

COMMISSION OF INQUIRY
INTO MATTERS RELATING TO THE DEATH OF NEIL STONECHILD

VARIOUS APPLICATIONS FOR ADDITIONAL FUNDING

The Saskatoon Police Association makes a second application for funding. Cst. Senger, Cst. Hartwig, Stella Bignell, Federation of Saskatchewan Indian Nations, and Keith Jarvis each apply for additional funding. In my original ruling on standing and funding, dated May 13, 2003 I did acknowledge that the circumstances may require the basis for funding be revisited at a later date. I granted Counsel leave to apply for directions as they may be advised. All Counsel have agreed that these applications may be determined without a hearing.

In general, these applications are made on the grounds that preparation for the hearings has involved more work than was anticipated.

Counsel for FSIN and Stella Bignell make a further point in support of their applications for additional funding. They point to the fact that six of the eight parties that have been granted standing represent police interests. Only two parties, FSIN and Bignell, can be said to represent first nation interests. This is not to suggest that the hearings to date have been adversarial. However, they point to the inequality of resources available to them as compared to the resources available to the parties representing police interests.

Counsel for Keith Jarvis request additional funding to cover the costs associated with reviewing the evidence to date.

I am not satisfied that a compelling argument has been made to revisit my ruling on funding on the grounds that preparation has involved more work than anticipated. In my view, the hearings have proceeded as expected, and without any major issues which should not have been anticipated from the outset. In this regard, I would refer to the Standing and Funding Guidelines established for the Inquiry. The principles applicable to funding are stated as follows:

“The aim of the funding is to assist parties granted standing in presenting such interests and perspectives but is not for the purpose of indemnifying interveners from all costs incurred.”

I do find some merit in the argument that there is some inequality in resources as between the police interests and the first nation’s interest. Accordingly, I will allow one additional hour of preparation time for each hour of hearing time to each of the FSIN and Stella Bignell. The additional hour of preparation time will be at the rate established for alternate counsel of \$125.00 per hour.

I also agree that Keith Jarvis should have some additional funding to cover costs of reviewing the evidence to date. In light of the fact he only recently obtained standing, his

legal counsel was not present for the first three weeks of the hearings. I will allow an additional twenty hours of preparation time to Keith Jarvis.

Dated at the City of Saskatoon, in the Province of Saskatchewan, this _____ day of October, 2003

Mr. Justice David H. Wright
Commissioner