

CANADA / JUDGMENT

E.F. v. Correctional Service of Canada

2026 CHRT 18

COURT

Canadian Human Rights Tribunal

DECIDED

10 March 2026

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E.F. v. Correctional Service of Canada Collection Canadian Human Rights Tribunal Date
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Hadjis, Athanasios Decision type

Ruling

Grounds Gender identity or expression Decision Content Canadian Human Rights Tribunal
Tribunal canadien des droits de la personne Citation: 2026 CHRT 18 Date: March 10, 2026 File
No. : HR-DP-3208-26 Between: E.F. Complainant

- and - Canadian Human Rights Commission Commission
- and - Correctional Service of Canada Respondent

Ruling

Member: Athanasios Hadjis

- [1] The Complainant seeks an order anonymizing the proceedings in this complaint (“File #2”). The Respondent consents to the request. For the following reasons, I grant the motion.
- [2] The Complainant filed a closely related similar complaint against the same Respondent (Tribunal File 2856-22, “File #1”), which had been referred to the Tribunal for inquiry in 2022. Both files concern the Complainant’s access to gender-affirming health care while in the custody of the Respondent.
- [3] On April 3, 2023, I issued a ruling (E.F. v. Correctional Service of Canada, 2023 CHRT 15, the “Ruling”) granting the Complainant’s request to anonymize the proceedings in File #1. I noted that the Tribunal’s authority to issue confidentiality orders is set out at section 52 of the Canadian Human Rights Act, RSC 1985, c. H-6 (CHRA). I observed that although Tribunal inquiries are to be conducted in public, exceptional circumstances do arise where competing interests justify a restriction to this open court principle, as reflected in section 52(1)(c) of the CHRA, which provides that Tribunal members may take any measures and make any order to ensure the confidentiality of an inquiry if certain criteria are met.

- [4] I found that these criteria were satisfied in File #1. There was a real and substantial risk that exposing the Complainant's identity would cause her undue hardship, which poses a serious risk to an important public interest. The anonymization order was necessary, as no alternative measures would prevent the serious risk of hardship to the Complainant. Finally, I concluded that the substantial risks of hardship outweighed the social interest in knowing the Complainant's identity. The benefits of the confidentiality order outweighed any harms.
- [5] I am satisfied that the elements of File #1 on which the Ruling was based are also present in File #2. Consequently, for the same reasons, a similar confidentiality order should be issued for File #2, with the conditions set out below. I. ORDER [6] The Tribunal orders the following:
1. The Complainant must be referred to as E.F. throughout these proceedings, including in motions, submissions (both written and oral), hearings, rulings and decisions, and any other documents filed in the Tribunal's official record of these proceedings;
 2. The Complainants' identifying information, including her preferred name, her "dead name" (i.e., the name given at birth), the names of her family members, and her date of birth (collectively referred to as "Identifying Information"), will be kept confidential throughout these proceedings, including in motions, submissions (both written and oral), hearings, rulings and decisions, and any other documents filed in the Tribunal's official record of these proceedings;
 3. The Complainant's Identifying Information will not be disclosed to anyone except the Tribunal, Tribunal Secretariat personnel, members of the parties' litigation teams, their clients in this matter, and prospective or actual witnesses;
 4. The Registry is instructed to identify any Identifying Information filed in the official records of this proceeding. Such information is to be redacted from any public access request for the documents that contain it; and
 5. The parties will apply appropriate redactions before filing any documents with the Tribunal.
- Signed by Athanasios Hadjis Tribunal Member Ottawa, Ontario March 10, 2026 Canadian Human Rights Tribunal Parties of Record File No. : HR-DP-3208-26 Style of Cause: E.F. v. Correctional Service of Canada Ruling of the Tribunal Dated: March 10, 2026 Written representations by: Paul Quick , for the Complainant Oral representations at a Case Management Conference Call by: Aman Owais , for the Respondent

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Prepared on 30 October 2026 · Esheria