

cases funded); discrimination on grounds of sexual orientation (7% of cases funded); and the rights of aboriginal peoples (also 7% of cases funded). (A review of these cases suggests that about half have a substantial focus on sex discrimination in aboriginal communities, rather than discrimination against aboriginals *per se*.)

The remaining 26% of cases related to a diversity of issues, many of them involving multiple types of discrimination. Among these were a 1986 challenge to a Department of National Defence policy excluding Jews and Moslems from serving in Middle East peace-keeping forces. During the same year funding was awarded to challenge provisions of the *Nuclear Liability Act* restricting nuclear accident victims in seeking compensation through civil actions. In 1987, prisoners' rights were at issue in two cases funded, one of which concerned prisoners and the right to vote. More recently, funding was given to a challenge to the administration of veterans' pensions. Another recently funded challenge relates to the impact on seasonal workers of methods of calculating eligibility set out in the *Unemployment Insurance Act*.

## 2. Interventions and Case Development

The program mandate established in 1985 indicates that, in general, funding should not normally be given to interventions in cases brought before the courts by other parties. The discretionary power to provide funding to interveners thus placed in the hands of the funding panel has been used in the area of equality rights, although relatively sparingly. Our review of funding decisions indicates that funding has been provided to 11 interventions (among the 132 decisions to fund as of the close of fiscal year 1988-1989). Of these, six addressed women's issues and three addressed issues related to disability. Interventions also occurred in a case focused on native people's issues and in a case involving perceived discrimination on grounds of marital status.

Although case development funding is not mentioned specifically in the program's 1985 terms of reference, the unexplored nature of the legal terrain involved in equality rights and the needs of client groups have resulted in an important role for exploratory research intended to identify and develop cases that could be taken to court. As of the close of fiscal year 1988-1989, 58 case development projects (representing about 44% of the 132 funding decisions made by the Equality Rights Panel since its inception) had been funded.

Case development funding, like funding for actual cases, has focused on concerns of women and disabled persons, with an estimated 57% of decisions being directed to issues of primary concern to these groups. Women's issues were addressed in 16% of funding decisions, while issues concerning the rights of disabled persons were addressed in 41% of the case development funding decisions (the bulk of which gave funding to several groups receiving funding for work on multiple, separately tabulated, issues.) Other areas receiving