

Public Servants
Disclosure Protection
Tribunal Canada



Tribunal de la protection
des fonctionnaires
divulgateurs du Canada

Citation: El-Helou v. Courts Administration Service, 2011 PSDPT 10

Tribunal File No. T-2011-01

Date: 20110823

Ottawa, Ontario, August 23, 2011

The Honourable Mr. Justice Martineau, Chairperson

Public Servants Disclosure Protection Tribunal

BETWEEN:

CHARBEL EL-HELOU
Complainant

-and-

COURTS ADMINISTRATION SERVICE

and

DAVID POWER

and

ÉRIC DELAGE
Respondent(s)

**ORDER GRANTING INTERESTED PARTY STATUS IN RESPECT OF A MOTION
FOR A CONTINUATION OF THE INTERIM CONFIDENTIALITY ORDER**

UPON MOTION of Laurent Francoeur, Francine Côté and Eric Cloutier (the interested parties) dated July 14th, 2011 and filed with the Public Servants Disclosure Protection Tribunal

(the Tribunal) on July 15th, 2011, for the granting of interested party status in respect of the motion of David Power and Éric Delage dated July 14th, 2011 for the continuation of the Interim Confidentiality Order dated June 10th, 2011;

CONSIDERING that an application has been made by the Public Sector Integrity Commissioner of Canada (the Commission) pursuant to subsection 20.4(1) of the Public Servants Disclosure Protection Act, S.C., 2005, c. 46 to the Tribunal for a determination of whether or not a reprisal was taken against the complainant;

CONSIDERING that Mr. Power and Mr. Delage have requested that appendices A and B be kept sealed and separate from the public records and not be disclosed to anyone other than the members and staff of the Tribunal, and the parties and their counsel, until such time as the Tribunal orders otherwise, in accordance with a continuation of the Interim Confidentiality Order dated June 10th, 2011;

CONSIDERING that this motion was made pursuant to Rules 12 and 13 and following of the *Public Servants Disclosure Protection Tribunal Rules of Procedure*, published in the *Canada Gazette Part I* on May 21st, 2011;

CONSIDERING that appendices A and B contain references to alleged incidents of wrongdoing by the interested parties that have not been retained by the Commission;

CONSIDERING that the interested parties intend to argue that the release of the information contained in appendices A and B is a violation of their privacy rights; and

CONSIDERING that the interested parties' position in respect of the motion for a continuation of the Interim Confidentiality Order will not otherwise be represented before the Tribunal.

CONSIDERING that all parties consent to this motion and having reviewed the draft consent order submitted on August 12, 2011.

THE TRIBUNAL ORDERS that:

1. Laurent Francoeur, Francine Côté and Eric Cloutier are hereby added as interested parties in respect of the motion of David Power and Éric Delage dated July 15th, 2011 for the continuation of the Interim Confidentiality Order dated June 10th, 2011 ; and
2. The interested parties may not participate in other matters unless seeking leave and obtaining the permission of the Tribunal.

“Luc Martineau”

Chairperson