

DISCIPLINE, INTERPRETATION AND ENFORCEMENT BOARD

Citation: Students' Council v Ali; Decision 2022-09

REQUESTED BY:

Levi Flaman

Applicant

Panel Members:

**Olive Bensler, Associate Chief Tribune
Hamza Mandour, Tribune
Jordan Korol, Tribune
Leighen Janzen, Tribune
Rebekah (Bex) Mitchell, Tribune**

Hearing Date:

None

Witness for the Applicant:

None

Application denied.

The reasons for the Board are delivered by O. Bensler ACT:

[1] In Canadian common law, it is well established that only parties in a hearing may appeal a decision. This rule is true of civil proceedings and administrative decisions, such as those of the Discipline, Interpretation, and Enforcement Board [The Board].

[2] Mr. Levi Flaman [Mr. Flaman] was not a party to HA07. While Mr. Flaman applied as an intervenor, The Board denied his request. The law is clear that, even with such status, an intervenor has no right to appeal unless ordered or leave granted.¹ In *Edmonton Friends of the*

¹ *Merck Frosst Can Inc v Canada (Min of National Health & Welfare)*, (1997) 72 CPR (3d) 187 (Fed CA)

*North Environmental Society v Canada*², the Court identified the right to appeal as the distinction between approving someone as an intervenor or as an additional respondent. Mr. Flaman has no right to appeal this decision as he is neither an intervenor nor a respondent.

[3] As the deadline for appeals has passed, it is evident the parties to HA07 do not wish to appeal the outcome. As this wish is supported by precedent, The Board denies Mr. Flaman's application.

Application denied.

² *Edmonton Friends of the Northern Environmental Society v Canada (Min of Western Economic Diversification)*, [1991] 1 FC 416 (CA)