

RECOMMENDATION

8. That the funding criterion precluding duplication be amended to read: "The funding of duplicate cases should be avoided, but panels may fund duplicate cases in exceptional circumstances when it is believed that this will maximize the benefits to disadvantaged minorities from Program funding."

RESPONSE

The Government of Canada maintains that, in a program tailored to effect the systematic clarification of the Charter, duplicating cases standing before the courts should be avoided. Duplication of cases does not maximize the use of the Court Challenges Program's resources in terms of its contribution to clarifying certain rights in the Constitution.

RECOMMENDATION

9. That the funding criterion relating to interventions be amended to read: "Up to three interventions may be funded where the rights of a disadvantaged group or linguistic minority will be affected significantly by the outcome of a case or by the interpretations of *Charter* provisions raised by it."

RESPONSE

It is recognized and accepted by the courts that valid arguments, not raised by the parties responsible for carrying a case, should be heard, since an intervention can have a significant impact on a case. But the Government of Canada considers, along with the Standing Committee, that the number of interventions and the funds spent on a given case should be limited.