclude on July 5, 2015. In order for it to be possible for the Applicants to obtain any effective remedy for the discrimination they would experience by being required to play on artificial turf, a hearing needs to have been held and completed well in advance of the opening of the tournament.

FIFA Women's World Cups are the premier event in women's soccer and only take place every four years. Female soccer players thus have limited opportunities to play in tournaments of this elite level. For some, this will be their only opportunity to play in a World Cup.

It is not possible to postpone or reschedule games pending a hearing before the Tribunal, or to have a second tournament played. Thus the discrimination can only be remedied in advance of the tournament.

While at this point there is still sufficient time to prepare natural grass playing fields, this preparation needs to begin by early 2015 in order to permit grass playing fields to be in place for the start of the tournament.

If the Tribunal's regular schedule for processing and hearing applications is followed, it is highly unlikely that a hearing would be held and completed in time.

The Applicants therefore seek an expedited hearing.

2. Describe the harm that would result if this Request is denied.



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If this request is denied and the Tribunal addresses this Application under its ordinary timeline, it is highly likely that the Tribunal will not have heard the case until after the tournament has been played, at which point it will be too late to remedy the injustice that will have been done to women players. The Applicants, and all players in the tournament, will have been forced to play on a substandard surface that fundamentally alters game play and will have had to endure the indignity of having to compete in their premier event under second class conditions. Furthermore, the Applicants would also have had to face the heightened risk of injuries on the artificial turf surfaces, including turf-specific injuries such as "turf burn" or "turf toe" and knee or ankle sprains and tears.

It is impossible to provide any effective or real remedy for this discrimination once the games have been played. At that point the damage cannot be undone.

The only effective remedies that can be awarded are remedies ordered in advance of the tournament and in time to ensure that the tournament is played on natural grass playing surfaces.

3. Explain why in your view the Application should be given priority for Tribunal resources over other matters.

In the vast majority of cases that come before the Tribunal, the discriminatory actions in question have already occurred and remedial efforts are aimed at ameliorating the effects of past discrimination.

In this case, the effects of the discriminatory actions are still only pending, and there is still time to prevent those discriminatory effects from occurring, thereby ensuring the purposes of the Human Rights Code are achieved.

This case is also unlike other matters that come before the Tribunal in that it involves a very public and high profile tournament. Women athletes from around the world, including Canadians, will compete in Canada in 2015 in a World Cup in front of an audience of millions. The alleged discrimination, if not remedied in advance, will be on very public display to all in Ontario, Canada and indeed the world. Barring expedited action by the Tribunal, the tournament will be marred by the blatant discriminatory treatment of those competing. Such a public display of discrimination emanating from and occurring in Ontario, would undermine the purposes of the Human Rights Code.

Furthermore, tournament organizers had signaled a willingness to change course, by conducting a 2013 survey of the top women's players on the use of artificial turf in major international tournaments. The survey indicated that the results would be taken into account for future tournaments, including the 2015 World Cup. Even though it became overwhelmingly clear the players were against artificial turf, the organizers ignored the results, and failed to substantively respond to the Applicants' letter outlining their concerns and request for grass services.

4. Provide a detailed description of the changes you are requesting to the Tribunal's normal process if this Request to Expedite is granted. Include dates or timeframes, where applicable.

On September 24, 2014, the Applicants provided a copy of the draft of the Schedule A brief supporting a planned application to the Respondents, in a final attempt to resolve the matter without the need for litigation. The Respondent CSA has now retained counsel.

The Applicants will also provide the Respondents, through counsel and directly, with copies of all materials Applicants file with the Tribunal, at the same time that filing with the Tribunal occurs.

In the circumstances, where the Respondents have already had 7 days to consider the proposed Application, and have already had the time to retain counsel, the Applicants submit that the Tribunal should shorten the normal 35 day period for a Response to be filed, and should require the Respondents to submit their Response by October 22, 2014.

All parties should then provide their list of witnesses, witness "will-say" statements, list of documents and copies of documents, by November 3, 2014. At the same time each party should provide notice of any preliminary or procedural issues they intend to raise, or which need resolution prior to a hearing.



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The Applicants request that a date be set for a teleconference hearing before November 12 to deal with any such preliminary or procedural matters and that the date for the commencement of the actual hearing of the Application be set for November 26, 2014 (or as soon as possible thereafter).

This timing would permit any changes to venues the Tribunal may order if the Application succeeds to proceed within a feasible six month time frame.


Rule 21.2 b) requires that your Request to Expedite include one or more declarations signed by persons with direct first-hand knowledge detailing all of the facts upon which you rely in support of your Request. Have you attached the declaration(s)? For more information about declarations, please see the Practice Direction on Requests to Expedite an Application and Requests for an Interim Remedy.

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5. Signature

By signing my name, I declare that, to the best of my knowledge, the information that is found in this form is complete and accurate.

David Wright
Name


Signature

01/10/2014
Date (dd/mm/yyyy)

Please check this box if you are filing your Request electronically. This represents your signature. You must fill in the date, above.

Freedom of Information and Privacy

The Tribunal may release information about an Application in response to a request made under the *Freedom of Information and Protection of Privacy Act*. Information may also become public at a hearing, in a written decision, or in accordance with Tribunal policies. At the request of the Commission, the Tribunal must provide the Commission with copies of applications and responses filed with the Tribunal and may disclose other documents in its custody or control.