

consideration was directed to public education or policy development related to *Charter* rights, in part because of the limited resources devoted to this end. Furthermore, the question of the provision of public funds for disadvantaged groups to begin *Charter* challenges remained unclear and tied to such questions as the government's practice of allowing companies that had violated tax laws to write off legal costs. Were the remedies provided for in the *Charter* to be available only to those who could afford expensive court action?

IV. COURT CHALLENGES — AT ARM'S LENGTH

Prior to the tabling of the report of the Sub-committee, the Secretary of State, the Hon. Benoît Bouchard, and the Minister of Justice, the Hon. John Crosbie, announced on 25 September 1985 that the Court Challenges Program would be expanded. In addition to its support to language rights cases, the program would provide financial assistance to cases under section 15, as well as section 27 (which deals with Canada's multicultural heritage) and section 28 (which reinforces equality of the sexes). In his statement in the House of Commons, the Secretary of State expressed the hope that the provinces would experiment with similar programs.

The federal government removed the Court Challenges Program from direct control by government departments and placed its administration under the auspices of the Canadian Council on Social Development (CCSD), which in turn was required to set up an independent panel to make decisions regarding the funding of each case. The Council was chosen because of its previous interest in equality rights, because it had provided informal consultative advice to the voluntary sector and to government regarding the *Charter*, and because it had committed itself to a continuing process of sharing information and experience. Planned initiatives included workshops on the Constitution and social development; development of educational courses involving contacts between legal and social development practitioners; development of an information clearinghouse on constitutional/social development issues; and research initiatives (with the Human Rights Centre at the University of Ottawa) to set up a study to assist those involved in interpreting the Constitution.

In its report, *Equality For All*, tabled in the House in October 1985, the Sub-committee on Equality Rights supported the government's decision to expand the Court Challenges Program to cover challenges to the *Charter* based on equality rights. The Sub-committee commended the establishment of a program operating at arm's length from the government. Some members of the Sub-committee voiced concerns, however, about the limitations, financial and otherwise, that were imposed on the expanded program. The government had restricted the program to sections 15, 27 and 28 of the *Charter* and had not made provisions for