

CANADA / JUDGMENT

Hanna v. Canada (Attorney General)

2025 FC 2007

COURT

Federal Court

DECIDED

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Hanna v. Canada (Attorney General)

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T-1793-24

Decision Content

Date: 20251218

Docket: T-1793-24

Citation: 2025 FC 2007

Ottawa, Ontario, December 18, 2025

PRESENT: Madam Justice Sadrehashemi

BETWEEN:

DANIEL HANNA

Applicant

and

ATTORNEY GENERAL OF CANADA

Defendant

JUDGMENT AND REASONS

I. Overview [1] The overrepresentation of Indigenous people in federal prisons and the systemic discrimination they face in the correctional system has been well documented in numerous commission reports, inquiries, auditor general reports, and court decisions (Ewert v. Canada, 2018 SCC 30, [2018] 2 S.C.R. 165 at paras 56-57 [Ewert]; R. v. Gladue [1999] 1 S.C.R. 688 at para 64; Canada, Office of the Correctional Investigator, Ten Years since Spirit Matters: A Roadmap for Indigenous Corrections in Canada (2023) [CI: Ten Years]; Truth and Reconciliation Commission of Canada, Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada (2015) [TRC]; National Inquiry into Missing and Murdered Indigenous Women and Girls, Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019)).

- [2] The Correctional Investigator, as well as other expert bodies, have consistently recommended that Correctional Services Canada (“CSC”) provide high-quality, culturally informed programming as one way to narrow the disparities in correctional outcomes for Indigenous people in custody (CI: Ten Years at pp. 2; TRC, Call to Action No. 36; Canada, CSC, Audit of Management of Elder Services (2022) at pp. 20 [Audit of Management of Elder Services]). The requirement to provide such programming is mandated in the Corrections and Conditional Release Act (“CCRA”) and Commissioner’s Directives. Access to Indigenous Elders and knowledge keepers is a key component of this programming (CI: Ten Years at pp. 106). The CSC is required to take “all reasonable steps” to provide Indigenous people in custody with access to an Indigenous spiritual leader or Elder (section 83(2) of the CCRA).
- [3] The grievance at issue is about one federal medium security prison in Ontario, Bath Institution (“Bath”), and the ability of Indigenous people in custody at Bath to access Elder services. When the Applicant, Mr. Hanna, filed his final-level grievance to the national level of CSC, he was Chair of the Indigenous Wellness Committee and one of approximately 100 Indigenous people in custody at Bath.
- [4] Mr. Hanna’s final-level grievance is detailed and multi-faceted. He raises allegations about his inability to access services from Elders at Bath and its impact on him, as well as the systemic lack of access to Elders at Bath and its consequences for the correctional outcomes of Indigenous people in custody. Mr. Hanna alleges that difficulties in recruiting and retaining Elders at Bath are a result of institutional racism and, in support of this allegation, he sets out specific incidents involving senior management. Mr. Hanna’s grievance also references and includes numerous reports and audits about CSC’s treatment of Indigenous people in federal prisons, including recent audits about the lack of access to Elders across the country (CI: Ten Years; Audit of Management of Elder Services; Office of the Auditor General, Report 4 – Systemic Barriers – Correctional Service Canada (2022) [Systemic Barriers]).

- [5] The Special Advisor to the Commissioner (“SAC”) decided Mr. Hanna’s final-level grievance. The SAC accepted that if Mr. Hanna’s allegations were true, a claim of discrimination would be made out. The SAC then made no findings on the validity of Mr. Hanna’s allegations but found, based on the information on file from the CSC, that some steps had already been taken to increase access to Elders at Bath and that an action plan was in place to address access to Elder services. After noting these efforts, the SAC concluded that “no further action” was required.
- [6] Mr. Hanna argues that the SAC’s evaluation of his grievance was procedurally unfair and unreasonable. The Minister agrees.
- [7] The core issue of dispute is what happens on redetermination.
- [8] In harassment and discrimination grievances, the Commissioner’s Directive 081: Offender Complaints and Grievances [Directive 081] and Guideline 081-1 limit the circumstances where a decision-maker can “respond immediately” without an outside investigation to those where there is “sufficient information available” to determine whether the allegations are founded. Mr. Hanna asks that the Court direct an outside investigation occurs as part of the final-level grievance decision-making process, as contemplated in Directive 081 and Guideline 081-1. The Minister says the determination of whether an outside investigation is necessary or whether the SAC could “respond immediately” based on “sufficient information available” is a decision for the SAC and not for this Court.
- [9] I agree with Mr. Hanna that, given the scope and nature of his grievance allegations and the information in the file relied upon by the SAC to make its decision, an outside investigation was required to respond to his grievance. To correct the breach, an outside investigation is necessary to fairly assess Mr. Hanna’s allegations.
- [10] Given the nature of Mr. Hanna’s allegations, and the types of inquiries required to evaluate these broad, systemic issues, the SAC cannot “respond immediately.” Even if the SAC made further consultations on redetermination, it could not result in the SAC having “sufficient information available” to “respond immediately” to all of the issues raised in Mr. Hanna’s grievance. In these circumstances, in light of the language of Directive 081 and Guideline 081-1, I see no purpose in sending back this narrow procedural question for redetermination where the result, that an outside investigation is necessary to determine the validity of Mr. Hanna’s allegations, is inevitable (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [Vavilov] at para 142).
- [11] The SAC’s evaluation of Mr. Hanna’s final-level grievance is set aside. The grievance as a whole is sent back for the SAC to redetermine, after an outside investigation into Mr. Hanna’s allegations.

II. Background Context A. Indigenous Elders in Correctional Institutions [12] The Supreme Court of Canada in *Ewert* found that section 4(g) of the CCRA, that provides that CSC’s correctional policies, programs and practices be responsive to the special needs of Indigenous people, is a

“direction from Parliament to the CSC to advance substantive equality in correctional outcomes for, among others, Indigenous offenders.” The Supreme Court explained that section 4(g) is an “acknowledgment of the systemic discrimination faced by Indigenous persons in the Canadian correctional system” and that “it is critical that the CSC give meaningful effect to s. 4(g) in performing all of its functions” (Ewert at para 53). Sections 79 through 84.1 of the CCRA set out some of the specific ways CSC is required to provide programs designed to meet the specific needs of Indigenous people in custody, including in providing Elder services. Section 83 (2) provides that the CSC “shall take all reasonable steps to make available to Indigenous inmates the services of an Indigenous spiritual leader or elder....”

[13] The CSC acknowledges that Elders play a crucial role in providing services to Indigenous people in custody. Elders are meant to provide a wide range of services within correctional institutions, including ceremonial and spiritual services, advice and guidance, and case management. This work can include: group and individual counselling, teaching and ceremonial services, assisting with correctional plans, escorting to ceremonial and spiritual events outside of the institution, participating in case conferences and updating the case management team on an individual’s participation and progress in their healing path (Audit of Elder Services at Annex D).

[14] Recent reports from Correctional Investigator and the CSC have highlighted the problems in accessing Elder services in federal prisons. The Correctional Investigator interviewed Elders about their experiences working in institutions across the country and found that overall, the Elders faced significant barriers to providing their services, including workload and terms of their contracts (CI: Ten Years, pp. 104). In its Audit of Elder Services, the CSC concluded that “provision of Elder services is unable to meet offender needs and CSC’s processes to identify, engage and select Elders is insufficient” (Audit of Elder Services, pp. 18).

B. Procedural History [15] In September 2023, Mr. Hanna filed an initial level grievance in relation to the persistent lack of Elder services and Indigenous correctional and cultural programming at Bath that impeded the correctional progress and healing of Indigenous people in custody.

[16] A month after he filed his grievance, Mr. Hanna met with the Assistant Warden, Interventions. An informal resolution was reached as a full-time permanent Elder was supposed to be returning to Bath in the fall. However, the Elder who returned in the fall left the position shortly after, and an Elder from another institution was only available to assist part time. As a result, Mr. Hanna reactivated his grievance in January 2024.

[17] The Warden denied Mr. Hanna’s initial level grievance in February 2024. The Warden acknowledged that “the recruitment and retention of Elders is an ongoing challenge in the Ontario region” and identified the need for a full time Elder to the Regional Administrator of Indigenous Initiatives. The Warden further noted that Bath employed two Elder Helpers, a part-time Elder, an Indigenous Liaison Officer, and occasionally received assistance from an

Elder at another institution. Ultimately, the Warden determined that the grievance was “beyond [his] authority” because they were not responsible for entering into contracts with Elders.

[18] Mr. Hanna escalated his grievance to Correctional Services National Headquarters in March 2024. In his final level grievance Mr. Hanna alleged that there was a culture of anti-Indigenous discrimination among management at Bath, and this resulted in the inability to recruit and retain Elders. Mr. Hanna provided specific instances where he had witnessed discriminatory conduct by senior management. Mr. Hanna also set out his own experience of not being able to access the support of an Elder, even by phone or video, when his mother died and instead being directed to a Chaplain.

[19] Overall, Mr. Hanna’s final level grievance can be grouped into three broad areas of concern:

i) CSC is failing to meet its statutory and human rights obligations to provide Elder services to Indigenous people in custody at Bath;

ii) the failure of the CSC to provide Elder services has inhibited correctional progress and healing for Mr. Hanna and other Indigenous people in custody at Bath; and

iii) the pervasive culture of disrespect toward Indigenous people among CSC staff, institutional racism at Bath, has undermined the recruitment and retention of Elders.

[20] Mr. Hanna asked that the SAC take the following steps in response:

CSC should acknowledge that their failure to provide equitable access to Indigenous programs and services at Bath are inconsistent with its obligations under CCRA and Canadian Human Rights Act;

CSC should acknowledge that its culture has contributed to difficulties in retaining Indigenous staff and Elders;

Set out urgent, detailed, and thorough corrective action CSC plans to take to address the grievances; and

Take action without delay and provide monthly progress reports.

[21] On June 18, 2024, the SAC partially upheld Mr. Hanna’s grievance, finding the Warden had not followed the required procedure set out in Directive 081 for considering discrimination grievances. Ultimately, however, the SAC concluded no further action was required to address Mr. Hanna’s grievance. In reaching this conclusion, the SAC made no findings of fact about whether Mr. Hanna’s allegations were founded.

[22] The SAC described Elder services as a “essential service” and a “critical intervention” for Indigenous people in custody. The SAC reiterated the measures being taken at Bath that were set out in the Warden’s initial level grievance response: Elder helpers are assisting with programs and services, the Pathways program Elder is providing services for the general population, another Elder will be providing services to the general population for 2-3 days a

week for 6 weeks, and an Elder from Millhaven Institution occasionally provides ceremonies at Bath.

[23] The SAC noted that CSC is “making every effort” to ensure access to Elders. The SAC noted that various management bodies are communicating to “ensure that an action plan is implemented to address concerns around the recruitment and retention of Elders/Spiritual Advisors at Bath....”

[24] The SAC found that Bath had taken appropriate measures to address the substantive issues raised. The SAC concluded that Mr. Hanna’s grievance required “no further action.”

III. Issues and Standard of Review [25] The parties have raised issues relating to both the process and the substance of the decision. First, whether the SAC breached procedural fairness in not following the process set out in Directive 081 for responding to a discrimination grievance; and second and relatedly, given the lack of responsiveness to Mr. Hanna’s particular allegations, whether the reasoning and outcome is sound.

[26] The parties agree, as do I, that in relation to the fairness breach, I ought to consider whether the procedure was fair in all the circumstances (Vavilov at paras 23, 77; Canada (Citizenship and Immigration) v Khosa, 2009 SCC 12 at para 43; Canadian Pacific Railway Company v Canada (Attorney General), 2018 FCA 69 at para 54). With respect to the substance of the SAC’s analysis and conclusion, the parties agree that this is to be reviewed on a reasonableness standard (Vavilov at paras 12-13, 84).

IV. Analysis A. Discrimination Grievance Process – Two Stage Process [27] Commissioner’s Directives are publicly issued rules designated by the Commissioner of the CSC under sections 97 and 98 of the CCRA. The Federal Court of Appeal has held that Commissioner’s Directives are “regulations” under section 2 of the Interpretation Act (Mercier v Canada (Correctional Service), 2010 FCA 167 at para 58). Some Commissioner’s Directives contain references to Guidelines that elaborate on the instructions in a directive.

[28] The grievance at issue involves a discrimination claim. There is two-step procedure for responding to harassment, sexual harassment and discrimination grievances set out in paragraphs 47-48 of Directive 081 and paragraphs 25-27, 31-38 of Guideline 081-1:

Step 1: Would the allegation, if proven, meet the definition of “discrimination” set out in Annex A of Directive 081?

a) Annex A of Directive 081 defines discrimination as “when an offender believes that actions, language or decisions of CSC staff were made in a discriminatory manner based on one of the prohibited grounds of discrimination as defined in section 3 of the Canadian Human Rights Act.”

Step 2: If yes, the decision maker must give consideration to convening an outside investigation into the matter to determine if the allegations are founded. Then, the decision maker must either:

a) Respond immediately to the issues raised where they determine there is sufficient information available to ascertain whether the alleged conduct actually occurred, and make a determination as to whether the specific allegation(s) were founded or unfounded; OR

b) Convene an outside investigation in accordance with the procedures for outside investigations set out at in Guideline 081-1 paras 31-38.

[29] The two step procedure for discrimination grievances is required to be followed at both the initial-level response and the final level response stages. The SAC found that the Warden failed to follow the two-step procedure in responding to Mr. Hanna's initial level grievance. The SAC determined that the Warden failed to conduct an analysis as to whether if Mr. Hanna's allegations were proven whether a discrimination claim would be made out. The SAC conducted this analysis and found that - accepting Mr. Hanna's allegations as valid - discrimination would be established.

[30] At issue in this judicial review is what steps, if any, the SAC took at the second stage in determining whether Mr. Hanna's allegations were founded. The parties agree that the SAC is to conduct their review de novo (*Lauzon v Canada (Attorney General)*, 2019 FC 245 at para 62).

B. Stage Two - SAC's Failure to Assess Allegations was Unfair and Unreasonable [31] Once a decision-maker finds at step one that the allegations, if sustained, meet the definition of discrimination, "they must give consideration to convening an outside investigation in the matter in order to ascertain whether the alleged conduct actually occurred" (Guideline 081-1, paragraph 26).

[32] The SAC did not provide any reasoning on their decision to not convene an outside investigation. Either the SAC did not turn their mind to whether an outside investigation was necessary to determine the validity of the allegations, as required, or they proceeded on the view that they had "sufficient information available" to "respond immediately" (Guideline 081-1, paragraphs 26-27). I note that given the mandatory language in the Guideline 081-1 that the decision-maker "must give consideration" to convening an outside investigation, it would be helpful where an outside investigation is not being convened that the decision-maker explicitly explains that they are responding immediately because there is "sufficient information available".

[33] Whether an outside investigation is convened, or a decision-maker decides to "respond immediately", they are required to make a determination as to whether the allegations are founded. Both parties agree that the SAC failed to make any findings with respect to Mr. Hanna's specific allegations. Instead, the SAC seemed to have narrowly construed the task as limited to ensuring efforts were being made to address some part of Mr. Hanna's grievance.

[34] The SAC's analysis of the grievance at stage 2 is limited to two paragraphs – both focus on the efforts made by CSC on access to Elder services. In the first paragraph, SAC reviews the steps taken at Bath that were set out by the Warden in the initial level grievance response:

It is noted that the response to your initial grievance acknowledges the difficulties faced in this regard and presents a roadmap currently in place to address those issues. Communications with Bath Institution have confirmed that a number of the measures invoked in the response to your initial grievance to address the issues with access to an Elder and Indigenous services for the Indigenous population at Bath Institution have been taken. Specifically, a new Elder Helper and a returning one have been able to assist with programs and ceremonies as well as conduct regular circles and sessions with Indigenous inmates. In addition, it was confirmed that the Elder dedicated to the Pathways program was also assisting with services for the general population, particularly with some one-on-one counselling as it is part of their duties to review and recruit future participants in the Pathways program. It was also confirmed that the previous Elder assigned to programs has been dedicating two to three days per week to offer services to the general population for approximately six weeks and that the resources of the Millhaven Institution Elder have occasionally been deployed at Bath Institution to provide ceremonies. Bath Institution indicated that they are continuing to update the Regional Administrator of Indigenous Initiatives on their need for an Elder to be hired on a permanent basis.

[35] The second paragraph of the analysis is copied from a response the Manager of Operations at the Indigenous Initiatives Sector (“IIS”) provided as part of an email consultation on a grievance by a different inmate who also alleged discrimination because of the lack of Elder services at Bath. I note that this response post dates the Warden’s initial level response and forms part of the SAC’s de novo review of the grievance. The SAC relied on this passage from the Indigenous Initiatives Sector to set out the efforts made nationally and regionally to address the problem of lack of access to Elder services across institutions and in particular at Bath:

Please note that CSC recognizes that Elder services are a critical intervention offered to Indigenous peoples who find themselves in the federal correctional system. CSC is making every effort to ensure that this essential service is available to all Indigenous offenders in every institution. The Indigenous Initiatives Sector is working with the Ontario Region to rectify the situation. The Deputy Commissioner of Indigenous Corrections is in communication with the Regional Deputy Commissioner for the Ontario Region to ensure that an action plan is implemented to address concerns around the recruitment and retention of Elders/Spiritual Advisors at Bath Institution.

[36] At stage two, the decision-maker must determine whether the allegations are founded. The SAC skipped over evaluating the validity of allegations and focused on assessing CSC’s efforts on one aspect of Mr. Hanna’s grievance: the systemic lack of access to Elders at Bath. There seems to be an implicit acknowledgement that there is some problem with access to Elder services at Bath that needs to be “rectified”. This limited and vague treatment of Mr. Hanna’s allegations is conducted without evaluating the nature and extent of the problem, including: i) the impact of lack of access to Elders on Mr. Hanna and the other Indigenous people in custody at Bath, which Mr. Hanna alleged affected their correctional outcomes and contributed to overrepresentation of Indigenous persons in prisons; and ii) the causes of the

problem of recruitment and retention of Elders, which Mr. Hanna alleged was rooted in institutional racism.

- [37] The parties agree, as do I, that the failure of SAC to make any findings of fact in relation to Mr. Hanna's allegations is in breach of the mandatory procedure for discrimination grievances that is set out in Directive 081 and Guideline 081-1. This is a sufficient basis on which to send the matter back to be redetermined.
- [38] I also find that the SAC's reasoning and conclusion that Mr. Hanna had "received a complete, documented, comprehensible, and timely response to all issues invoked in your initial grievance" is unreasonable. The SAC's evaluation of the grievance is not responsive to the issues raised in the grievance because there is no evaluation of the validity of Mr. Hanna's specific allegations. Nor is there any conclusion on a core allegation that CSC's failure to provide access to Elder services is inconsistent with the requirements under the Canadian Human Rights Act and the CCRA.
- [39] The lack of analysis on these central issues "call[s] into question whether the decision maker was actually alert and sensitive to the matter before it" (Vavilov at para128). Further, the conclusion that the grievance "requires no further action" is unintelligible because there are no details as to the "action plan" that will be implemented and whether it addresses Mr. Hanna's allegations or is sufficient to address the problems at issue in the grievance.

C. Outside Investigation vs Responding Immediately [40] Mr. Hanna asks that on redetermination, the Court direct that an outside investigation be convened to evaluate his allegations. The details of the convening order for the investigation and the overall merits of the grievance will be left with the SAC to redetermine, but Mr. Hanna argues that it is inevitable that the only fair and reasonable procedural choice to investigate Mr. Hanna's discrimination allegations is through an outside investigation. The Respondent argues that the procedural choice between convening an outside investigation or responding immediately to the grievance based on the available information should be left to the SAC on redetermination.

- [41] Both parties agree that there was not sufficient information available on the record now to determine the validity of the allegations. The current record only includes Mr. Hanna's allegations, various government reports and two brief email consultations that were conducted in relation to a grievance of another inmate at Bath.
- [42] The Respondent's position is that while there is not currently sufficient information available, there might be on redetermination. Essentially, the Respondent argues that having conducted fresh consultations on redetermination, the SAC may have sufficient information to resolve the grievance immediately without an outside investigation. The Respondent's view is that given the procedural choice of an outside investigation is not inevitable, the normal remedy on judicial review should apply, and the matter should be sent back to be redetermined in its entirety.

- [43] Considering the scope of Mr. Hanna's allegations and the language in Directive 081 and Guideline 081-1, I agree with Mr. Hanna that an outside investigation is the only fair and reasonable way to evaluate his serious allegations of discrimination.
- [44] Directive 081 provides that in harassment, sexual harassment and discrimination grievances, an outside investigation can be ordered at any stage of the grievance process. There is no limiting language in the Directive or in Guideline 081-1 on when an outside investigation can be ordered. In contrast, Guideline 081-1 limits when a decision-maker can decide to forgo an outside investigation in harassment, sexual harassment and discrimination grievances to only where they have "sufficient information available" to "respond immediately".
- [45] Mr. Hanna's counsel argued that the lack of constraining language in relation to convening an outside investigation suggests it is the default procedure in harassment, sexual harassment and discrimination grievances that pass the first step. I need not decide whether it is the default, but the language in Directive 081 and Guideline 081-1 certainly does not depict a procedure that only occurs in extraordinary circumstances. Decision-makers "must give consideration" to whether to convene an outside investigation and can only avoid it if they are satisfied that they are able to determine if the allegations occurred "immediately" based on "available" information. This suggests that where an outside investigation is not used, the decision-maker is confident that the evaluation is able to be done quickly based on information easily attainable on file.
- [46] As already canvassed, Mr. Hanna's allegations are broad and involve personal allegations as well as systemic ones. For example, he alleges that CSC's failure to provide Elder services has inhibited the correctional progress and healing for himself and the approximately 100 other Indigenous people in custody at Bath. This sort of allegation may require evaluating the impact on the particular correction plans of Indigenous people who are or have been in custody at Bath. Mr. Hanna also alleges that the use of temporary contracts for Elders and the pervasive culture of disrespect toward Indigenous people among CSC staff at Bath have undermined the recruitment and retention of Elders. Again, this is not the sort of evaluation that can be responded to "immediately" with "available information". Mr. Hanna is alleging there is institutional racism at Bath that has contributed to the inability to retain and recruit elders.
- [47] Even if the SAC decided to do further consultations on redetermination, the procedure required to determine the validity of these sorts of allegations is not consistent with a process that can be done "immediately" with information that is "available".
- [48] Further, the procedural requirements provided for an outside investigation are more suited for the sensitive nature of this type of grievance where Mr. Hanna is alleging a culture of anti-Indigenous discrimination at the institution. Outside investigations in the context of a harassment, sexual harassment and discrimination grievances include the following procedural requirements, among others:

a)that the investigator be from outside the institution where the grievance originated and ‘free from conflict of interest’;

b)that the investigator “provide appropriate versions of the draft report, vetted for administrative fairness and privacy purposes, to the grievor, the respondent, the individual who convened the investigation, and other persons about whom adverse comments are included”; and

c)that the final investigation report “be an accurate and complete account of findings and conclusions” and that it “include both the grievor’s and the accused’s comments on the draft report”.

[49] Once the outside investigation is complete, Guideline 081-1 provides the decision-maker who convened the investigation – in this instance, the SAC – would take into account the findings of the investigation in coming to their determination on the merits of the grievance.

[50] Mr. Hanna has already gone through two levels of the grievance process without any findings being made on his serious and sensitive allegations. It has become apparent to me during this judicial review that, on this narrow procedural issue, the only fair and reasonable choice is for the SAC to convene an outside investigation. The convening order and the ultimate determination of Mr. Hanna’s grievance remains with the SAC to determine. However, on this limited procedural choice it would serve no useful purpose to send the matter back without a direction that the process begin with an outside investigation into Mr. Hanna’s allegations (Vavilov at paras 140-143).

V. Disposition [51] I agree with the parties that the SAC’s decision on Mr. Hanna’s final level grievance was unfair and unreasonable and therefore must be quashed and sent back to be redetermined. The Court directs as part of the redetermination process an outside investigation as contemplated in Directive 081 and Guideline 081-1 be convened.

[52] The Applicant asked for costs in the amount of \$3000 if they were successful, an amount that took into account that after they filed their Applicant’s Record, the Respondent narrowed the issue in dispute to only remedy. The Respondent argued that costs should be limited to \$1500. I am satisfied that the Applicant should be awarded costs in the amount of \$3000 in a lump sum, inclusive of tax, given the work on preparing the Applicant’s Record that was done without knowing the Respondent would concede that the matter had to be redetermined and the work in preparing and arguing the hearing on the issue of remedy.

JUDGMENT in T-1793-24

THIS COURT’S JUDGMENT is that

The decision of the SAC in respect of the Applicant’s grievance numbered V40R00055711 is set aside and returned to the SAC to be redetermined in accordance with these reasons.

On redetermination, the SAC is directed to convene an outside investigation into the Applicant's allegations of discrimination, in accordance with sections 48-49 of the Commissioner's Directive 081-1 and the procedures outlined in sections 26 and 31-29 of the Guideline 081-1; and

Costs in the lump sum amount of \$3000, inclusive of tax, are awarded to the Applicant.

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"Lobat Sadrehashemi"

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Judge

FEDERAL COURT

SOLICITORS OF RECORD

Docket:

T-1793-24

STYLE OF CAUSE:

DANIEL HANNA v ATTORNEY GENERAL OF CANADA

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OTTAWA, ONTARIO

DATE OF HEARING:

MAY 28, 2025

REASONS FOR JUDGMENT AND JUDGMENT:

SADREHASHEMI J..

DATED:

DECEMBER 19, 2025

APPEARANCE:

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FOR THE APPLICANT

Blake Van Santen

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