this particular Program."[3] Dean Penner of the University of Manitoba Faculty of Law stated that "by no stretch of the imagination can it be said that the program is either extravagant in terms of the amount of money spent on any particular case or unfocused, or unimportant."[4]

In our 1989 report on the Court Challenges Program, our evidence overwhelmingly led us to conclude that it was not making lawyers rich. In fact, one of the organizations that received money from the Program indicated that voluntary efforts by its members and *pro bono* work by lawyers working on Charter challenges amounted to between $2 and $4 for every dollar spent by the Court Challenges Program (p. 50). We have no reason to believe that this situation has changed. Dean Lynn Smith of the Faculty of Law at the University of British Columbia pointed out in a letter that was tabled with us that "the [Court Challenges funding] tended to be devoted very substantially to the costs and expenses of bringing cases forward, and not to legal fees — in short, there were huge donations of free legal work by reputable lawyers across the country which the Program made possible."[5] John Benesh of the Canadian Bar Association told us that "it is my understanding that the amount of money given [by lawyers] to each particular case in this program is certainly insufficient for most of the legal fees and that approximately half of all the legal work is just given to the program."

We are left with the conclusion that the Program's cost was not weighed against its benefits and that the cost of cancelling the Program was not considered in the light of the need for fiscal restraint. In short, we were neither provided with convincing proof that the government's action resulted from the compilation and consideration of adequate information — nor that any saving of public money will occur in the foreseeable future.

PAYING TOO DEARLY

When all is said and done, perhaps we really still must decide if justice is such a fine thing, can we pay too dearly for it. Certainly, most of the witnesses that we heard and the representations that we received answered us with a resounding "No".

The represesentations that this Committee has received since the cancellation of the Program have shown us how greatly the people of Canada value the principle of access to the courts. During the whole of this 34th Parliament, our Committee has never received as many unsolicited submissions on any single issue. The comments that have been submitted to us have come not only from a former Justice of the Supreme Court of Canada and from municipalities like the City of Ottawa but from organizations such as Rural Dignity of Canada, the Shelter for Abused Women and their Children, the Centre for Spanish-Speaking People, and the Inuit Women's Association (For a full list see Appendix E).

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[3] See footnote 1.

[4] Letter from Roland Penner to the Honourable Gerry Weiner, Minister of Multiculturalism and Citizenship, March 5, 1992 (*see Appendix C*).

[5] Letter from Lynn Smith to the Honourable Gerry Weiner, Minister of Multiculturalism and Citizenship, March 4, 1992 (*see Appendix C*).