

**Canadian Human  
Rights Tribunal**



**Tribunal canadien  
des droits de la personne**

**Citation:** 2025 CHRT 65  
**Date:** June 27, 2025  
**File No.:** HR-DP-2881-22

**Between:**

**Rajinder Benji**

**Complainant**

**- and -**

**Canadian Human Rights Commission**

**Commission**

**- and -**

**Correctional Service of Canada**

**Respondent**

**Ruling**

**Member:** Gary Stein

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## **I. OVERVIEW**

[1] Rajinder Benji, the Complainant, is a federal inmate incarcerated at Mission Institution in British Columbia. In 2019, Mr. Benji filed a human rights complaint (the “2019 Complaint”) with the Canadian Human Rights Commission (the “Commission”). It alleges that Correctional Service Canada (CSC), the Respondent, discriminated against Mr. Benji by not providing him with adequate healthcare treatment.

[2] In 2022, the Commission referred the 2019 Complaint to the Tribunal for inquiry. In 2024, Mr. Benji filed his Statement of Particulars (SOP) with the Tribunal. In summary, the SOP says:

- A. In June 2018, Mr. Benji experienced symptoms of what was later diagnosed to be bacterial meningitis. Mr. Benji alleges that, due to his ongoing disabilities from an earlier brain injury, CSC employees did not take his health problems seriously and for seven days did not give him proper healthcare or send him to a hospital for treatment.
- B. CSC correctional officers later found Mr. Benji unconscious in his cell and sent him by ambulance to a community hospital. He was there for ten days. CSC then transferred him to an institutional hospital for ten days, and then transferred him back to Mission Institution. Mr. Benji alleges that he was in the hospital for approximately three weeks because of CSC’s denial of proper healthcare services.
- C. A few months later, CSC transferred Mr. Benji to a higher security institution. Mr. Benji alleges that CSC did so in retaliation for his complaints about CSC’s healthcare services and its denial of medical treatment.

[3] CSC’s SOP disputes Mr. Benji’s version of the events. It denies Mr. Benji’s allegations of discrimination and asks the Tribunal to dismiss the complaint.

[4] In September 2024, Mr. Benji sent an “addendum” to his SOP. It alleges that the June 2018 events described in the SOP were “the pinnacle of events ranging from 2008-2024”. It refers to many further events that allegedly occurred both before and after the events described in his SOP. Mr. Benji says that these further events are connected to his 2019 Complaint and that they were acts of retaliation against him.

[5] I treated Mr. Benji’s addendum as a motion to amend his SOP. I directed CSC and the Commission to make written submissions, and I also directed Mr. Benji to make oral submissions in a case management conference call (CMCC). After the CMCC, Mr. Benji filed additional documents to support his position.

## **II. DECISION**

[6] Mr. Benji’s request to amend his SOP is dismissed. The allegations in the addendum do not have a factual nexus to the allegations in Mr. Benji’s 2019 Complaint. I have also applied the principle of proportionality.

## **III. PRELIMINARY ISSUE: MR. BENJI’S REQUEST FOR A COMPUTER AND SUPPLIES**

[7] During a CMCC held on December 19, 2024, I set the schedule for submissions on this motion. Because Mr. Benji said he did not have sufficient access to a computer and supplies to make written submissions, I decided to hold a CMCC on February 20, 2025, so that Mr. Benji could make his submissions orally. This approach ensured that the motion would proceed fairly and expeditiously, while accommodating Mr. Benji’s disability and responding to Mr. Benji’s position that he did not have access to the resources he needed.

[8] After the December 2024 CMCC, Mr. Benji informed the Tribunal that he could not make oral submissions due to his disability and because he did not have access to a computer and supplies. The issue was considered at the beginning of the February 20, 2025, CMCC. The parties discussed their positions. Mr. Benji decided to go ahead with his oral submissions. His support person, Tom Rathjen, assisted him. The Commission also participated, and I asked questions to clarify Mr. Benji’s submissions.

[9] During the CMCC, Mr. Benji asked to file approximately five pages of notes to support his submissions. I set a deadline of March 7, 2025, for him to do so.

[10] On March 4, 2025, Mr. Benji made another written request, which he referred to as a “paramount” motion, for a computer, supplies and a printer to accommodate his disability and for the purposes of confidentiality.

[11] The Tribunal has the authority to give directions about a motion, including the time when a motion may be considered and the manner and form in which it will proceed. The Tribunal may also dispose of a motion as it considers necessary (Rule 26(3) of the *Canadian Human Rights Tribunal Rules of Procedure, 2021*, SOR/2021-137 (the “Rules”)).

[12] I will not consider Mr. Benji’s motion for a computer and supplies before the Tribunal releases this ruling on Mr. Benji’s motion to amend his SOP. Not having access to a computer and supplies to the extent that Mr. Benji requests has not prevented him from fully participating in this motion. He initiated the motion by filing his proposed addendum and other documents. I discussed with the parties the steps in the process for the motion, and I took into consideration Mr. Benji’s argument that he required better access to a computer and supplies to accommodate his disability than CSC would allow. Mr. Benji received CSC’s and the Commission’s submissions well in advance of the CMCC for his oral submissions, giving him sufficient time to consider their arguments and prepare. The Commission’s counsel participated in the CMCC, and Mr. Benji made thorough oral submissions with Mr. Rathjen’s assistance.

[13] I have asked the parties to discuss the issue of Mr. Benji’s access to technology, but they have not resolved it. If it continues to be unresolved, I will later decide how to address it.

[14] On April 7, 2025, Mr. Benji also sent a list of proposed witnesses for what purports to be a hearing of a motion about accommodating Mr. Benji’s cognitive disability. As I have explained, I will not consider this issue before this ruling is released.

#### IV. ISSUE

[15] I must decide the following issue:

- Should Mr. Benji's SOP be amended to include some or all of the allegations in his proposed addendum?

#### V. ANALYSIS

##### A. The legal framework

[16] The Tribunal has considerable discretion with requests to amend an SOP. The general rule is that amendments should be allowed for the purpose of determining the real questions in controversy between the parties, provided that an amendment does not result in prejudice to the other party and that it would serve the interests of justice (*Canada (Attorney General) v. Parent*, 2006 FC 1313 at para 30).

[17] An SOP can be amended to clarify and elaborate upon the initial allegations, but only if the factual foundation and the allegations set out in a complainant's initial complaint are respected (*Gaucher v. Canadian Armed Forces*, 2005 CHRT 1 at para 11; *Levasseur v. Canada Post Corporation*, 2021 CHRT 32 at para 15 [*Levasseur*]).

[18] The Tribunal decides on the scope of an SOP based on whether there is a sufficient connection (nexus) between the allegations in the SOP and the original complaint to the Commission. To decide, the Tribunal may consult, among other things, the Commission's investigation report, the letters that the Commission sent to the Tribunal's Chairperson and the parties, the original complaint and any administrative forms (*Levasseur* at paras 16–17).

[19] For allegations based on retaliation for having filed a human rights complaint, it is the filing of the complaint itself with the Commission that is the basis for the complaint. However, the Tribunal must still decide on a case-by-case basis whether there is a sufficient nexus between the allegations of retaliation and the original complaint to the Commission (*Temate v. Public Health Agency of Canada*, 2022 CHRT 31 at paras 72–77 [*Temate*]; section 14.1 of the *Canadian Human Rights Act*, R.S.C., 1985, c H-6 (CHRA)).

[20] The Tribunal's jurisdiction over a complaint comes from the Commission's referral of the complaint. If allegations in an SOP do not have a reasonable nexus to the referred complaint, the Tribunal does not have jurisdiction to address them. These allegations would constitute a completely new complaint (*McCargar v. Correctional Service Canada*, 2025 CHRT 15 at para 67, citing *Garnier v. Correctional Service of Canada*, 2023 CHRT 32 at para 10; *Levasseur* at para 16).

## **B. The allegations in the 2019 Complaint are about healthcare treatment**

[21] To decide on the proper scope of Mr. Benji's SOP, I consider the documents that define the scope of Mr. Benji's 2019 Complaint and the substance of the complaint that the Commission referred to the Tribunal. As I explain below, the 2019 Complaint only involves allegations that CSC provided inadequate healthcare to Mr. Benji between June 2018 and December 2019.

### **a. The 2019 Complaint**

[22] The first paragraph of the 2019 Complaint states that Mr. Benji was not able to prepare his complaint earlier due to his disability and his life being in danger and because CSC placed him in segregation for his protection from staff members' threats. I understand this statement to be an explanation about the timing of Mr. Benji's 2019 Complaint.

[23] The first paragraph also alleges that Mr. Benji has been physically, verbally and mentally harassed by a staff member at Mission Institution. The 2019 Complaint has no examples of a staff member's harassment, unless they are included in the description of the events that occurred in June 2018 involving Mr. Benji's healthcare issues and CSC's alleged failure to provide proper treatment for them. There is also a reference to one event that occurred in mid-April 2018, but it is provided for background and context.

[24] The description of the allegedly discriminatory events begins on June 9, 2018, which Mr. Benji describes as "the first day I am really having symptoms related to my June 2018 hospitalization", and continues until July 6, 2018, when CSC transferred him from the

hospital back to Mission Institution. The complaint also has two further allegations about events that occurred in July 2018.

[25] The 2019 Complaint also alleges inadequate healthcare treatment at Kent Institution from December 2018 to September 2019. The complaint's final paragraph describes Mr. Benji's experience of back pain and his request for emergency treatment. It also states that Mr. Benji's lawyers were keeping records about CSC's alleged failure to treat him.

[26] The final paragraph alleges that Mr. Benji had pain from December 15, 2018, "to now". Mr. Benji signed the 2019 Complaint on December 13, 2019. The cover page of the complaint form also refers to the period of June 2018 to December 2019 as the dates of the alleged discrimination.

[27] Based on the above information, I find that Mr. Benji's 2019 Complaint only involves allegations about CSC's denial and inadequate provision of healthcare treatments occurring between June 2018 and December 2019.

#### **b. The Commission's Report for Decision**

[28] I have also reviewed the February 2, 2022, report prepared by the Commission's Human Rights Officer about the 2019 Complaint (the "Report").

[29] The Report refers to the allegation that, due to Mr. Benji's pre-existing disabilities, CSC did not provide appropriate medical treatment for his June 2018 health complaints and that CSC's failure to provide treatment led to Mr. Benji's hospitalization. It also refers to the allegation that, starting in December 2018, CSC did not provide adequate treatment for Mr. Benji's extreme back pain. The Report concluded that there is enough information to recommend a referral of these issues to the Tribunal for inquiry.

[30] The Report states that the 2019 Complaint also alleges discrimination on the grounds of age and gender identity or expression, and it alleges harassment. However, it notes that Mr. Benji has not provided any information about these allegations. For this reason, the Report only considers the allegations related to the healthcare treatment issues.



[31] The Report recommends that the Commission refer the complaint to the Tribunal for further inquiry. Because the Report considers only the alleged inadequacy of healthcare treatment, I find that its recommendation is to refer the complaint to the Tribunal for inquiry only about these allegations.

### **c. The Commission's decision**

[32] On October 6, 2022, the Commission decided to refer the complaint to the Tribunal for inquiry. The decision also refers to a CSC request that the Commission hold its consideration in abeyance, but this is not relevant to the request to amend Mr. Benji's SOP.

### **d. The Commission's letter of referral**

[33] The Commission's October 7, 2022, letter to the Tribunal refers to the Commission's decision, and it requests that the Tribunal institute an inquiry into the 2019 Complaint because it is satisfied that, having regard to all the circumstances, an inquiry is warranted.

[34] I am satisfied that the Commission's letter referred for inquiry only the allegations involving the healthcare treatment issues that are set out in the 2019 Complaint.

[35] Based on the above documents, I conclude that the Commission's referral to the Tribunal of the 2019 Complaint involves only the allegations that CSC provided inadequate healthcare to Mr. Benji between June 2018 and December 2019. Therefore, the allegations in Mr. Benji's SOP must be connected to, or, in other words, have a nexus with, these allegations about inadequate healthcare treatment.

## **C. The allegations in Mr. Benji's SOP**

[36] The allegations in Mr. Benji's March 13, 2024, SOP are summarized above. They include healthcare-related allegations that are similar to the allegations in the 2019 Complaint.

[37] The SOP also includes one alleged incident of retaliation. It was not considered in this motion.

#### **D. The new allegations in the addendum**

[38] Mr. Benji's proposed addendum to his SOP has nine paragraphs. Mr. Benji made oral submissions about each of them. They are summarized in the February 20, 2025, CMCC summary.

[39] As I explain below, the allegations in the addendum do not have a reasonable nexus to the allegations in the 2019 Complaint. I also do not allow the amendments to Mr. Benji's SOP based on the principle of proportionality.

##### **a. Paragraph 1**

[40] Paragraph 1 refers to a 2016 file management plan that CSC allegedly disregarded. Mr. Benji's 2019 Complaint did not refer to it. The 2016 file management plan is also referred to in another complaint that Mr. Benji made to the Commission in 2023.

[41] During Mr. Benji's oral submissions, Mr. Rathjen, who is supporting Mr. Benji, made comments to clarify Mr. Benji's submissions. He said that, when Mr. Benji filed his 2019 Complaint, he did not see a connection between the allegations in the 2019 Complaint and this new allegation involving the 2016 file management plan. Mr. Rathjen said that Mr. Benji now understands that this connection exists and that there are also other connections among many events occurring over many years. Mr. Benji agreed with Mr. Rathjen's statement. In my view, this is the main reason for Mr. Benji's request to amend his SOP.

[42] However, Mr. Benji's view that there are connections among many events that occurred both before and after the alleged healthcare-related events in 2018 and 2019 does not meet the legal requirement that the allegations in his SOP must be reasonably connected to the factual foundation of his 2019 Complaint. Despite Mr. Benji's submissions, I find that the allegations in paragraph 1 of the addendum about a 2016 file management plan do not have a reasonable factual nexus to the 2019 Complaint about alleged inadequacy of healthcare treatment in 2018 and 2019. For this reason, I do not allow the addition of the allegations in this paragraph to Mr. Benji's SOP.

**b. Paragraph 2**

[43] In paragraph 2 of the addendum, Mr. Benji alleges that CSC denied healthcare to him again in 2022. However, in his oral submissions, Mr. Benji said that he was mistaken about the year and that it occurred in the second month of 2018.

[44] The corrected approximate time that Mr. Benji gave for this allegation is inconsistent with the timeline and the explanation of the allegations in the 2019 Complaint. The 2019 Complaint refers, for background, to an event that occurred in mid-April 2018 and then states that the first day that Mr. Benji experienced symptoms that led to his hospitalization was June 9, 2018. According to the 2019 Complaint, the allegations of discrimination began at that time. However, the event in the addendum allegedly occurred approximately two months before the event that Mr. Benji provided to the Commission as background. The 2019 Complaint and the Commission's Report do not refer to this alleged new earlier event. For these reasons, I find that the new allegation of a further discriminatory event that occurred in February 2018 does not have a reasonable nexus to the allegations that the 2019 Complaint refers to as beginning in June 2018.

[45] Mr. Benji also submitted that a Commission representative had informed him that he should refer to this new allegation if the Commission refers the complaint to the Tribunal.

[46] If a Commission staff member told Mr. Benji that he will be able to refer to this allegation during a Tribunal hearing, that statement was not accurate. A complainant cannot add any new allegations to their SOP or call any evidence about any issue in a hearing of their case. As explained, the Tribunal can allow amendments to an SOP if they have a nexus to the allegations in the original complaint. A Tribunal can also admit information during a hearing that a complainant did not include in their original complaint, if the Tribunal decides that the information is relevant. The Tribunal decides these issues based on the unique circumstances of each case. In this case, I do not accept that the necessary nexus exists.

### c. Paragraph 3

[47] This paragraph alleges that CSC transferred Mr. Benji to a higher security institution as retaliation for his complaints about the denial of healthcare and about alleged negligence and discrimination by CSC staff members. However, Mr. Benji's SOP already includes the allegation that CSC transferred Mr. Benji to a higher security institution as retaliation for his healthcare complaints, so no amendment to the SOP is required.

[48] In his oral submissions about this paragraph, Mr. Benji also said that he faced threats against his life in 2018 and attempts to kill him when CSC transferred him from the hospital back to Mission Institution. These are new events that allegedly occurred during the same time period as the events that occurred in the 2019 Complaint, but they are not included in the 2019 Complaint. My view is that there is no reasonable nexus between the allegations in the 2019 Complaint and these new allegations.

[49] Mr. Benji said that these new allegations of retaliation occurred in 2018. For that reason, they cannot be a "discriminatory practice" of retaliation under section 14.1 of the CHRA. To prove that an act of retaliation was discriminatory under the CHRA, a complaint to the Commission must be filed **before** the alleged retaliation occurred (*Simon v. Abegweit First Nation*, 2018 CHRT 31 at para 51), but Mr. Benji filed the 2019 Complaint afterwards.

[50] Furthermore, to the extent that Mr. Benji's submissions were that the alleged threats against his life in 2018 were retaliation for making internal complaints about inadequate healthcare, I do not allow this SOP amendment based on the principle of proportionality, as explained below.

#### (a) The principle of proportionality

[51] In addition to the requirement of a nexus between a complaint to the Commission and the allegations in an SOP, the principle of proportionality in the Tribunal's proceedings may warrant imposing limits based on the circumstances of each case (*Temate* at paras 8–15).

[52] The CHRA implicitly includes a requirement for proportionality in each inquiry. It requires the Tribunal to hear complaints as informally and expeditiously as the requirements of natural justice and the Tribunal's Rules allow (section 48.9(1) of the CHRA; *Temate* at para 11). The Tribunal's Rules also implicitly include the principle of proportionality in Rule 5, which refers to the principles of expeditiousness and flexibility in the Tribunal's proceedings (*Temate* at para 12).

[53] I agree with the finding in *Thomas v. Correctional Service Canada*, 2024 CHRT 139 at para 19, that the provisions of the CHRA and the Rules "mean that the parties in each matter and the Tribunal itself are to avoid making proceedings unnecessarily or unreasonably lengthy, complex, or costly".

[54] Mr. Benji's 2019 Complaint alleged inadequate healthcare treatment from June 2018 to December 2019, and, as Mr. Benji's SOP also alleges, whether the transfer to a higher security institution was retaliation for Mr. Benji's healthcare complaints. To include broad allegations about alleged death threats by CSC staff members would unduly extend the length of the hearing, make it unreasonably complex and distract from the core issues that are distinctly summarized in the 2019 Complaint. I agree with CSC's written submissions on this motion that it is in the interest of all parties for this case to be focused on the clearly defined issues set out in the 2019 Complaint and that doing so allows for a resolution without unnecessary delay.

[55] For these additional reasons, I do not allow the amendment of Mr. Benji's SOP to include the allegations in paragraph 3 of the addendum.

#### **d. Paragraph 4**

[56] This paragraph alleges that CSC staff members told Mr. Benji about allegedly corrupt staff, including a doctor referred to in Mr. Benji's complaint. It alleges that CSC staff members are Mr. Benji's enemies. In his oral submissions, Mr. Benji also said he was told not to trust CSC officers, that some CSC officers acted as if he was dead, and that, as Mr. Benji submitted, CSC "would have gotten away with murder" if he had not come out of the coma in 2018.

[57] I find that there is no reasonable nexus between the allegations of inadequate healthcare treatment in the 2019 Complaint and the new allegations about the actions of allegedly corrupt CSC staff members.

[58] I also apply the principle of proportionality to the allegations in this paragraph, for the same reasons explained above.

#### **e. Paragraph 5**

[59] This paragraph alleges that CSC staff members falsely accused Mr. Benji of crimes he did not commit, threatened to harm him and put him in positions where he was likely to be killed. It alleges that CSC staff would use their influence against him if he did not withdraw his human rights complaint and confess to crimes that he did not commit. In essence, it alleges that CSC staff plotted against Mr. Benji for many reasons.

[60] There are no dates for these allegations. The 2019 Complaint and the Commission's Report do not refer to them.

[61] Whether these events allegedly occurred before or after Mr. Benji filed the 2019 Complaint, they do not have a reasonable factual nexus to the allegations in the 2019 Complaint. I also apply the principle of proportionality to the allegations in this paragraph, for the same reasons described above.

#### **f. Paragraph 6**

[62] This paragraph alleges a conspiracy involving several CSC staff members. It refers to allegations that Mr. Benji murdered another inmate and that a staff member informed Mr. Benji that the discrimination against him is evident, but that nothing can be done because of other staff members in higher positions. In his oral submissions, Mr. Benji alleged that every person in the institution was involved. Mr. Benji also submitted that one of these allegations occurred in 2020 or 2022, and another one occurred in 2024.

[63] For the same reasons explained above, I find that the allegations of a conspiracy against Mr. Benji have no reasonable nexus to the allegations in the 2019 Complaint, and I also apply the principle of proportionality to these new allegations.

#### **g. Paragraph 7**

[64] This paragraph includes allegations of negligence, discrimination and racism, as well as an allegation about a member of Mr. Benji's family. Mr. Benji did not provide dates for any of these allegations. During oral submissions, I asked if this paragraph is also based on Mr. Benji's view that many CSC staff members are retaliating against him. Mr. Rathjen confirmed that Mr. Benji had made connections of that nature.

[65] Like for the above paragraphs, I find that these allegations, whether they occurred before or after Mr. Benji filed the 2019 Complaint, have no reasonable nexus to the healthcare-related allegations in the 2019 Complaint. I also apply the principle of proportionality.

#### **h. Paragraph 8**

[66] This paragraph says that the June 15, 2018, event "is the pinnacle of events ranging from 2008-2024" and that a Commission officer told him that it can all be included in evidence in a Tribunal hearing. It also refers to an alleged contract to murder an inmate, which I understand to be an allegation to murder Mr. Benji.

[67] In his oral submissions, Mr. Benji confirmed that the paragraph also refers to the bigger picture, with many things related to his filing of the 2019 Complaint, and that systemic prejudices are also at play because he is an inmate.

[68] I find that the allegations in this paragraph also have no reasonable nexus to the allegations in the 2019 Complaint. The principle of proportionality also applies.

### **i. Paragraph 9**

[69] This paragraph refers to a complaint made to the College of Physicians and Surgeons of British Columbia and to a different human rights complaint that Mr. Benji filed with the Commission. In his oral submissions, Mr. Benji said that these other complaints are connected to this one.

[70] My view is that there is no reasonable nexus between the allegations in the 2019 Complaint and the allegations of retaliation in this paragraph.

### **E. Additional documents**

[71] Mr. Benji sent documents after making oral submissions. I have considered them in relation to each paragraph of the addendum. The documents do not convince me to allow amendments to Mr. Benji's SOP.

[72] The information in the documents discussed below is consistent with Mr. Benji's view, as expressed in the addendum and his oral submissions, that there has been a lengthy series of alleged discriminatory acts against him, that they were acts of retaliation, and that they are all connected. Respectfully, however, that is not my view. The information and the events referred to in these documents do not establish a reasonable nexus to the allegations in the 2019 Complaint. Additionally, based on the principle of proportionality, this Tribunal inquiry about the narrowly defined allegations in the 2019 Complaint will not be transformed into an inquiry about a continuously expanding list of allegations that, in Mr. Benji's view, has occurred over at least 15 years. I agree with the Tribunal's finding in *Richards v. Correctional Service Canada*, 2025 CHRT 5 at para 16, that "Tribunal proceedings are not roving commissions of inquiry into amorphous complaints or moving targets".

#### **a. February 21, 2025**

[73] On February 21, 2025, Mr. Benji sent six handwritten pages and six typed pages. The handwritten pages appear to refer to events involving individual CSC employees and medical staff members and to events that allegedly took place over a long timeline. Some



events include a date, some do not. There are references to institutional programs from 2011 and 2012, psychological assessments in 2008 and 2017, threats allegedly made against Mr. Benji, and other events in 2023, 2024 and 2025. This is consistent with the statement in paragraph 2 of Mr. Benji's addendum that there have been many other actions between 2010 and 2024 that CSC has taken against him.

[74] The six typed pages refer to a meeting in January 2023, apparently about a transfer to minimum security. The documents list complaints and threats involving CSC employees and events in 2022 in a long stream of allegations.

[75] I do not accept that there is a reasonable nexus between the 2019 Complaint and the new allegations in these documents, for the same reasons explained above.

[76] This document also alleges that Mr. Benji's previous lawyer submitted his SOP without his review and that, due to "facility issues", she was not able to have reasonable contact with Mr. Benji. This suggests that, if Mr. Benji had better contact with his lawyer, his SOP would have already included some or all the allegations in the addendum. This assertion does not affect my finding that these new allegations have no reasonable nexus to the 2019 Complaint.

#### **b. March 17, 2025**

[77] On March 17, 2025, Mr. Benji sent a copy of a letter from Prisoners' Legal Services (PLS) to him dated February 28, 2025. It is marked as privileged legal correspondence, but I refer to it because Mr. Benji produced it to support his motion. The letter summarizes PLS's file notes about discussions between Mr. Benji and PLS about Mr. Benji's healthcare complaints in 2018, his transfer to Kent Institution, and his complaints about healthcare and medical treatment at Mission Institution in 2024.

[78] The information about events that occurred in 2018 and 2019 involves allegations already included in Mr. Benji's SOP, but the information involving healthcare allegations in 2024 do not have a reasonable nexus to 2019 Complaint. The information from 2024 involves several healthcare issues, and they are all different from the healthcare issues in 2018 and 2019.

**c. March 31, 2025**

[79] On March 31, 2025, Mr. Benji sent three letters he received from the National Headquarters of CSC:

A. The letter of November 25, 2024, acknowledges receipt of grievance number V80R00057027.

B. The letter of March 12, 2025, acknowledges receipt of grievance number V80R00056400.

C. The letter of March 20, 2025, says that CSC's review of grievance V80R00057027 is deferred because Mr. Benji initiated an "outside legal proceeding" and that CSC will not review this grievance until the Tribunal issues a decision.

[80] Nothing in these letters convinces me that they have a connection to the allegations in the 2019 Complaint.

**d. April 1, 2025**

[81] On April 1, 2025, Mr. Benji sent a handwritten letter to the Tribunal, which I understand to be a request that I defer the ruling on this motion because further information is forthcoming. The letter says there is evidence that CSC staff members continue to use inaccurate information, to make efforts to cover themselves, and to keep Mr. Benji in prison under high security. It states that, since the February 20, 2025, CMCC, CSC has been conspiring to manufacture documents that put Mr. Benji's life in danger. Mr. Benji wants to submit further information on this motion, and he asks the Tribunal to set a date to hear this further request.

[82] I deny Mr. Benji's requests. Mr. Benji filed his addendum in September 2024. It was discussed in CMCCs in October and December 2024. Mr. Benji received CSC's written submissions on this motion in January 2025 and the Commission's submissions in February 2025, and he made oral submissions on February 20, 2025. I allowed Mr. Benji to file

additional information until March 7, 2025, but he has continued to send information after that deadline. I have considered the additional documents below, but I am not considering any further information that Mr. Benji may provide.

**e. April 3, 2025**

[83] On April 3, 2025, Mr. Benji sent two documents.

[84] The first document is a March 30, 2025, psychologist's risk assessment report prepared for Mr. Benji's upcoming day parole and full parole review. On April 29, 2025, Mr. Benji also sent what appears to be another copy of the same report. The report's stated purpose is to assess Mr. Benji's risk of recidivism, to provide opinions to decision-makers about Mr. Benji's suitability for early release, and to make recommendations for Mr. Benji's management and treatment needs.

[85] The second document is Mr. Benji's 14-page reply to the psychologist's report.

[86] I appreciate that Mr. Benji believes that this document, prepared more than five years after his 2019 Complaint, demonstrates an ongoing pattern of discrimination, but the psychologist's report, prepared for a review of Mr. Benji's parole eligibility, does not have a nexus to the healthcare-related allegations in the 2019 Complaint. These are entirely new allegations. The same applies to Mr. Benji's comments about the psychologist's report.

**f. April 7, 2025**

[87] On April 7, 2025, Mr. Benji sent a list of proposed witnesses for what purports to be a hearing of a motion about accommodating Mr. Benji's cognitive disability. I addressed this issue above. I have not given the parties any directions about a proposed motion on this issue.

**g. May 23, 2025**

[88] On May 23, 2025, Mr. Benji sent further information about alleged events in May 2025. It attaches twelve "Offender Complaint Presentations" which Mr. Benji prepared and

appears to have signed on May 22, 2025. They ask CSC to conduct investigations. For the same reasons as above, the allegations in these documents have no nexus to Mr. Benji's 2019 Complaint. The principle of proportionality also applies.

## **VI. ORDER**

[89] I do not allow the requested amendments to Mr. Benji's SOP. The motion is dismissed.

*Signed by*

Gary Stein  
Tribunal Member

Ottawa, Ontario  
June 27, 2025

# **Canadian Human Rights Tribunal**

## **Parties of Record**

**File No.:** HR-DP-2881-22

**Style of Cause:** Rajinder Benji v. Correctional Service Canada

**Ruling of the Tribunal Dated:** June 27, 2025

**Motion dealt with in writing without appearance of parties**

**Written representations by:**

Rajinder Benji, Self-represented

Jonathan Bujeau, for the Canadian Human Rights

Benjamin Bertram and Jenelle Mack, for the Respondent