

www.cjc.gc.ca

REFERENCE

FOR JUDGES APPOINTED TO COMMISSIONS OF INQUIRY



REFERENCE GUIDE FOR JUDGES APPOINTED TO COMMISSIONS OF INQUIRY

• • •

Adopted by the Canadian Judicial Council - April 2011

© Her Majesty the Queen in Right of Canada, 2011 Catalogue Number: JU14-22/2011E-PDF ISBN: 978-1-100-19048-8

Canadian Judicial Council Ottawa, Ontario Canada K1A 0W8

Telephone: (613) 288-1566 Fax: (613) 288-1575

Email: info@cjc-ccm.gc.ca

Also available on the Council's Web site at www.cjc-ccm.gc.ca

INDEX

PART I	INTRODUCTION	1
PART II	CHECKLIST	3
PART III	PAST COMMISSIONERS	5
PART IV	SAMPLE PROVISIONS	9
PART V	REFERENCE MATERIALS	15
PART VI	CONCLUSION	17
APPENDIX A	SUMMARY OF KEY ELEMENTS (FEDERAL AND PROVINCIAL INQUIRIES) (Prepared by Justice Canada – Judicial Affairs, Courts and Tribunal Policy – November 2010)	19



.....

•

PART I - INTRODUCTION

The Canadian Judicial Council adopted a Protocol on the Appointment of Judges to Commissions of Inquiry in August, 2010. The Judicial Independence Committee of the Council (JIC) assisted in the development of the Protocol and, in doing so, consulted with judges and lawyers who had extensive experience in the area of public inquiries. During the course of its work, the JIC thought it worthwhile to develop a "tool kit" as a companion to the Protocol which would serve as a useful resource of best practices to guide the newly appointed commissioner, especially in the early stages of the inquiry.

The result is this Guide, available on the CJC website at www.cjc.gc.ca.

The materials herein have been assembled by the JIC. They are not intended to offer "advice". Rather, the principal objectives are to provide practical information gleaned from past experience and to identify certain key considerations requiring the early attention of the commissioner.

It is recognized that each commission of inquiry will be defined by its terms of reference and must establish its own *modus operandi* under the leadership of the judge who heads it. However, there are certain guiding principles and lessons that can be drawn from the experience of previous inquiries.

The Guide is divided into six discrete parts.

Part I serves as an Introduction to orientate the reader and briefly describe the purpose of the Protocol.

Part II offers a checklist of the types of things any commissioner will likely wish to consider as critical first steps in undertaking the inquiry and ensuring its smooth and effective operation.

Part III provides a list of past commissioners and information relating to the inquiries over which they presided.

Part IV includes sample provisions from previous Orders-in-Council (OIC), which are intended to assist the commissioner in determining whether the enabling OIC contains the necessary powers and authority to complete the commission's mandate or whether revisions will be required.

Part V provides a list of reference materials including textbooks, academic journals and case law to which the commissioner might refer, when needed.

Part VI is the Conclusion.

This Guide is intended as a handy, easy-to-use resource containing practical information which can be accessed quickly by the commissioner as he or she begins the challenging work that lies ahead. As experience grows, information will be updated from time to time. The reader is invited to consult the CJC website for the most up-to-date version.



PART II - CHECKLIST

What follows is a series of items which commonly arise during the setup and operation of commissions of inquiry. Obviously, much depends on the authority and mandate of the commissioner as described in the OIC as well as the applicable federal or provincial legislation. The timing and manner in which these items might be addressed will depend on a host of factors, some obvious, others more nuanced or subtle. It is expected that the commissioner will wish to consult with others and review the reference materials in depth in order to develop a better understanding of the significance of any particular listed item and how best to deal with it.

- What is the applicable provincial or federal legislation by which this commission is established?
- Is the commissioner satisfied that the OIC provides clear and full authority to complete the mandate as stipulated?
- Are revisions to the OIC necessary?
- If so, when and how?
- Is the commissioner satisfied with the protections afforded his or her "independence" while heading an inquiry at the request of, and upon terms prescribed by the executive branch of government?
- Does the OIC stipulate that the commissioner's authority to rent space, facilities, hire staff, experts, etc. is to be in accordance with Treasury Board Guidelines or at rates approved by the Treasury Board?
- Does the commissioner have the requisite authority and independence to set the inquiry's budget and freely determine its allocation of resources?
- Does the commissioner have the requisite authority and independence in appointing commission counsel, staff lawyers, researchers, experts and other staff?
- Does the commissioner have the requisite authority and independence in setting up the offices of the Commission?
- What early contact should be established with the Office of the Commissioner for Federal Judicial Affairs (FJA) to obtain its assistance and expert advice in various administrative functions of the commission (e.g., securing a memorandum of understanding between the FJA and the administrative contact responsible for the commission so that expenses will be properly billed, thus preserving the commissioner's independence and assuring that such claims will not be subject to access to information requests)?
- With the assistance of the FJA, what specific steps should the commissioner take to ensure arms-length contractual arrangements and confidentiality surrounding those arrangements?
- When and how will standing be decided?
- When and how will funding for those individuals/parties granted standing be decided?

- Who will establish the relationships among, and lines of authority between lead counsel, junior counsel, the commissioner, researchers, experts, etc.?
- When and by whom will press briefings be conducted?
- Who, in the executive branch, is the contact person to whom the commissioner/or commission
 counsel may turn for quick action, when required? (Ascertain whether this will be the Privy
 Council Office "technical team" which is dedicated to providing technical assistance to federal
 commissions of inquiry.)
- What does the OIC say about the process of revising (or expanding, or limiting) Orders-in-Council down the road?
- What does the OIC say about the relationships and lines of authority between various commissioners, if the commission of inquiry is composed of more than one?
- What does the OIC say about filing the commission of inquiry's final report (or disclosure of interim reports or draft conclusions)?
- What does the OIC say about the government's commitment to fully co-operate with the commissioner during the course of his or her mandate?
- What does the OIC say about the government's ability to "shut down" the commission of inquiry before its work is completed?
- What does the OIC say about the ability of the commission of inquiry to expand its terms of reference?
- What does the OIC say about the ability of the commission of inquiry to extend its term?
- What does the OIC say about the ability of the commissioner to comment publicly on his or her report, or the investigation and work that led to it?
- What rigorous screening methods are required to avoid real or perceived conflicts of interest on the part of staff, counsel, or the commission itself?
- What steps should the commissioner take to establish clearly defined roles for commission counsel?
- What is the government's commitment to provide top of the line software and technical support so as to guarantee the effective exchange, retrieval and collation of a massive paper record, likely spread over countless servers?
- What security measures should the commissioner implement to ensure absolute confidentiality surrounding the work of the commission?



•

.....

•

PART III - PAST COMMISSIONERS

Inquiries in Canada from Past 15 Years (Federal and Provincial)

	Juristiction	Year(s)	Inquiry	Commissioner	Status
1	Canada	2009- Present	Sockeye Salmon	Hon. Bruce Cohen	Active – BC
2	Canada	2008-2010	Karlheinz Schreiber	Hon. Jeffrey Oliphant	Supernumerary – MB
3	Canada	2006-2008	Abdullah Almalki et al	Hon. Frank Iacobucci	Retired – SCC
4	Canada	2006-2010	Air India	Hon. John Major	Retired – SCC
5	Canada	2004	New Brunswick Electoral Boundaries	Hon. Joseph Daigle	Supernumerary – NB
				Mr. Pierre Foucher	Law Professor
				Mr. Lorio Roy	Journalist
6	Canada	2004-2006	Sponsorship	Hon. John Gomery	Active – QC
7	Canada	2004-2006	Maher Arar	Hon. Dennis O'Connor	Active – ON
8	Canada	2001-2002	Future of Health Care	Hon. Roy Romanow	Premier – retired
9	Canada	1993-1997	Blood System	Hon. Horace Krever	Active – ON
10	Canada	1994-1997	Somalia	Hon. Gilles Létourneau	Active – FedCt
				Hon. Robert Rutherford	Active – ON
				Peter Desbarats	Journalist
11	Canada	1995-1996	Women's Prison Kingston	Hon. Louise Arbour	Active – ON
12	Newfoundland and Labrador	2009- Present	Offshore Helicopter Safety	Hon. Robert Wells	Retired – NL
13	Newfoundland and Labrador	2007-2009	Hormone Receptor Testing (Breast Cancer)	Hon. Margaret Cameron	Active – NL

	Juristiction	Year(s)	Inquiry	Commissioner	Status
14	Newfoundland and Labrador	2003-2006	NL Wrongful Convictions	Hon. Antonio Lamer	Retired – SCC
15	Nova Scotia	2008- Present	Howard Hyde Death (Taser)	Hon. Anne Derrick	Provincial Judge – NS
16	Nova Scotia	2006	Bernadette Reid (Corruption)	Mr. LeRoy Lenethen	Lawyer – NS
17	Nova Scotia	2005-2006	Theresa McEvoy (Youth Crime)	Hon. Merlin Nunn	Retired – NS
18	Nova Scotia	1992-1997	Westray Mine Disaster	Hon. K. Peter Richard	Active – NS
19	Quebec	2010- Present	Judges	Hon. Michel Bastarache	Retired – SCC
20	Ontario	2007-2008	Dr. Charles Smith Child Pathology	Hon. Stephen Goudge	Active – ON
21	Ontario	2005-2009	Cornwall Abuse	Hon. G. Norman Glaude	Active – ON
22	Ontario	2003-2007	Ipperwash	Hon. Sidney B. Linden	Active – ON
23	Ontario	2003-2006	SARS	Hon. Archie Campbell	Active – ON
24	Ontario	2000-2002	Walkerton	Hon. Dennis O'Connor	Active – ON
25	Ontario	2002-2005	Toronto Computer Leasing (Corruption)	Hon. Denise Bellamy	Active – ON
26	Ontario	1996-1998	Guy Paul Morin (Wrongful Conviction)	Hon. Fred Kaufman	Retired – ON
27	Ontario	1995-1996	Bernardo Investigative Review	Hon. Archie Campbell	Active – ON
28	Manitoba	2006- Present	Phoenix Sinclair (Child Murder)	Unknown	N/A
29	Manitoba	2007-2008	Crystal Taman (Impaired Driving Death Caused by Police Officer)	Hon. Roger Salhany	Retired – ON

	Juristiction	Year(s)	Inquiry	Commissioner	Status
30	Manitoba	2005-2007	James Driskell (Wrongful Conviction)	Hon. Patrick J. LeSage	Retired – ON
31	Manitoba	2000-2001	Thomas Sophonow (Wrongful Conviction)	Hon. Peter Cory	Retired – SCC
32	Saskatchewan	2004-2008	David Milgaard (Wrongful Conviction)	Hon. Edward P. MacCallum	Active – AB
33	Saskatchewan	2003-2004	Neil Stonechild (Aboriginal Freezing Death)	Hon. David Henry Wright	Active – SK
34	Saskatchewan	2001-2002	North Battleford Water	Hon. Robert Laing	Active – SK
35	British Columbia	2010- Present	Robert Pickton	Hon. Wally Oppal	Former AG – BC
36	British Columbia	2008-2009	Robert Dziekański (Taser)	Hon. Thomas Braidwood	Retired – BC and YK
37	British Columbia	2007-2010	Frank Paul (Aboriginal Freezing Death)	Hon. William H. Davies	Retired – BC and NWT

The contact information of past commissioners who would be prepared to offer advice, if asked can be obtained by contacting the office of the CJC at (613) 288-1566.



PART IV - SAMPLE PROVISIONS

Provisions found in OICs that establish a commission of inquiry, whether federal or provincial, can vary greatly depending on the mandate of the commission. **Appendix A** provides a summary of key elements found in OICs for both Federal and Provincial inquiries held in the last 15 years. Following are a few sample provisions taken from various OICs.

1. Authority to grant standing and funding

OICs generally provide discretion to the Commissioners to grant standing and funding for participants who have an interest in the matter and would not otherwise be able to participate in the inquiry. The OIC for the ongoing **Sockeye Salmon** inquiry, presided by the Hon. Bruce Cohen, refers to funding for participants as follows:

[The] Commission shall:

[...]

(ix) authorize the Commissioner to grant, to any person who satisfies him that they have a substantial and direct interest in the subject matter of the Inquiry, an opportunity for appropriate participation in it,

(x) authorize the Commissioner to recommend to the Clerk of the Privy Council that funding be provided, in accordance with terms and conditions approved by the Treasury Board, to ensure the appropriate participation of any person granted standing at the Inquiry under subparagraph (ix), to the extent of the person's interest, if the Commissioner is of the view that the person would not otherwise be able to participate in the Inquiry,

Identical or similar wording exists in the OIC for the following federal Inquiries:

- Karlheinz Schreiber (Hon. Jeffrey Oliphant)
- Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki et al. (Hon. Frank lacobucci)
- Air India (Hon. John Major)
- Sponsorship (Hon. John Gomery)
- Maher Arar (Hon. Dennis O'Connor)

In addition to funding provisions similar to those above, the **Air India** Inquiry (Hon. John Major), included the following reference to funding for families of the victims:

[The] Commission shall direct:

[...]

- (f) that the Commissioner be authorized to grant to the families of the victims of the Air India Flight 182 bombing an opportunity for appropriate participation in the Inquiry;
- (g) that the Commissioner be authorized to recommend to the Clerk of the Privy Council that funding be provided, in accordance with approved guidelines respecting rates of remuneration and reimbursement and the assessment of accounts, to ensure the appropriate participation of the families of the victims of the Air India Flight 182 bombing;

2. Limited authority to grant funding

In the **Tainted Blood** inquiry (Hon. Horace J. Krever), the federal OIC imposed certain requirements when considering funding recommendations (i.e., a time limit is imposed and the Commissioner is to bear in mind the fiscal restraints program of the Government). The text of the provision is as follows:

the Commissioner:

[...]

(g) is directed to advise the Governor in Council by November 30, 1993 as to whether, in the opinion of the Commissioner, it is necessary in order to achieve the objectives of the inquiry to provide assistance with respect to the intervener costs of any of the parties that may appear before the inquiry, the extent of assistance where such assistance would, in the opinion of the Commissioner, be in the public interest, bearing in mind the fiscal restraints program of the Government, and how such funding should be administered,

The OIC for the **Kingston Women's Prison** inquiry made no reference to funding for parties. However, following applications for standing, the Commissioner made a recommendation to the Solicitor General that funding be extended to some groups and individuals in order to participate at the inquiry. A subsequent OIC (1995-1298) was issued providing as follows:

[...] authorize the Solicitor General of Canada to make ex gratia payments, in accordance with the criteria and principles set out in Schedule 'A' hereto, to assist in the payment of the costs incurred by intervenors to the Commission of Inquiry into

Certain Events at the Prison for Women in Kingston, established under Part II of the Inquiries Act by Order in Council P.C. 1995-608 of April 10, 1995, upon consideration of the advice and recommendations for such payments by the Honourable Madam Justice Louise Arbour.

3. Date for submitting report

Orders in Council generally direct a date by which the commissioner is to issue an interim or final report(s). This date is often extended by a further OIC.

The OIC for the ongoing **Sockeye Salmon** inquiry (Hon. Bruce Cohen) contained the following provision relating to the date for submitting the report:

[...]

(xv) direct the Commissioner to submit, on or before August 1, 2010, an interim report, simultaneously in both official languages, to the Governor in Council, setting out the Commissioner's preliminary views on, and assessment of, any previous examinations, investigations or reports that he deemed relevant to the Inquiry and the Government's responses to those examinations, investigations and reports,

(xvi) direct the Commissioner to submit, on or before May 1, 2011, one or more reports, simultaneously in both official languages, to the Governor in Council.

By subsequent OICs, the date for submitting an interim report was extended to October 29, 2010, and the date for submitting the report(s) was extended to June 30, 2012.

The initial OIC in the Dr. Charles Smith **Child Pathology** provincial inquiry (Hon. Stephen Goudge) contained a provision for the delivery of the final report and recommendations on April 25, 2008, one year following the OIC that established the commission. This provision was subsequently amended as follows:

An amendment be made to Order in Council numbered O.C. 826/2007 and dated April 25, 2007, by substituting "September 30, 2008, or if requested by Commissioner Goudge and approved by the Attorney General, up to a further sixty days, such correspondence to be included in the final report" for "April 25, 2008" in paragraph 2 so the paragraph shall read:

The Commission shall conduct the inquiry to ensure the expeditious delivery of its report and shall deliver its final report and recommendations to the Attorney General no later than September 30, 2008, or if requested by Commissioner Goudge and approved by the Attorney General, up to a further sixty days, such correspondence to be included in the final report.

The OIC for the **Cornwall** inquiry (Hon. G. Norman Glaude) first contained a general provision for the Commissioner to submit his report and recommendations:

[...]

8. The Commission shall complete this inquiry and deliver its final report containing its findings, conclusions and recommendations to the Attorney General. In delivering its report to the Attorney General, the Commission shall ensure that the report is in a form appropriate and in sufficient quantities for public release and be responsible for translation and printing, and shall ensure that it is available in both English and French, in electronic and printed versions. The Attorney General shall make the report available to the public.

In subsequent OICs, a final date for receiving evidence, completing closing submissions and delivering a final report was established:

[...]

8. The Commission shall:

- (a) no later than January 30, 2009, receive all evidence and complete all other activities, with the exception of counselling support in place as of October 22, 2008 and scheduled to conclude no later than 90 days following the release of the Commission's final report;
- (b) no later than February 27, 2009, complete closing submissions; and
- (c) no later than October 15, 2009, deliver its final report containing its findings, conclusions and recommendations to the Attorney General.

In delivering its report to the Attorney General, the Commission shall ensure that the report includes an executive summary and is in a form appropriate and in sufficient quantities for public release. The Commission shall be responsible for the translation and printing of the report, and shall ensure that it is available in both English and French, in electronic and printed versions. The Attorney General shall make the report available to the public.

A further OIC extended the final date for the delivery of the final report to December 15, 2009.

4. Authority to adopt procedures, including when and where commission to sit

OICs generally provide the Commissioner with the authority to adopt any procedures and methods for the conduct of the inquiry. Depending on the mandate given, the OIC may contain provisions relating to when and where the inquiry is to take place. Following are a few examples of such clauses.

The OIC in the Air India inquiry (Hon. John Major) contained the following provision:

[...]

(d) that the Commissioner be authorized to adopt any procedures and methods that he may consider expedient for the proper conduct of the Inquiry, and to sit at any times and in any places outside Canada that he may decide.

The following provisions were included in the OIC for the **New Brunswick Electoral Boundaries** Inquiry:

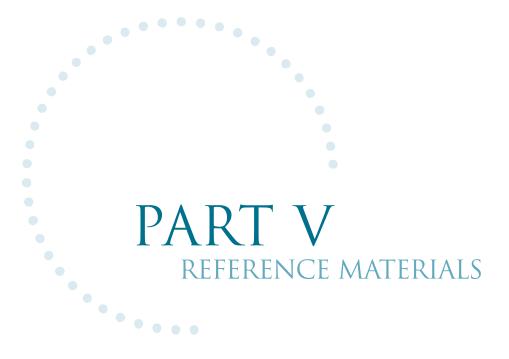
[...]

- (c) the Commissioners be directed to hold one sitting in each of the electoral districts of Miramichi and Acadie-Bathurst, for the hearing of representations by interested persons...
- (h) the Commissioners be authorized to adopt any procedures and methods that they may consider expedient for the proper conduct of their work.

The Order in Council for the ongoing **Sockeye Salmon** inquiry (Hon. Bruce Cohen) contains the following provision:

[...]

- (vi) authorize the Commissioner to adopt any procedures and methods that he may consider expedient for the proper conduct of the Inquiry, to sit at any times and in any places in Canada that he decides and to conduct consultations in relation to the Inquiry as he sees fit.
- (viii) despite subparagraph (v) and (vi), direct the Commissioner not to conduct any hearings during the periods beginning on February 12, 2010 and ending on February 28, 2010, and beginning March 12, 2010 and ending on March 21, 2010, to minimize the costs of the Inquiry and the inconvenience to witnesses during the Vancouver 2010 Olympic and Paralympic Winter Games.



PART V - REFERENCE MATERIALS

- The Conduct of Public Inquiries: Law, Policy and Practice, Ed Ratushny (Irwin Law Inc., 2009)
- A Handbook on the Conduct of Public Inquiries in Canada, Anthony and Lucas (1985)
- Judicial Independence as a Public Policy Instrument, Adam M. Dodek, Comparative Research in Law and Political Economy (CLPE Research Paper 10/2009 • Vol. 05 No. 02 (2009))
- Commissions of Inquiry: Praise or Re-Appraise, Manson and Mullan eds. (2003)
- Articles collected in (1994), 43 U.N.B.L.J. 379-434
- Commissions of Inquiry, Pross Christie and Yogis, eds. (1990)
- Various Reports on Public Inquiries by the Law Reform Commissions of Canada (1997, 1979);
 Alberta (1991-1992); Ontario (1992)
- http://www.toronto.ca/inquiry/inquiry_site/report/pdf/TCLI_TECI_Report_Inquiry_Process.pdf
- Government of Canada Privy Council Office website OIC database: http://www.pco-bcp.gc.ca/oic-ddc.asp?lang=eng&Page=secretariats



PART VI - CONCLUSION

Commissions of inquiry enjoy a rich and robust history in Canada. They are generally seen as a part of the machinery of government, charged with investigating and making recommendations in matters requiring detailed, neutral, and independent scrutiny in a public forum. Past inquiries have dealt with a host of subjects but they share certain common characteristics. Experience shows that commissions are established to deal with events often shrouded in tragedy or controversy, and which merit a thorough assessment of the facts invariably tied to a careful examination of policy, accountability, and public confidence.

It has become commonplace to call upon sitting or recently retired judges to head commissions of inquiry. Judges are appointed as commissioners because of widespread respect for judicial impartiality and independence, integrity and competence. However, the judge asked to serve as an inquiry commissioner is appointed by, and sits at the pleasure of, the executive branch of government.

An appointment as commissioner raises special challenges in that the subject-matter of public inquiries most often features controversial issues which may trigger unpopular or partisan political implications. A judge who is chosen to lead an inquiry will not be exercising his or her normal judicial functions, protected by the customary "judicial independence" that attaches to such duties. Unlike the judicial role in hearing most cases, a commissioner will be the subject of intense media scrutiny, which is a function of establishing the commission of inquiry in the first place.

In meeting such distinct and solitary demands of the office, the commissioner must be confident that the terms of his or her mandate will enable the commission to fulfill its important responsibilities in a timely and effective fashion, in accordance with the public interest, and in a way that will maintain public confidence in the judge and the judiciary.

It is hoped that this modest resource will serve as a database of best practices and practical reference materials to assist the commissioner in the significant tasks ahead.

APPENDIX A

•

......

•

•

•

SUMMARY OF KEY ELEMENTS
(FEDERAL AND PROVINCIAL INQUIRIES)

appendix **A**

APPENDIX A – SUMMARY OF KEY ELEMENTS (FEDERAL AND PROVINCIAL INQUIRIES)

(Prepared by Justice Canada – Judicial Affairs, Courts and Tribunal Policy – November 2010)

FEDERAL

Jurisdiction / Inquiry	,	Name Canada / Sockeye Salmon
Commissioner / Status		Hon. Bruce Cohen – Active – BC
Legislation		Inquiries Act
Announced / Interim	Report	November 6, 2009 / August 1 st , 2010
Date Specified for Fi	nal Report	Yes
Date Final Report		May 1 st , 2011
Extensions	Yes – inte	rim report moved to October 29, 2010 from August 1 st , 2010.
Standing	Establishes Rules for Standing and Funding separate from Rules of Practice and Procedure.	
		Procedure and Practice allow for any member of the public to make written ns to the commission.
	Rules for S or dispens	Standing and Funding are at the discretion of the Commissioner to amend se with.
	Rules for Standing and Funding were amended March 4, 2010 (gave the Government of Canada standing throughout, made the Rules subject to the Contribution Program Terms, and to give flexibility to the Commissioner to accept standing and funding applications submitted at additional dates).	
	Other than the Commission Counsel and the Government of Canada, standing will be given to persons who satisfy the Commissioner that the person has a substantial and direct interest in the matters investigated or portions thereof.	
Mandate	A) conduct the Inquiry without seeking to find fault on the part of any individual, community or organization and with the overall aim of respecting conservation and encouraging cooperation among stakeholders;	
	B) to consider the policies and practices of the Department of Fisheries and Oceans	
	C) to investigate and make independent findings of fact regarding:i) the causes of the decline of Fraser River sockeye salmon;ii) the current state and long-term projects for stocks of sockeye salmon.	
	D) develop recommendations for improving future sustainability of the sockeye salmon fishery including departmental changes.	
	There was a ruling issued by the Commissioner on whether or not the direction to "conduct the inquiry without seeking to find fault on the part of any individual, community or organization" precluded the Commissioner from making findings of misconduct (held that the Terms of Reference did not preclude this).	

Administrative and Funding Structure	Commissioner authorized to rent space and facilities in accordance with Treasury Board Guidelines.
	Commissioner authorized to hire staff, experts, and other persons from s. 11 at rates as approved by Treasury Board.
	Commissioner authorized to choose when and where in Canada the Commission will sit and to conduct consultations as he sees fit.
	Commissioner authorized to recommend to the Clerk of the Privy Council that funding be provided (in accordance with Treasury Board guidelines) to ensure participation of individuals with standing who would not otherwise be able to participate.
Procedures	Commissioner authorized to adopt any procedures and methods for the conduct of the Inquiry.
	Within the Rules of Procedure and Practice, the Commissioner may, at his discretion, amend, supplement or dispense with the rules as he deems necessary.
Rulings	Yes. Application for production of Aquaculture Heath Records. Vary funding for participants. Application seeking exceptional circumstance (to split funding recommended for a party to allow for additional counsel). Interpretation of Terms of Reference (meaning of A without seeking to find fault). Vary standing. Funding. Standing.
Misc. Comments and Differences	Inquiry not to sit during the Vancouver Olympics. Creation of a scientific advisory panel to provide independent scientific reports to the Commission. Holding a series of public forums in summer and fall 2010 around BC.

		TEDELINE
Jurisdiction / Inquiry Name		Canada / Karlheinz Schreiber
Commissioner / Status		Hon. Jeffrey Oliphant – Supernumerary – MB
Legislation		Inquiries Act
Announced / Interim	Report	June 12, 2008
Date Specified for Fir	nal Report	Yes
Final Report		May 31 st , 2010
Extensions	Yes – Fina	report moved to May 31, 2010 from June 12, 2009.
Standing	Order in Council authorizes the Commissioner to grant to any person who satisfies him that they have a substantial and direct interest in the subject matter an opportunity for appropriate participation.	
	Rules of P	ocedure and Practice grant standing to Commission Counsel.
	Commissioner may grant intervenor status to persons who satisfy the Commissioner that they have a genuine concern about issues raised and have a particular perspective or expertise that may assist the Commissioner.	
	Standing and funding is considered separately for the two phases of the Inquiry.	
Mandate	Investigate and report on the following questions relating to the business and financial dealings between Karlheinz Schreiber and the Right Honourable Brian Mulroney, P.C.:	
	A) What were the business and financial dealings between Mr. Schreiber and Mr. Mulroney?	
	B) Was there an agreement reached by Mr. Mulroney while still a sitting prime minister?	
	C) If so, what was that agreement, when and where was it made?	
	D) Was there an agreement reached by Mr. Mulroney while still sitting as a Member of Parliament or during the limitation periods prescribed by the 1985 ethics cod	
	E) If so, what was that agreement, when and where was it made?	
	F) What payments were made, when and how and why?	
	G) What was the source of the funds for the payments?	
	H) What services, if any, were rendered in return for the payments?	
	I) Why were the payments made and accepted in cash?	
	J) What happened to the cash; in particular, if a significant amount of cash was received in the U.S., what happened to the cash?	

Administrative and Funding Structure	Commissioner authorized to rent space and facilities in accordance with Treasury Board Guidelines. Commissioner authorized to hire staff, experts, and other persons from s. 11 at rates as approved by Treasury Board. The Commissioner may recommend funding for a party or intervenor (where this recommendation is accepted, funding shall be in accordance with Treasury Board Guidelines).
Procedures	Commissioner authorized to adopt any procedures and methods for the conduct of the Inquiry. The Rules of Procedure and Practice give discretion to Commissioner to amend, supplement or dispense with the rules as he deems necessary.
Rulings	Yes: Standing and Funding for Part I of the Inquiry. Standing and Funding for Part II of the Inquiry. Standards of Conduct. Clarification on Standards and Conduct.
Misc. Comments and Differences	Decision to call an inquiry was made following an independent review by David Johnston. Order in Council establishes that the questions set out by David Johnston are relevant questions for a commission of inquiry. Lengthy statement issued by Commissioner upon release of the report.

Jurisdiction / Inquiry	Name	Canada / Abdullah Almalki et al.
Commissioner / Statu	us	Hon. Frank Iacobucci – Retired – SCC
Legislation		Inquiries Act
Announced / Interim	Report	December 11, 2006
Date Specified for Fi	nal Report	Yes
Final Report		January 31, 2008
Extensions		orts moved to October 20, 2008 after being moved to September 2, 2008 ary 31, 2008.
Standing	Commissioner authorized to grant to any person who satisfies him that they have a substantial and direct interest in the subject matter of the Inquiry an opportunity for appropriate participation. Commissioner authorized to recommend to the Clerk of the Privy Council (in accordance with Treasury Board guidelines) to ensure participation of individuals with standing who would not otherwise be able to participate.	
Mandate	A) whether the detention of Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin in Syria or Egypt resulted, directly or indirectly, from actions of Canadian officials, particularly in relation to the sharing of information with foreign countries and, if so, whether those actions were deficient in the circumstances.	
	B) whether there were deficiencies in the actions taken by Canadian officials to provide consular services to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin while they were detained in Syria or Egypt, and	
	C) whether any mistreatment of Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin in Syria or Egypt resulted, directly or indirectly, from actions of Canadian officials, particularly in relation to the sharing of information with foreign countries and, if so, whether those actions were deficient in the circumstances;	
Administrative and Funding Structure	Commissioner authorized to rent space and facilities in accordance with Treasury Board Guidelines.	
	Commissioner authorized to hire staff, experts, and other persons from s. 11 at rates as approved by Treasury Board.	
	Commissioner authorized to recommend to the Clerk of the Privy Council that funding be provided (in accordance with Treasury Board guidelines) to ensure participation of individuals with standing who would not otherwise be able to participate.	

Commissioner authorized to adopt any procedures and methods for the conduct of the inquiry, while taking all steps necessary to ensure that the Inquiry is conducted in private (unless certain portions are essential to be conducted in public).
Commissioner may amend or dispense with Rules as he considers necessary.
National security concerns will be considered in providing access to witnesses and documents to parties involved.
Yes.
Application made by notice of application (concerning confidentiality of lawyers).
Application for public hearing.
Application made by notice (concerning disclosure of evidence and information on potential witnesses).
Terms of Reference and Procedure.
Participation and Funding.
Inquiry carried out largely in private due to national security concerns.
Inquiry called in response to concerns arising out of the Hon. Dennis O'Connor's inquiry on Maher Arar.
Commissioner directed to prepare two reports: a confidential report and one that is suitable for disclosure to the public.
Rules governing how to handle disagreements between the Commissioner and the Minister on matters of national security are laid out in the Order in Council.
Following disagreement with the Government over what information would be released to the public and ensuing "extensive further discussions" pursuant to the Order In Council, a supplement to the public report was later released.

Jurisdiction / Inquiry	Name	Canada / Air India
Commissioner / Status		Hon. John Major – Retired SCC
Legislation		Inquiries Act
Announced / Interim Report		May 1 st , 2006
Date Specified for Fi	nal Report	No. Commissioner to submit a report or reports
Final Report		June 17, 2010
Extensions	No. Commissioner to submit a report or reports.	
Standing	Commissioner authorized to grant to the families of victims an opportunity for appropriate participation.	
	that he or	oner authorized to grant standing to any other person who satisfies him she has a substantial and direct interest in the subject matter of the opportunity for appropriate participation in the Inquiry.
	Intervenor status may be granted if the Commissioner is satisfied that the person represents clearly ascertainable interests and perspectives essential to the Commissioner's mandate (Intervenors mentioned only in Rules of Procedure and Practice).	
Mandate	A) to determine deficiencies in the assessment by the government of Sikh terrorism and to examine the risk of inadequate responses to future terrorist threats;	
	B) examine the co-operation between agencies and risks for the future;	
	C) examine the relationship between investigation of security matters and usable evidence at criminal trials;	
	D) limits of terrorism financing;	
	E) protection for potential witnesses against intimidation;	
	F) issues relating to the prosecution of terrorism cases (should they be held before panels of 3 judges?);	
	G) specific matters relating to aviation security.	
Administrative and Funding Structure	Commissioner authorized to recommend to the Clerk of the Privy Council that funding, in accordance with approved guidelines, be provided to ensure the appropriate participation of the families of victims.	
	Commission authorized to recommend to the Clerk of the Privy Council that funding be provided, at approved rates, to ensure the participation of anyone granted standing who would not otherwise be able to participate.	
	Commission authorized to rent facilities in accordance with Treasury Board policies.	
	Commissioner authorized to hire staff, experts, and other persons from s. 11 at rates as approved by Treasury Board.	

Procedures	Commissioner authorized to adopt any procedures and methods for the Inquiry and sit at any times and places in or out of Canada.		
	Inquiry set up in two phases:		
	1) Voluntary testimony of the victims of the bombing with no cross-examination;		
	2) Inquiry in phases into the matters set out in the Terms of Reference.		
	Commissioner may amend or dispense with the Rules as he deems necessary.		
	At the start of Phase 2, Commission Counsel may present to the Commissioner a dossier of evidence together with sources.		
Rulings	Yes. Standing.		
	Participation by intervenors.		
	The ability of Air India families to view in camera evidence.		
Misc. Comments and Differences	Following appointment of Inquiry, the appointment of Bob Rae to act as an Independent Advisor was terminated in favour of Justice Major.		
	Inquiry had been recommended in Bob Rae's 2005 Report "Lessons to be Learned".		

Jurisdiction / Inquiry Name Canada / New Brunswick Electoral Boundaries

Commissioner / Status Honorable Joseph Daigle / Mr. Pierre Foucher / Mr. Lorio Roy /

Supernumerary – NB / Law Professor / Journalist

Legislation Inquiries Act

Announced / Interim Report October 19, 2004 / December 2, 2004

Date Specified for Final Report Yes

Final Report December 8, 2004

•	·
Extensions	
Standing	Public hearings held in Miramichi and Acadie-Bathurst where any person wishing to appear may do so upon application.
Mandate	To recommend changes to the federal electoral boundaries between the ridings of Miramichi and Acadie-Bathurst.
Administrative and Funding Structure	Commissioners authorized to rent facilities in accordance with Treasury Board Guidelines.
	Commissioners authorized to hire staff, experts and other persons from s. 11 in accordance with Treasury Board rates.
Procedures	Commission is directed to hold one sitting in each riding.
	Commission is directed to advertise these hearings beforehand.
	Commissioners are authorized to adopt any procedures and methods that they consider expedient.
Rulings	unknown
Misc. Comments	Three commissioners.
and Differences	Preliminary report due 10 business days following the public hearings.
	Final report due within 5 business days after receiving any objections from the House of Commons on the Preliminary Report or 2 days if there are no objections received.
<u> </u>	

_
~
\simeq
Z
一亩
Д
4
AP
AP

		FEDERAL
Jurisdiction / Inquiry Name		Canada / Sponsorship
Commissioner / Status		Hon. John Gomery / Active – QC
Legislation		Inquiries Act
Announced / Interim Report		February 19, 2004 / November 5, 2005
Date Specified for Final Report		No. Commissioner to submit, on an urgent basis, one or more reports, interim or final of his factual findings and to submit a separate report of his recommendations.
Final Report		February 1 st , 2006
Extensions	No.	
Standing	Commissioner authorized to grant standing to any person who satisfies him that he or she has a substantial and direct interest in the subject-matter of the Inquiry.	
	ascertaina Commissio	Frocedure, standing can be granted to parties who represent clearly ble interests and perspectives essential to the mandate which the oner considers ought to be separately represented and may participate in a be determined by the Commissioner.
	No specifi	c criteria set out for granting intervenor status.
Mandate	The Commission has been given a double mandate:	
	A) to investigate and report on questions raised, directly or indirectly, by Chapters 3 and 4 of the November 2003 Report of the Auditor General of Canada;	
	B) to make recommendations to the Government of Canada, based upon its factual findings, to prevent mismanagement of sponsorship programs and advertising activities in the future.	
Administrative and Funding Structure	In accordance with approved guidelines, Commissioner may recommend funding be approved for a party granted standing who would otherwise not be able to participate.	
	Commissioner authorized to rent facilities in accordance with Treasury Board policies.	
	Commissioner authorized to hire staff, experts, and other persons from s. 11 at rates as approved by Treasure Board.	
	Rules of procedure set out four criteria for funding recommendations:	
	establish the party's inability to participate without funding and the absence of an alternative means of funding;	
	2) provide a satisfactory plan as to how it intends to use the funds and account for them;	
	3) demonstrate sufficient and proposed involvement in the Inquiry;	
	4) establish a special expertise or experience with respect to the Commission's mandate.	
	Funding for parties will not include fees and expenses for experts or investigative activities.	

Procedures	Commissioner authorized to adopt any procedures and methods for the Inquiry and sit at any times and any place in Canada.
	Commissioner authorized to conduct consultations in relation to the recommendations as he sees fit.
	Section on decorum included in Rules of Procedure and Practice.
	Extensive list of evidentiary procedures.
	The Commission expects all evidence and documents relevant to the Commission's mandate to be produced by any party with standing or by anyone who has received a subpoena, whether or not the subpoena specifically comprehends the particular evidence or document.
	Commissioner may amend or dispense with the Rules as he deems necessary.
Rulings	Yes – Standing, Funding. In Camera hearing for Chuck Guité. Parliamentary immunity. Motion for recusal. Publication bans. Modification of publication ban. Confidentiality order. Public Accounts Committee Evidence. Miscellaneous Rulings. Rulings regarding additional evidence.
Misc. Comments and Differences	Left up to Justice Gomery to decide how many reports would be made on factual findings in addition to a separate report on recommendations.
	While Commissioner cannot express conclusions on civil or criminal liability, he is to ensure that the conduct of the Inquiry does not jeopardize any ongoing criminal investigation or proceedings.
	Motion made by Rt. Hon. Jean Chrétien for Justice Gomery to recuse himself following a series of media interviews prior to Christmas 2004 before the Inquiry was complete (which was then the subject of judicial review. though later discontinued).
	Litigation: Chrétien v. Canada (Commission of Inquiry into the Sponsorship Program and Advertising Activities); Pelletier v. Canada; Gagliano v. Canada which examined Reasonable Apprehension of Bias in the Commission.
	Litigation ultimately held in Prime Minister Chrétien's favour at the Federal Court, and the report was stripped of findings that found Mr. Chrétien responsible.

		1
	`	_
	2	<
	٤	Š
	∠ ⊔	á
	5	Ξ
	<	ζ

		FEDERAL	
Jurisdiction / Inquiry	Name	Canada / Maher Arar	
Commissioner / Status		Hon. Dennis O'Connor / active – ON	
Legislation		Inquiries Act	
Announced / Interim Report		February 5, 2004	
Date Specified for Fi	nal Report	No. Commissioner be directed to submit a report or reports	
Final Report		September 18, 2006	
Extensions			
Standing	a substant	oner authorized to grant to any person who satisfies him that he or she has tial and direct interest an opportunity to give evidence and to examine or mine witnesses or evidence relevant to the person's interest.	
	From Rule Inquiry.	s of Procedure, Commission Counsel have standing throughout the Factual	
	Commissioner will grant party standing to all persons who satisfy the Commissioner that they have a substantial and direct interest in the subject-matter of the Factual Inquiry. Commissioner may grant intervenor standing to persons who satisfy the Commissioner that they have a genuine concern about issues raised by the Factual Inquiry and have a particular perspective or expertise which may assist the Commissioner.		
		nissioner will determine on what terms and in which parts of the Factual party or intervenor may participate and the nature and extent of such ion.	
Mandate	Two-part Inquiry:		
	A) Factual Inquiry into the actions of Canadian officials in relation to Maher Arar;		
	B) Policy	review into the activities of the RCMP with respect to national security.	
Procedures	informatio	oner directed to take all steps necessary to prevent disclosure of on that, in the opinion of the Commissioner, would harm international national defence, or national security and the same steps when preparing t.	
	Commission deems ne	oner may amend or dispense with Rules of Procedure and Practice as he cessary.	
	Policy Rev	iew will proceed in three phases:	
		ission will publish a consultation paper examining existing models for an review mechanism;	
	2) Persor	s with an interest in the subject matter may make submissions in writing;	
	3) Comm	issioner will convene public and private consultations to hear submissions.	
	Commissi	oner shall write two reports:	
		ate Report which incorporates matters of national security and entiality;	
		ic Report with the greatest possible reference to matters heard in camera onclusions which he has made with respect thereto.	

Administrative and Funding Structure	Commissioner authorized to recommend funding, in accordance with approved guidelines, be approved for a party granted standing who would otherwise not be able to participate.	
	Commissioner authorized to rent facilities in accordance with Treasury Board policies.	
	Commissioner authorized to hire experts and other persons outlined in s. 11 at rates that may be approved by Treasury Board and is directed to follow established security procedures with respect to these persons and the handling of information at all stages of the inquiry.	
Rulings	Yes – Unpublished ruling related to NSC assertions by the government. Jurisdiction claims by Arar counsel that in camera evidence is unfair to his client since Mr. Arar cannot see or defend the evidence to admit Chronologies of Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin. Motions to Quash certain s. 13 notices.	
	Supplementary Ruling on Funding to Intervenors. Parliamentary Privilege. RCMP Testimony and Evidence. Process and Procedural Issues. Summaries of In Camera Evidence. National Security and Confidentiality. Rules of Procedure and Practice. Funding and Standing.	
Misc. Comments and Differences	CANADA v. CANADA (COMM. OF INQUIRY–ARAR)	
	The court case related to a challenge by the Commission to publish certain information in the public report which the Government challenged on the basis of national security concerns. Certain portions were held to be releasable while others were to remain blacked out.	

Jurisdiction / Inquiry	Name	Canada / Future of Health Care	
Commissioner / Status		Roy Romanow / Premier – retired	
Legislation		Inquiries Act	
Announced / Interim Report		April 3, 2001 / in approximately nine months	
Date Specified for Fi	nal Report	Partially final report "on or about November 2002"	
Final Report		November 2002	
Extensions			
Standing		oner authorized to consult with provinces and territories and groups and s having an interest in or responsibility for health care in Canada.	
Mandate	Commissioner to inquire into and undertake dialogue with Canadians on the future of Canada's public health care system and to recommend policies and measures respectful of the jurisdictions and powers in Canada required to ensure over the long term the sustainability of a universally accessible, publicly funded health system, that offers quality services to Canadians and strikes an appropriate balance between investment in prevention and health maintenance and those directed to care and treatment.		
Administrative and	Commissioner authorized to conduct the work of the Inquiry in two stages:		
Funding Structure	1) focusing on fact-finding resulting in an interim report;		
	 emphasizing dialogue with the Canadian public and interested stakeholders based on the interim report. Interim report to be submitted in approximately nine months and final report to be submitted on or about November 2002. 		
	Commissi	oner authorized to appoint advisors and create advisory mechanisms.	
	Commissioner authorized to consult with provinces, territories, groups and individuals, and to use the means and vehicles required to ensure that a dialogue occurs.		
	Commissioner authorized to rent facilities as required, in accordance with Treasury Board policies.		
		oner authorized to engage the services of experts and other persons as o in s. 11 according to rates as approved by Treasury Board.	
Procedures		oner authorized to adopt procedures and methods as he may consider and to sit at such times and in such places in Canada as he may decide.	
Rulings			
Misc. Comments	Little info	mation available.	
and Differences		with OIC 2001-1669 to authorize the Commission to visit foreign countries experts and government officials whose views are considered by him to be .	

Jurisdiction / Inquiry Name Canada – Prince Edward Island and Saskatchewan / Blood System

Commissioner / Status Hon. Horace Krever – Active ON

Legislation Inquiries Act

Announced / Interim Report October 4, 1993 / February 15, 1995

Date Specified for Final Report Yes

Final Report November 25, 1997

Extensions

Yes. Interim report initially due May 31, 1994. Final report initially due September 30, 1994.

Order in Council 1996-1498: Order advising that the date upon which the COMMISSION OF INQUIRY into the BLOOD SYSTEM IN CANADA shall submit its final report to the Governor in Council, shall be postponed from September 30, 1996 to April 30, 1997.

Order in Council 1997-0616: Order postponing the date upon which the COMMISSION OF INQUIRY into the BLOOD SYSTEM IN CANADA shall submit its final report to the Governor in Council from April 30, 1997 to no later than eight weeks after the Supreme Court of Canada has rendered its decision in respect of an appeal of a decision of the Federal Court of Canada concerning the Commission.

Standing

No indication of the criteria used for granting party and intervenor standing. Twenty-five parties given standing.

Mandate

Mandate to review and report on the mandate, organization, management, operation, financing and regulation of the blood system in Canada, including the contamination in the 1980s, including:

- A) the organization and effectiveness of past and current systems designed to supply blood and blood products in Canada;
- B) the roles, views, and ideas of relevant interest groups;
- C) the structures and experiences of other countries, especially those with comparable federal systems.

Interim report to focus on the safety of the blood system, with appropriate recommendations on actions that might be taken to address any current shortcomings.

Final report to focus on recommendations on an efficient and effective blood system in Canada, including:

- A) its managerial, financial and legal principles as well as the medical and scientific aspects;
- B) the appropriate roles and responsibilities of F/P/T governments, the Canadian Red Cross, and other organizations;
- C) the contractual and other relationships between governments and organizations;
- D) resource implications, including current allocations;
- E) powers that are appropriate to recommendations concerning responsibilities and authorities:
- F) actions required to implement these recommendations or actions that might be taken to address any current shortcomings.

Administrative and Funding Structure	Commissioner authorized to rent facilities in accordance with Treasury Board policies.			
	Commissioner authorized to hire experts and persons referred to in s. 11 at rates approved by treasury Board.			
	Commissioner directed to advise the Governor in Council by November 30, 1993 as to whether funding costs will be necessary (bearing in mind the fiscal restraints program of the government).			
Procedures	Commissioner authorized to adopt such procedures and methods as he may consider expedient and to sit at such times and in such places in Canada as he may decide.			
	Extensive rules on the presentation of evidence (e.g., order of questioning for witnesses).			
	Extensive rules on confidentiality (especially in light of the medical and health nature of witnesses).			
	Commissioner retains the discretion to permit a departure from the Rules of Procedure and Practice.			
Rulings	Unknown but quite likely.			
Misc. Comments and Differences	Commission appointed pursuant to the Governments of Canada, Ontario, Prince Edward Island, and Saskatchewan.			
	Canada (Attorney General) v. Canada (Commission of Inquiry on the Blood System).			
	At issue in court:			
	 A) whether the Commissioner exceeded his jurisdiction by the nature and extent of the allegations of misconduct set out in the notices; 			
	B) if the Commissioner originally had such jurisdiction, did he lose it by failing to provide adequate procedural protections or by the timing of the release of the notices;			
	C) whether Commission counsel should be prohibited from taking part in the drafting of the final report because of their receipt of confidential information not disclosed to the Commissioner or the other parties; and,			
	D) whether the appellant Baxter Corporation should be treated differently from the other appellants.			
<u> </u>				

Jurisdiction / Inquiry Name Canada / Somalia

Commissioner / Status Hon. Gilles Létourneau, Hon. Robert Rutherford, Mr. Peter Desbarats /

Active FedCt / Active – ON / Journalist

Legislation Inquiries Act

Announced / Interim Report November 17, 1994

Date Specified for Final Report Yes

Final Report July 2, 1997

Extensions

First OIC directed a final report to be submitted no later than December 22, 1995. 3rd OIC (1995-1273) extends report date to no later than June 28, 1996.

4th OIC (1996-959) extends report date to no later than March 31, 1997.

5th OIC (1997-174) cuts off public hearings as of March 31, 1997 and directs a final report to be submitted no later than June 30, 1997.

6th OIC (1997-456) directs the commissioners to submit a final report in both official languages on or before June 30, 1997 addressing the issues referred to in paragraphs (a) to (i), and notwithstanding any other provision of their commission, the commissioners shall have the discretion to determine whether, and the extent to which, they will inquire and report on the issues referred to in paragraphs (j) to (s) within the time frame provided.

Standing

Standing established in the Rules and not mentioned in the Orders in Council. Commission counsel granted full standing in the Rules.

All others must apply by means of a written motion (including an affidavit and supporting material) and provide information related to:

- A) biographical and contact information;
- B) whether the applicant has a general interest or a special interest in the Inquiry and the nature of that interest:
- C) the extent of standing desired;
- D) whether the evidence adduced will be factual or expert or opinion evidence (if opinion or expert, shall specify the special skills possessed to do so).

Parties may be granted full or limited standing:

Full: entitled to file written submissions, examine or cross-examine witnesses, and to make oral submissions and may be permitted to call witnesses;

Limited: entitled to file written submissions and may be permitted to make oral submissions following the written submissions.

Mandate

Commission to inquire into and report on the chain of command system, leadership within the chain of command, discipline, operations, actions and decisions of the Canadian Forces and the Canadian Forces deployment to Somalia in relation to the pre-deployment, in-theatre, and post-deployment phases of the Somalia deployment.

Administrative and Funding Structure	Commissioners authorized to rent facilities in accordance with Treasury Board Guidelines.
	Commissioners authorized to hire staff, experts and other persons from s. 11 in accordance with Treasury Board rates.
Procedures	Commissioners authorized to adopt such procedures and methods as they may consider expedient and to sit at such times and in such places in Canada as they decide.
	Commissioners directed to hold in camera hearings where necessary to protect information relating to national security or in any other matter where the Commissioners consider it necessary in the public interest.
	Extensive rules on documentary evidence.
	Extensive rules on the calling of witnesses.
	Commission may dispense with the requirements of the Rules, where, in its opinion, it is in the interests of justice to do so.
Rulings	Yes – Standing. Statement of the Terms of Reference in 1995 (Clarifying the scope of the Inquiry).
	The meaning of national security and confidentiality of documents. Motions by various parties that the Inquiry cease.
Misc. Comments and Differences	Original OIC (1995-442) appointed Anne-Marie Doyle as a Commissioner. 2nd OIC (1995-614) appointed Hon. Robert Campbell Rutherford as Commissioner to replace Anne-Marie Doyle who had since resigned (following public pressure that she had been selected for her closeness to Deputy Minister Fowler). Justice Létourneau later mused her selection reflected a lack of "commitment" to the Inquiry by the Government. Claims were made throughout the Inquiry by the Commissioners that they were not receiving documents from the Department of National Defence and the Government despite the documentation being covered by the Inquiry's order for disclosure.
	On January 13, 1997, the Commissioners held a press conference in which they were very critical of the government's decision to close down the Inquiry.
	There were suggestions that the Inquiry was shut down in order to accommodate the 1997 election and not paint the Liberal Government in an unfavourable light with voters.
	Commissioner Peter Desbarats (the only non-judicial commissioner) later wrote a book titled "Somalia Cover-Up: A Commissioner's Journal" and has gone on speaking tours, saying, "We achieved the dubious distinction of being the first public inquiry in Canadian history to be terminated by a government – for blatantly political reasons – before its work was completed," and "In retrospect, we three commissioners look incredibly naive. We believed, until it was too late, that the government would respect the independence of a public inquiry. Up to this year, independence had been assured by almost 150 years of unbroken tradition and the notion – mistaken, as it turned out – that public opinion would not tolerate such a break with democratic tradition."
	"Dixon v. Canada (Governor in Council) which held that the Order in Council ending the Inquiry was not ultra vires.

Jurisdiction / Inquiry Name Canada / Women's Prison Kingston

Commissioner / Status Hon. Louise Harbour / Active – ON

LegislationInquiries ActAnnounced / Interim ReportApril 10, 1995

Date Specified for Final Report Yes

Final Report		
Extensions	No.	
Standing	Commission Counsel will have standing throughout. Persons or groups may apply to the Commission for standing if they consider that their interests are put directly in issue by the Commission's terms of reference, or that they have special experience or expertise with respect to the Commission's mandate.	
	The Commissioner will determine who has standing to participate in Commission proceedings and the extent of such participation.	
	A party who is granted standing is entitled to cross-examine witnesses and make written or oral submissions. Parties may be granted standing to participate in the two phases, or in only one, or in only parts of each phase.	
Mandate	Commissioner to investigate and report on the state and management of the Correctional Service of Canada in relation to a series of riots that began on April 22, 1994 including:	
	A) the measures in place at the Prison for Women in Kingston, Ontario in April 1994 to respond to the incidents;	
	B) the adequacy and appropriateness of the actions and decisions taken in relation to the seriousness of the incidents that occurred;	
	C) the deployment of an all-male emergency response team, the mandate that was given to the team and the appropriateness of the team's conduct during its involvement in the incidents that occurred;	
	D) the subsequent confinement in administrative segregation of the inmates concerned, the reasonableness of their treatment while in segregation and the duration of the segregation.	
	Commissioner directed to recommend improvements to the policies and practices of the Correctional Service of Canada.	
Administrative and Funding Structure	With respect to working accommodations and clerical assistance, commissioner authorized to engage the services of such staff and technical advisors as she deems necessary or advisable and the services of counsel to aid and assist her in the Inquiry, at such rates of remuneration and reimbursement as may be approved by the Treasury Board. Although no mention of funding for participants in original Order in Council, a recommendation was made to the Solicitor General that funding be extended to some persons or groups who have been granted standing and who have requested financial assistance. The decisions made on standing were made expecting that those who would be unable to participate without funding would receive some financial assistance. Should that not be the case, Commissioner may have to reconsider all the standing issues in order to avoid having to proceed with an inappropriate distribution of interests and perspectives. Order in Council 1995-1298 on July 31, 1995 provides ex gratia payments.	

Procedures	Such procedures and methods as she may from time to time deem expedient for the proper conduct of the inquiry. Commissioner authorized to sit at such times and at such places in Canada as she may from time to time decide and to have complete access to personnel and information from the Correctional Service of Canada and the Department of the Solicitor General and adequate working accommodations and clerical assistance. Commission's proceeding will be divided in two phases: Phase I will focus on the incidents and the appropriateness of the response;
	Phase II will be concerned with the policy issues which emerge from the Terms of Reference.
	More than 100 people were interviewed and had their comments circulated to all parties.
	In selecting witnesses for the Commission, three constraints were considered:
	A) the focus of the Inquiry was on the policies and procedures used to respond to the incidents and not to engage in a detailed examination of the conduct of the individuals involved;
	B) the necessity of meeting the reporting deadline of March 31, 1996;
	C) it would have been enormously time-consuming and costly to call them all as witnesses.
	Selection was therefore based on who had the most to contribute to the largest number of issues.
	For Phase II of the Inquiry, a series of roundtable discussions were used rather than the courtroom model used in Phase I.
	Also, many unsolicited submissions from members of the public were received.
Rulings	Yes – Standing and funding for parties who applied for standing.
Misc. Comments and Differences	The Commission's final report includes a chronological account of the steps and processes taken by the Inquiry.

NEWFOUNDLAND AND LABRADOR

Jurisdiction / Inquiry	Name	Newfoundland and Labrador / Offshore Helicopter Safety
Commissioner / Status		Hon. Robert Wells / Retired – NL
Legislation		Atlantic Accord Act
Announced / Interim	Report	April 16, 2009
Date Specified for Fi	nal Report	No. Final phase of inquiry delayed pending completion of Transportation Safety Board report
Final Report		September 30, 2010
Extensions	Yes.	
Standing		oner authorized to provide criteria for standing for those with professional nercial interests in helicopter transport to the offshore area.
	standing t	to the rules of practice and procedure, the Commissioner may also grant to other persons or groups that can demonstrate that they can contribute ectives of the inquiry.
	For standi	ng, whether full or limited, the commission will consider:
	A) wheth comm	er the person's interest may be adversely affected by the findings of the ission;
	B) wheth	er the person's participation would further the conduct of the inquiry;
		er the person's participation would contribute to the openness and fairness Inquiry.
	Commission	on counsel are granted standing throughout.
	Joint stand	ding is encouraged for similar groups and persons.
Mandate	To inquire	into, report on, and make recommendations in respect of:
	ensuri	plan requirements for operators and the role that operators play in ng that their safety plans, as represented to and approved by the Board, are sined by helicopter operators;
		and rescue obligations of helicopter operators by way of contractual takings or legislative or regulatory requirements;
		e of the C-NLOPB and other regulators in ensuring compliance with tive requirements in respect of worker safety.
		ate does not include an examination of the aircraft, crew training, etc. art of the Transportation Safety Board of Canada's investigation.

Administrative and Funding Structure	The C-NLOPB shall provide funding to the Commissioner so as to fulfill the mandate and effectively achieve the objectives of the Inquiry.
	The Commissioner shall occupy such space for offices and hearing rooms and employ staff as may be necessary in consultation with the Board and in accordance with Board policy and practices.
	The commission may engage the professional services (public relations, technology, website) so as to fulfill the mandate and effectively achieve the objectives of the Inquiry.
	No reference to participant funding in order, but in the Rules of practice and procedure: the commissioner may or may not make recommendations to the C-NLOPB regarding funding for counsel and other expenses.
Procedures	Commissioner authorized to hold sessions at such times and places within Newfoundland and Labrador as the commissioner deems appropriate.
Rulings	Unknown.
Misc. Comments and Differences	Inquiry established by the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) pursuant to the Atlantic Accord Acts (s. 165 of the federal act and s. 161 of the provincial act) which vest commissioners with the powers conferred by the federal and provincial Inquiries Acts.

NEWFOUNDLAND AND LABRADOR

Jurisdiction / Inquiry	Name	Newfoundland and Labrador / Hormone Receptor Testing	
Commissioner / Status		Hon. Margaret Cameron / Active – NL	
Legislation		Public Inquiries Act (NL)	
Announced / Interim Report		July 3, 2007	
Date Specified for Fir	nal Report	Yes. Final report extended to on or about December 31, 2005	
Final Report		March 1, 2009	
	\		
Extensions	Yes. Final r	report initially due July 30, 2008.	
Standing	No mentio	on of standing in Regulation.	
		s of procedure and practice and pursuant to s. 5(2) of the Public Inquiries ommissioner may grant standing after considering:	
	A) wheth Comm	er the person's interest may be adversely affected by the findings of the ission;	
	B) wheth	er the person's participation would further the conduct of the Inquiry; and	
		er the person's participation would contribute to the openness and fairness inquiry.	
	Commission	on counsel have standing throughout.	
	Joint stand	ding is encouraged.	
	Commissioner will determine the extent to which a party granted stand participate in Part I and/or Part II of the Inquiry.		
Mandate	betwe	e into why the estrogen and progesterone hormone receptor tests done en 1997 and 2005 in the Newfoundland and Labrador health system ed in a high rate of conversions when re-tested;	
	recept at an e	e into why the problem with the estrogen and progesterone hormone or tests was not detected until 2005, whether it could have been detected earlier date, and whether testing protocols during the period between 1997 whether reasonable and appropriate;	
	comm	e into whether, once detected, the responsible authorities responded and unicated in a timely manner to those women and men who needed re-tests ose who were being tested for the first time;	
	an app the he	e into whether, once detected, the responsible authorities communicated in propriate and timely manner with the general public and internally within alth system about the issues and circumstances surrounding the change in sults and the new testing procedures;	
	and pr	whether the estrogen and progesterone hormone receptor testing systems ocesses and quality assurance systems currently in placed are reflective of practice"; and	
	and ac	the recommendations that the commission of inquiry considers necessary lyisable relating directly to the matters of public concern referred to in aphs (a) to (e).	

Procedures	Inquiry split into two phases:
	Phase I will consider factual findings and protocols in place;
	Phase II will have a policy focus and will include a review of both policy and legal issues raised by the terms of reference as well as "best practices".
Administrative and Funding Structure	The Commissioner may make recommendations to the Government of Newfoundland and Labrador regarding funding for counsel and other expenses of parties who have been granted standing.
Misc. Comments and Differences	Newfoundland and Labrador Regulation 45/08 gave an extension for the submission of the final report to March 1, 2009 and also stipulated that the commission shall conclude its work before April 1, 2009.
Rulings	Standing and Funding. Clarification of Rules of Practice and Procedure (cross-examination).

NEWFOUNDLAND AND LABRADOR

Jurisdiction / Inquiry	Name	Newfoundland and Labrador / NL Wrongful Convictions
Commissioner / Status		Rt. Hon. Antonio Lamer / Retired – SCC
Legislation		Public Inquiries Act (NL)
Announced / Interim	Report	March 21, 2003 Yes. Commissioner to give the Attorney General such interim reports as he considers appropriate to address urgent matters in a timely fashion in a form appropriate for release to the public.
Date Specified for Fir	nal Report	Yes
Final Report		June 21, 2006
Extensions	Yes – Fina 2005.	report initially due December 31, 2004 extension granted to December 31,
Standing	The Commissioner may deal summarily with any application for standing without a hearing and may direct Inquiry counsel to respond on his behalf.	
	interest in	be applied is whether or not the applicant has a direct and substantial a given phase of the Inquiry. The application should also address what on the applicant can make to the Inquiry.
Mandate	and th	e into the conduct of the investigation into the death of Catherine Carroll, e circumstances surrounding the resulting criminal proceedings enced against Gregory Parsons for the murder of Catherine Carroll;
	the cir	e into the conduct of the investigation into the death of Brenda Young, and cumstances surrounding the resulting criminal proceedings commenced t Randy Druken for the murder of Brenda Young;
	financi	on whether, in the circumstances of his case, Randy Druken should receive ial compensation from the Government and, if so, the appropriate amount n compensation;
	Brenda	e into why Ronald Dalton's Appeal of his murder conviction in the death of a Dalton took eight years before it was brought on for a hearing in the undland and Labrador Court of Appeal;
	Govern	on whether Ronald Dalton should receive financial compensation from the nment for the eight years in which he awaited the perfection of his appeal, so, the appropriate amount of such compensation.
	any findin influenced recommen	ed that the Commissioner report his findings on these matters, including gs respecting practices or systemic issues that may have contributed to or d the course of the investigations or resulting prosecutions and make ndations as he considers advisable relating to the current administration of istice in the Province.

Administrative and Funding Structure	Reasonable legal fees that may be incurred from time to time to assist Gregory Parsons, Randy Druken and Ronald Dalton during those phases of the inquiry relevant to each, should standing at the inquiry be granted, in an amount and under such terms as may be determined by the Deputy Attorney General in accordance with the existing policies and practices of the Government of Newfoundland and Labrador, the account of which will be subject to taxation by a taxation or judicial officer appointed by the Commissioner.
Procedures	Appointment of an Inquiry Counsel (hearings) and an Inquiry Counsel (Advisory).
Misc. Comments and Differences	
Rulings	Yes. Clarification of terms of reference (issues of factual innocence).

Jurisdiction / Inquiry Name	Nova Scotia /	Howard Hyde Death
-----------------------------	---------------	-------------------

Commissioner / Status Hon. Anne Derrick / Provincial Judge – NS

Legislation Fatality Investigations Act (NS)

Announced / Interim Report September 17, 2008

Date Specified for Final ReportUnknownFinal Reportlate 2010

Extensions	Unknown.
Standing	Unknown – terms of reference not available.
Mandate	Examine the circumstances under which Howard Hyde died on November 22, 2007, the cause of death, and the manner of death, and may make recommendations about any matters arising from the inquiry.
Administrative and Funding Structure	Unknown – terms of reference not available.
Procedures	Unknown – terms of reference and rules of practice and procedure not available.
Rulings	Unknown – rulings not available.
Misc. Comments and Differences	Conducted under the Fatality Investigations Act. A judge who conducts an inquiry under this act has all the powers of a commissioner appointed under the Public Inquiries Act, which includes the authority to hold public hearings and hear witnesses.
	Commission website (www.hydeinquiry.ca) contains video of the hearings).

Jurisdiction / Inquiry	Name	Nova Scotia / Bernadette Reid
Commissioner / Statu	ıs	Mr. LeRoy Lenethen / Lawyer – NS
Legislation		Municipal Conflict of Interest Act
Announced / Interim	Report	March 1, 2006 / no
Date Specified for Fir	nal Report	Unknown
Final Report		September 29, 2006
Extensions	Unknown	
Standing	Unknown – terms of reference not available.	
Mandate	To inquire into the potential misappropriation of school board funds by a board member.	
Administrative and Funding Structure	Unknown – terms of reference not available.	
Procedures	Unknown – terms of reference and rules of practice and procedure not available.	
Rulings	Unknown – rulings not available.	
Misc. Comments and Differences	Under Nova Scotia's Municipal Conflict of Interest Act, the Minister of Justice must appoint someone to conduct an inquiry at the request of municipal bodies, including school boards.	

Jurisdiction / Inquiry	Name	Nova Scotia / Theresa McEvoy	
Commissioner / Status		Hon. Merlin Nunn / Retired – NS	
Legislation		Public Inquiries Act (NS)	
Announced / Interim Report		June 29, 2006 / Possible. The Commissioner may give the Minster of Justice interim reports, if the Commissioner considers it appropriate, to address urgent matters in a timely fashion.	
Date Specified for Fir	nal Report	No	
Final Report		December 1, 2006	
Extensions	No.		
Standing	have a sub opportuni relevant to	retion, the Commissioner may grant any person who satisfies him that they estantial and direct interest in the subject matter of the inquiry an ty, with respect to evidence that is relevant to that person's interest and to the inquiry, to give evidence and to examine or cross-examine witnesses or by counsel.	
	At his discretion, the Commissioner may consolidate the standing granted to two or more parties where he is satisfied that the parties' interests are not adverse.		
	Commission apply.	on may grant full or limited standing and determine any terms that will	
Administrative and	The Gover	nor in Council is further pleased to:	
Funding Structure	living 6	ize the payment to the Commissioner of reasonable expenses for travel, expenses and additional disbursements necessarily incurred by the issioner for the purposes of the inquiry, in accordance with the Judges' Act da);	
	technio Comm	rize the Commissioner to retain the services of legal counsel and expert, cal, secretarial and clerical personnel who, in the opinion of the issioner, are required for the purposes of the inquiry and to fix their eration;	
	travel,	ize the Commissioner to approve payment of reasonable expenses for living expenses and additional disbursements necessarily incurred by the persons;	
	transcr of the	the Commissioner to arrange for suitable facilities, recording and ribing equipment and additional administrative matters that, in the opinion Commissioner, are necessary for the purposes of the inquiry, and authorize mmissioner to approve payment of these costs;	
	for pub respec the ass	rize the Commissioner to make recommendations to the Minister of Justice colic funding of legal costs: a) respecting the parties to receive funding, b) ting rates of remuneration and reimbursement, the extent of funding and sessment of accounts, and c) respecting consolidating parties for funding ses where he is satisfied they are not adverse in interest;	
		that remuneration, costs and expenses payable in respect of the inquiry be ut of the Consolidated Fund of the Province.	

Procedures	Commissioner authorized to make rules to regulate the proceedings of the inquiry and to conduct its business.
Rulings	Unknown – rulings not available.
Misc. Comments and Differences	
Mandate	The Commissioner is to inquire into:
	A) why the young person (whose stolen vehicle crashed into and killed Theresa McEvoy) was released from custody on October 12, 2004;
	B) the procedures and practices pertaining to the handling of the charges against the young person at the time of his release, in particular: a) what were those procedures and practices, b) whether those procedures and practices were followed, and c) whether those procedures and practices were appropriate;
	C) the actions of law enforcement, the Public Prosecution Service, the courts and justice or other public officials, up to and including October 14, 2004, with respect to the handling of charges against the young person;
	D) the actions of law enforcement, the Public Prosecution Service, the courts and justice or other public officials after the young person's release up to and including October 14, 2004;
	E) any other matter, at the discretion of the Commissioner, that the Commissioner deems necessary to fulfill his mandate.

Jurisdiction / Inquiry Name Nova Scotia / Westray

Commissioner / Status Hon K. Peter Richard / Active – NS

Legislation Public Inquiries Act (NS)

Announced / Interim Report May 15, 1992 / no

Date Specified for Final Report No

Final Report November 1, 1997

rinai keport	November 1, 1997		
Extensions	No.		
Standing	From Rules of Practice and Procedure: any person who, in the Commissioner's opinion, ought to be given the right to be heard and to examine witnesses at the public hearings shall have such right upon such terms as the Commissioner directs. Any other person, group, or association may, upon written application giving reasons		
	for the request, be permitted to make a submission in writing to the Commissioner.		
Mandate	Inquire into, report findings, and make recommendations to the Governor in Council and the people of Nova Scotia respecting:		
	A) the occurrence, on Saturday, the 9th day of May A.D., 1992 which resulted in the loss of life in the Westray Mine at Plymouth, in the County of Pictou;		
	B) whether the occurrence was or was not preventable;		
	C) whether any neglect caused or contributed to the occurrence;		
	D) whether there was any defect in or about the Mine or the modes of working the Mine;		
	E) whether the Mine and its operations were in keeping with the known geological structures or formations in the area;		
	F) whether there was compliance with applicable statutes, regulations, orders, rules, or directions; and		
	G) all other matters related to the establishment and operation of the Mine which the Commissioner considers relevant to the occurrence.		

Administrative and Funding Structure	The Governor in Council is further pleased to :				
	A) authorize the payment to the Commissioner of expenses for travel, reasonable living expenses, and other disbursements necessarily incurred in the Inquiry, in accordance with the provisions of the Judges Act (Canada);				
	B) authorize the Commissioner to retain the services of legal counsel and such other expert, technical, secretarial and clerical personnel who, in the opinion of the Commissioner, are required for the purposes of the Inquiry, and fix their remuneration;				
	C) authorize the Commissioner to approve payment of reasonable expenses for travel, accommodation, meals, and other disbursements necessarily incurred by personnel for the purposes of the Inquiry;				
	D) direct the Commissioner to arrange for suitable facilities, recording and transcribing equipment, and such other administrative matters which, in the opinion of the Commissioner, are necessary for the purpose of the Inquiry and authorize the Commissioner to approve payment of costs incurred in respect of these matters;				
	E) order that remuneration, costs and expenses payable in respect of the Inquiry shall be paid out of the Consolidated Fund of the Province.				
Procedures	Commissioner authorized to make rules to regulate the proceedings of the inquiry and to conduct its business.				
Rulings	Unknown – rulings not available.				
Misc. Comments	Phillips v. Nova Scotia (Commission of Inquiry into the Westray Mine Tragedy).				
and Differences	The issues raised in this case were the following:				
	A) whether the stay of the Westray Inquiry which was ordered by the Court of Appeal should be maintained; and				
	B) whether the respondents Phillips and Parry (supervisors at the mine) are compellable as witnesses at the Inquiry.				
	The majority declined to answer, largely on the grounds that since the criminal trial had become judge-alone, many of the issues were now moot.				

Jurisdiction / Inquiry Name		Quebec / Judges		
Commissioner / Status		Hon. Michel Bastarache / Retired – SCC		
Legislation		Loi sur les commissions d'enquête (QC)		
Announced / Interim Report		April 15, 2010 / No		
Date Specified for Fir	nal Report	Yes		
Final Report		January 31, 2010		
Extensions	Yes. Final ı	report initially due October 15, 2010, moved to January 31, 2011.		
Standing	The Commissioner may grant standing to any person who satisfies him that they have a substantial and direct interest in the subject matter of the inquiry. Such persons are referred to as participants in the Rules of Procedure and Practice.			
	The Commissioner may grant intervenor status to any person who satisfies him that they have a substantial and direct interest in specific issues raised by the inquiry, as well as a particular perspective, experience or expertise that may assist the Commissioner. Such persons are referred to as intervenors in the Rules of Procedure and Practice.			
Mandate	A) Investigate allegations made by Mr. Marc Bellemare regarding the appointment process for judges of the Court of Quebec, particularly with regard to any influence that third parties may have had on this process, as well as the appointment process for judges of municipal courts and members of the Quebec Administrative Tribunal.			
		recommendations, if any, to the government with respect to potential es to be made to the appointment process for such judges and members.		
Administrative and	Order:			
Funding Structure	A) Mr. Bastarache will be paid fees of \$250 per hour for a maximum of 6 hours of work per day to conduct this inquiry;			
	in the	starache will be reimbursed for travel and living expenses incurred by him performance of his duties, in accordance with rules applicable to members ernment agencies, as stated in Order no. 2500-83 dated November 30, 1983;		
	payme	related to the remuneration of inquiry commission personnel and the ent of professional fees will be paid out of the Consolidated Revenue Fund, ther costs will be charged to the budget of the Department of Justice.		
	party be party be party be party be party be party be party by adequated accepted,	Commissioner may make recommendations to the government that a provided funding, to the extent of the party's interest, where, in the oner's view, the party would not otherwise be able to participate by in the inquiry without such funding. Where such a recommendation is funding shall be in accordance with Treasury Board Directives respecting funding and reimbursement and the assessment of accounts.		

Procedures	The Commissioner may adopt any rules of procedure and practice he considers necessary for the conduct of the inquiry.	
Rulings	Unknown.	
Misc. Comments and Differences		

Jurisdiction / Inquiry Name		Ontario / Dr. Charles Smith Child Pathology
Commissioner / Status		Hon. Stephen Goudge / Active – ON
Legislation		Public Inquiries Act (ON)
Announced / Interim	Report	April 25, 2007 / no
Date Specified for Fi	nal Report	Yes
Final Report		October 1, 2008
Extensions	Commission and shall of 2008, or, if	report initially due April 25, 2008, moved to September 30, 2008: The conshall conduct the inquiry to ensure the expeditious delivery of its report deliver its final report and recommendations no later than September 30, requested by Commissioner Goudge and approved by the Attorney p to a further sixty days, such correspondence to be included in the final
Standing	Commission Counsel will have standing throughout. Standing will be granted at the discretion of the Commissioner, in accordance with section 5 of the Act, the Terms of Reference, the systemic nature of this Inquiry and the desirability of a fair and expeditious proceeding. The Commissioner may determine those parts of the Inquiry in which a party granted standing may participate and the form of their participation.	
Mandate	The Commission shall conduct a systemic review and assessment and report on: A) the policies, procedures, practices, accountability and oversight mechanisms, quality control measures and institutional arrangements of pediatric forensic pathology in Ontario from 1981 to 2001 as they relate to its practice and use in investigations and criminal proceedings;	
	implic	gislative and regulatory provisions in existence that related to, or had ations for, the practice of pediatric forensic pathology in Ontario between o 2001; and
	C) any ch to 200	anges to the items referenced in the above two paragraphs, subsequent 1;
		o make recommendations to restore and enhance public confidence in forensic pathology in Ontario and its future use in investigation or gs.

Administrative and Funding Structure	Within an approved budget, the Commission may retain such counsel, staff or expertise it considers necessary in the performance of its duties at reasonable remuneration approved by the Ministry of the Attorney General. They shall be reimbursed for reasonable expenses incurred in connection with their duties in accordance with Management Board of Cabinet Directives and Guidelines.	
	The Commission shall follow Management Board of Cabinet Directives and Guidelines and other applicable government policies in obtaining other services and goods it considers necessary in the performance of its duties unless, in its view, it is not possible to follow them.	
	The Commission may make recommendations to the Attorney General regarding funding for proceedings before the Commission for parties who have been granted standing because they have information relevant to the systemic issues that would otherwise be unavailable and where, in the Commission's view, the party would not otherwise be able to participate in the inquiry without such funding. Any such funding shall be in accordance with Management Board of Cabinet Directives and Guidelines.	
	If, during the course of the inquiry, the Commission receives information, including in writing, from victims or families, the Commission may authorize the provision of counselling assistance.	
Procedures	Subject to the Act and the Terms of Reference, the conduct of and procedure to be followed at the Inquiry is under the control and discretion of The Honourable Stephen Goudge.	
Rulings	Yes. Standing. Others unknown.	
Misc. Comments and Differences	Separate Rules of Standing and Funding from Rules of Practice and Procedure. Order in Council established that Senator Larry Campbell shall chair an expert medical and scientific panel, which shall report to the Commissioner, to provide such information and advice as directed by the Commissioner (other inquiries with expert panels do not generally have the Chair laid out in the promulgating order).	

Jurisdiction / Inquiry Name		Ontario / Cornwall
Commissioner / Status		Hon. G. Norman Glaude / Active – ON
Legislation		Public Inquiries Act (ON)
Announced / Interim	Report	April 14, 2005 / no
Date Specified for Fi	nal Report	Not initially. Later amended to provide an end date for evidence (January 30, 2009), an end date for closing submissions (February 27, 2009), and a date for the final report (July 31, 2009).
Final Report		December 14, 2009
Extensions	Yes. Final report date extended from July 30, 2009 to October 15, 2009 and then to December 31, 2009 (solely to permit the typesetting, translation, and publishing of the report).	
Standing	Commissio	on Counsel have standing throughout the Inquiry.
		groups may be granted standing for Part I of the inquiry (fact finding) by sissioner, if the Commissioner is satisfied that they:
		ectly and substantially affected by Part I of the Inquiry, in which event the may participate in accordance with s. 5(1) of the Public Inquiries Act; or
	manda represe	ent distinct ascertainable interests and perspectives that are essential to his ate in Part I, which the Commissioner considers ought to be separately ented before the Inquiry, in which event the party may participate in a err to be determined by the Commissioner.
	The Comm	nissioner will determine the extent to which a party granted standing ticipate.
	dealing wi	sted person may make a public submission, in writing, to the Commission ith any matter related to Part II of the Inquiry, including responses to any sed in the Commission Papers.
	Persons or satisfied th	groups may be granted standing in Part II (policy) if the Commissioner is nat:
	A) they ar	re sufficiently affected by Part II of the Inquiry; or
	to his r	epresent distinct ascertainable interests and perspectives that are essential mandate in Part II, and which the Commissioner considers ought to be tely represented before the Inquiry.
	In order to joint stand	avoid duplication, groups with similar interests are encouraged to seek ling.

Mandate Inquire into and report on the institutional response of the justice system and other public institutions, including the interaction of that response with other public and community sectors, in relation to: A) allegations of historical abuse of young people in the Cornwall area, including the policies and practices then in place to respond to such allegations; and B) the creation and development of policies and practices that were designed to improve the response to allegations of abuse; in order to make recommendations directed to the further improvement of the response in similar circumstances. The Commission shall inquire into and report on processes, services or programs that would encourage community healing and reconciliation in Cornwall. Administrative and The Commission may make recommendations to the Attorney General regarding **Funding Structure** funding to parties who have been granted standing, to the extent of the party's interest, where, in the Commission's view, the party would not otherwise be able to participate in the inquiry without such funding. Any such funding recommendations shall be in accordance with Management Board of Cabinet Directives and Guidelines. Within an approved budget, the Commission may retain such counsel, staff, investigators and expert advisors as it considers necessary in the performance of its duties at reasonable remuneration approved by the Ministry of the Attorney General. They shall be reimbursed for reasonable expenses incurred in connection with their duties in accordance with Management Board of Cabinet Directives and Guidelines. The Commission shall follow Management Board of Cabinet Directives and Guidelines and other applicable government policies in obtaining other services and goods it considers necessary in the performance of its duties unless, in the Commissioner's view, it is not possible to follow them. **Procedures** Splits the Inquiry into two phases: Part I deals with fact finding; Part II deals with policy questions. For Part II, the Commission will establish one or more Research Advisory Panels, the role of which will be to make recommendations to the Commission on the subject matters of the Commission papers and who should be retained to prepare them. Rulings Yes. Standing. Funding. For certain witnesses to be excused. Confidentiality. Responding to Court decisions (Court of Appeal and Divisional Court). Jurisdictional Motions, Removal of Evidence from Website. Misc. Comments For all activities after October 15, 2009, the Commission shall, no later than October and Differences 21, 2009, submit to the Attorney General a detailed budget specifying the costs the Commission expects to incur and the Attorney General shall promptly review the proposed budget and authorize such amounts as the Attorney General considers advisable. Ontario (Provincial Police) v. Cornwall (Public Inquiry). The case concerned whether or not the evidence of two witnesses was acceptable under the terms of reference and it was held that it was not.

Jurisdiction / Inquiry Name		Ontario / Ipperwash
Commissioner / Status		Hon. Sidney B. Linden / Active – ON
Legislation		Public Inquiries Act (ON)
Announced / Interim	Report	November 12, 2003 / no
Date Specified for Fi	nal Report	No
Final Report		May 31, 2007
Extensions	No.	
Standing	Commissi	on Counsel have standing throughout the Inquiry.
		r groups may be granted standing for Part I of the inquiry (fact finding) by nissioner, if the Commissioner is satisfied that they:
		ectly and substantially affected by Part I of the Inquiry, in which event the may participate in accordance with s. 5(1) of the Public Inquiries Act or;
	manda repres	ent distinct ascertainable interests and perspectives that are essential to his ate in Part I, which the Commissioner considers ought to be separately ented before the Inquiry, in which event the party may participate in a er to be determined by the Commissioner.
	The Comn	nissioner will determine the extent to which a party granted standing ticipate.
	Any interested person may make a public submission, in writing, to the Commission dealing with any matter related to Part II of the Inquiry, including responses to any matter raised in the Commission Papers.	
	Persons or satisfied th	r groups may be granted standing in Part II (policy) if the Commissioner is hat:
	A) they a	re sufficiently affected by Part II of the Inquiry; or
	to his	epresent distinct ascertainable interests and perspectives that are essential mandate in Part II, and which the Commissioner considers ought to be tely represented before the Inquiry.
	In order to joint stand	o avoid duplication, groups with similar interests are encouraged to seek ding.
Mandate	A) Inquire	e into and report on events surrounding the death of Dudley George; and
		recommendations directed to the avoidance of violence in similar astances.

Administrative and Funding Structure	The Commission may make recommendations to the Attorney General regarding funding to parties who have been granted standing, to the extent of the party's interest, where, in the Commission's view, the party would not otherwise be able to participate in the inquiry without such funding.			
	Within an approved budget, the commission may retain such counsel, staff, investigators and expert advisers as it considers necessary in the performance of its duties at reasonable remuneration approved by the Ministry of the Attorney Gener They shall be reimbursed for reasonable expenses incurred in connection with their duties in accordance with Management Board of Cabinet Directives and Guidelines			
	The commission shall follow Management Board of Cabinet Directives and Guidelines and other applicable government policies in obtaining other services and goods it considers necessary in the performance of its duties unless, in the commissioner's view, it is not possible to follow them.			
Procedures	Splits the Inquiry into two phases:			
	Part I deals with fact finding;			
	Part II deals with policy questions.			
	In Part II, the Commission will utilize a range of research and policy development processes (including research and policy papers, written and oral submissions from parties, symposia, etc.).			
Rulings	Yes. Standing.			
	Funding.			
	Regarding OPP disciplinary files.			
	On a motion regarding the release of evidence.			
Misc. Comments and Differences	Rules of Policy and Procedure also available in Ojibwe language.			

Jurisdiction / Inquiry Name		Ontario / SARS
Commissioner / Status		Hon. Archie Campbell / Active – ON
Legislation		Health Protection and Promotion Act (ON)
Announced / Interim Report		June 10, 2003 / The Commissioner shall produce an interim report at his discretion. He produced two interim reports.
Date Specified for Fir	nal Report	No
Final Report		December 11, 2006
Extensions	No.	
Standing	Unknown	
Mandate	The subje	ct matter of the investigation shall be:
		ne SARS virus was introduced here and what measures, if any, could have taken at points of entry to prevent its introduction;
	B) how th	ne SARS virus spread;
		tent to which information related to SARS was communicated among care workers and institutions involved in dealing with the disease;
	long-to	er health care workers and patients in health care treatment facilities and erm care facilities were adequately protected from exposure to SARS, gregard for the knowledge and information available at the time;
		tent of efforts taken to isolate and contain the virus and whether they were ctory or whether they could have been improved;
	for the	g legislative and regulatory provisions related to or that have implications isolation and containment of infectious diseases, including the quarantine pected carriers;
	submi	ggested improvements to provincial legislation or regulations, and any ssions that the Province of Ontario should make concerning desirable diments to federal legislation or regulations; and,
	that th	er relevant matters that Mr. Justice Campbell considers necessary to ensure the health of Ontarians is protected and promoted and that the risks posed and other communicable diseases are effectively managed in the future.
Administrative and Funding Structure		to OC 1230\2003, The Attorney General shall furnish Mr. Justice Campbell esources and support referred to in paragraph 7 of the Terms of Reference
	resources the autho	ct his investigation, Mr. Justice Campbell shall be provided with such as are required, and be authorized by the Attorney General and shall have rity to engage lawyers, experts, research, and other staff as he deems te, at reasonable remuneration approved by the Ministry of the Attorney

Procedures	Unknown – rules of practice and procedure not available.	
Rulings	Unknown – rulings not available.	
Misc. Comments and Differences	"Shall be provided with resources" rather than authorizing Commission to gather such resources. Inquiry held pursuant to the Health Protection and Promotion Act, which allows investigations as under the Public Inquiries Act.	

Jurisdiction / Inquiry Name		Ontario / Walkerton
Commissioner / Status		Hon. Dennis O'Connor / Active – ON
Legislation		Public Inquiries Act (ON)
Announced / Interim	Report	June 13, 2000 / Report released in two volumes
Date Specified for Fir	nal Report	No
Final Report		May 23, 2002
Extensions	No.	
Mandate	The comm	nission shall inquire into the following matters:
	becom same t	cumstances which caused hundreds of people in the Walkerton area to ne ill, and several of them to die in May and June 2000, at or around the time as Escherichia coli bacteria were found to be present in the town's supply;
		use of these events including the effect, if any, of government policies, dures and practices; and
		her relevant matters that the commission considers necessary to ensure the of Ontario's drinking water;
	in order to make such findings and recommendations as the commission considerable to ensure the safety of the water supply system.	
Administrative and Funding Structure	investigate duties. The Managem	approved budget, the Commission may retain such counsel, staff, ors and expert advisers as it considers necessary in the performance of its ey shall be paid at rates of remuneration and reimbursement approved by ent Board of Cabinet. They shall be reimbursed for reasonable expenses a connection with their duties in accordance with Management Board of uidelines.
	funding to interest, w	nission may make recommendations to the Attorney General regarding parties who have been granted standing, to the extent of the party's where, in the commission's view, the party would not otherwise be able to e in the inquiry without such funding.

Standing	Commission counsel have standing throughout.
	Standing for Part I:
	Persons or groups may be granted standing by the Commissioner if the Commissioner is satisfied that they:
	A) are directly and substantially affected by Part I of the Inquiry, in which event the party may participate in accordance with s. 5(1) of the Public Inquiries Act; or
	B) represent clearly ascertainable interests and perspectives that are essential to his mandate in Part I, which the Commissioner considers ought to be separately represented before the Inquiry, in which event the party may participate in a manner to be determined by the Commissioner.
	Standing for Part II:
	Persons or groups may be granted standing by the Commissioner if the Commissioner is satisfied that they:
	A) are directly and substantially affected by Part II of the Inquiry; or
	B) represent clearly ascertainable interests and perspectives that are essential to his mandate in Part II, which the Commissioner considers ought to be separately represented before the Inquiry.
	In order to avoid duplication, groups with similar interests are encouraged to seek joint standing.
Procedures	Inquiry split into two phases:
	Phase I will consider factual findings and protocols in place;
	Phase II will have a policy focus and will include a review of policy issues related to ensuring the safety of Ontario's drinking water.
Rulings	Unknown.
Misc. Comments and Differences	

Jurisdiction / Inquiry Name	Ontario / Toronto Computer Leasing

Commissioner / Status Hon. Denise Bellamy / Active – ON

Legislation Municipal Act

Announced / Interim Report February 14, 2002

Date Specified for Final Report Unknown

Final Report September 12, 2005

Extensions	Unknown.		
Standing	rules Unknown. Twenty-two participants granted standing.		
Mandate	To inquire into all aspects of certain financial transactions, their history, and their impact on the ratepayers of the City of Toronto as they relate to the good government of the municipality, or the conduct of its public business, and to make any recommendations which the Commissioner may deem appropriate and in the public interest as a result of her inquiry.		
Administrative and Funding Structure	Unknown. Inquiry budget of \$11,392,000 approved by City Council in February/March 2005.		
Procedures	Unknown.		
Rulings	Unknown.		
Misc. Comments and Differences	Inquiry held pursuant to a municipal resolution pursuant to s. 100 of the Municipal Act, R.S.O. 1990 (now s. 223 of the Municipal Act, R.S.O 2001) which permits inquiries pursuant to the Public Inquiries Act.		

Jurisdiction / Inquiry Name	Ontario / Guy Paul Morin
Commissioner / Status	Hon. Fred Kaufman / Retired – QC

Legislation Public Inquiries Act (ON)

Announced / Interim Report June 26, 1996 / no

Date Specified for Final Report Yes

Final Report March 31, 1998

Extensions	Yes. Final Report initially due June 30, 1997, extended to March 31, 1998.		
Standing	rules Unknown.		
Mandate	The commission shall inquire into the investigation into the death of Christine Jessop, the conduct of the Centre for Forensic Sciences in relation to the maintenance, security and preservation of forensic evidence, and into the criminal proceedings involving the charge that Guy Paul Morin murdered Christine Jessop. The Commission shall report its findings and make such recommendations as it considers advisable relating to the administration of criminal justice in the province.		
Administrative and Funding Structure	Within an approved budget, the Commission may retain such staff, investigators, and expert advisors as it considers necessary in the performance of its duties. They shall be paid in accordance with Ontario Government guidelines. They shall be reimbursed for reasonable expenses incurred in connection with their duties in accordance with Management Board of Cabinet Directives and Guidelines.		
	The Commission may obtain such services and things as it considers necessary in the performance of its duties within an approved budget. The Commission shall observe Management Board of Cabinet Directives and Guidelines and other applicable Government policies when it obtains services or things.		
Procedures	Limited rules of practice and procedure.		
Rulings	Unknown.		
Misc. Comments and Differences	Limited information.		

Jurisdiction / Inquiry	Name	Ontario / Bernardo Investigative Review	
Commissioner / Statu	us	Hon. Archie Campbell / Active – ON	
Legislation		Public Inquiries Act (ON)	
Announced / Interim	Report	December 13, 1995 / no	
Date Specified for Fi	nal Report	Yes March 31, 1996	
Final Report		June 1, 1996	
Extensions	Possibly. Report due March 31, 1996, but released June 1996.		
Standing	Unknown.		
Mandate	 A) to review the role of the Green Ribbon Task Force and its investigation into the deaths of the victims, and the Metropolitan Toronto Police Service investigation into the Scarborough sexual assaults; B) to review the involvement of the Centre of Forensic Sciences and the analysis of samples submitted for DNA testing regarding the Scarborough sexual assaults; 		
	C) to review the issues concerning the autopsies performed on Tammy Homolka and the police and coroner's investigation into her death;		
	D) to review the role of the Provincial Government in the provision of funding for the Green Ribbon Task Force.		
Administrative and Funding Structure	The Commissioner shall have authority to engage, subject to Ministry and Government policies and procedures with respect to the engagement of consulting services, such counsel, investigators, expert technical advisers, research and other staff as he deems it proper at rates of remuneration and reimbursement to be approved by the Ministry of the Solicitor General and Correctional Services.		
Procedures	Unknown.		
Rulings	Unknown.		
Misc. Comments and Differences	Limited in	formation.	

MANITOBA

Jurisdiction / Inquiry Name		Manitoba / Phoenix Sinclair
Commissioner / Status		Unknown at present / Unknown at present
Legislation		Manitoba Evidence Act
Announced / Interim	Report	October 6, 2006 / Unknown at present
Date Specified for Fir	nal Report	Unknown at present
Final Report		Unknown at present
Extensions	Unknown at present.	
Standing	Unknown at present.	
Mandate	Unknown at present.	
Administrative and Funding Structure	Unknown at present.	
Procedures	Unknown at present.	
Rulings	Unknown at present.	
Misc. Comments and Differences	Inquiry pending completion of criminal appeals.	

Standing	Unknown.		
Mandate	A) To inquire into the conduct of the police investigations surrounding the death of Crystal Taman on February 25, 2005, including, but not limited to,		
	 i) the correctness and adequacy of the procedures and practices that were followed, and 		
	ii) the good faith, objectiveness and professional standards with which the procedures and practices were applied and decisions made.		
	B) To inquire into whether all aspects of the prosecution of Derek Harvey-Zenk, including the Crown's position on sentence, were conducted in accordance with the professional and ethical standards expected of lawyers and agents of the Attorney General.		
	C) To inquire into whether the services provided to the family of Crystal Taman were sufficient having regard to the requirements of The Victims' Bill of Rights.		
	D) To give advice on whether findings on any of the above matters give rise to a need for further study, review or investigation and, if so, by whom.		
Procedures	Unknown.		
Rulings	Unknown.		
Misc. Comments and Differences	S. 5 of the Order in Council: Nothing in paragraph 1 limits the commissioner's right to request the Lieutenant Governor in Council to expand the terms of reference to cover any matter that he considers necessary as a result of information that comes to his attention during the course of the inquiry.		
Administrative and Funding Structure	The Minister of Finance may pay the following amounts from the Consolidated Fund, at the request of the Attorney General:		
	A) travelling and other incidental expenses that the commissioner incurs conducting his inquiry;		
	B) fees and salaries of any advisors and assistants employed or retained for the purpose of the inquiry;		
	C) any other operational expenditures required to support the inquiry.		

Manitoba / Taman

urgent matters.

September 30, 2008

Manitoba Evidence Act

Hon. Roger Salhany / Retired – ON

December 5, 2007 / The Commissioner is permitted to give the Attorney General any interim reports that he considers appropriate to address

Jurisdiction / Inquiry Name

Announced / Interim Report

Date Specified for Final Report

No.

Commissioner / Status

Legislation

Final Report

Extensions

Jurisdiction / Inquiry Name		Manitoba / Driskell	
Commissioner / Status		Hon. Patrick J. LeSage / Retired – ON	
Legislation		Manitoba Evidence Act	
Announced / Interim	Report	December 7, 2005 / no	
Date Specified for Fi	nal Report	Yes, December 31, 2006	
Final Report		February 15, 2007	
Extensions	Possibly. R	leport due December 31, 2006, but released February 15, 2007.	
Standing	Commissi	on counsel have standing throughout.	
	_	oups of persons, or organizations who wish to participate in the Inquiry standing before the Inquiry.	
	The Commissioner may grant standing if he is satisfied that an applicant has a substantial and direct interest in the subject-matter of the Inquiry or that the applicant's participation in the Inquiry may be helpful to the Commission in fulfilling its mandate.		
Mandate	The Commission of Inquiry appointed pursuant to an Order-in-Council will have the responsibility to inquire into the conduct of Crown Counsel who conducted and managed the trial of James Driskell and the subsequent appeal and departmental reviews of his conviction. It is to consider whether that conduct fell below the professional and ethical standards expected of lawyers and agents of the Attorney General conducting prosecutions at the time. The Commission of Inquiry will also have to inquire into whether the Winnipeg Police Service failed to disclose material information to the Crown before, during or after James Driskell's trial and, if so, consider whether the non-disclosure contributed to a likely miscarriage of justice in the prosecution against him. The Commission of Inquiry is to consider the role of the RCMP Laboratory in the prosecution of James Driskell, and to review any systemic issues that may arise out of its role.		
Administrative and Funding Structure	The Minister of Finance may pay the following amounts from the Consolidated Fund, at the request of the Attorney General:		
	A) travell his inc	ing and other incidental expenses that the commissioner incurs conducting juiry;	
		nd salaries of any advisors and assistants employed or retained for the se of the inquiry;	
	1	nable legal fees incurred from time to time to assist James Driskell during quiry, if standing at the inquiry is granted to him;	
		able legal fees incurred from time to time to assist the Department of and its former employees, if standing is granted to them;	
	E) any ot	her operational expenditures required to support the inquiry.	

Procedures	
Rulings	Unknown.
Misc. Comments and Differences	

Jurisdiction / Inquiry	Name	Manitoba / Sophonow
Commissioner / Statu	ıs	Hon. Peter Cory / Retired – SCC
Legislation		Manitoba Evidence Act
Announced / Interim	Report	June 7, 2000 / no
Date Specified for Fir	nal Report	Yes
Final Report		November 5, 2001
Extensions	Possibly. R	eport due June 30, 2001, but released November 5, 2001.
Standing	Unknown.	
Mandate	Inquire into the conduct of the investigation into the death of Barbara Stoppel, and the circumstances surrounding the resulting criminal proceedings commenced against Thomas Sophonow for the murder of Barbara Stoppel.	
	Advise on whether and how much Thomas Sophonow is entitled to financial compensation.	
Administrative and Funding Structure	From time to time on Certificate of the Attorney General, the Minister of Finance may pay from the Consolidated Fund:	
		ing and other incidental expenses incurred by the Honourable Peter de C. n carrying out this inquiry;
		nd salaries of such advisors and assistants as may be employed or retained purposes of this inquiry;
	Sopho inquiry be det policie be sub	hable legal fees that may be incurred from time to time to assist Thomas now and the Stoppel family during the Inquiry, should standing at the y be granted to either or both, in an amount and under such terms as may ermined by the Deputy Attorney General in accordance with existing as and practices of the government of Manitoba, the accounts of which will bject to taxation by a taxation or judicial officer appointed for the purpose Honourable Peter de C. Cory; and
		ther operational expenditures as may be required to support the conduct inquiry.
Procedures		
Rulings	Unknown.	
Misc. Comments and Differences		

Jurisdiction / Inquiry Name	Saskatchewan / Milgaard

Commissioner / Status Hon. Edward P. MacCallum / Active – AB

Legislation The Public Inquiries Act (SK)

Announced / Interim Report February 18, 2004 / no

Date Specified for Final Report No

Final Report September 10, 2008

Tillal Report	September 10, 2000
Extensions	No.
Standing	Commission counsel have standing throughout.
	Persons or groups may be granted standing by the Commissioner if they:
	A) are directly and substantially affected by the Inquiry; or
	B) represent clearly ascertainable interests and perspectives that are essential to the Commission's mandate; or
	C) the applicant has special experience or expertise with respect to matters within the Commission's terms of reference.
Mandate	An inquiry be made into any and all aspects of the conduct of the investigation into the death of Gail Miller and the subsequent criminal proceedings resulting in the wrongful conviction of David Edgar Milgaard on the charge that he murdered Gail Miller, for the purpose of making findings and recommendations with respect to the administration of criminal justice in the Province of Saskatchewan.
Administrative and	Authorizing the Commission to engage:
Funding Structure	A) the services of such accountants, engineers, technical advisors or other experts, clerks, reporters and assistants as they deem necessary or advisable; and,
	B) the services of counsel to aid and assist the Commission, to be paid by the Department of Justice as approved by the Minister of Justice and Attorney General;
	C) authorizing reimbursement to the commissioner by the Department of Justice for reasonable travelling and sustenance expenses incurred by him in the performance of his duties; and
	D) authorizing payment by the Department of Justice of expenses incurred in the administration of the Commission of Inquiry.
Procedures	
Rulings	Unknown.
Misc. Comments and Differences	

SASKATCHEWAN

Jurisdiction / Inquiry Name Saskatchewan / Neil Stonechild

Commissioner / Status Hon. David Henry Wright / Active – SK

Legislation The Public Inquiries Act (SK)

Announced / Interim Report February 19, 2003 / no

Date Specified for Final Report No

Final Report September 24, 2004

	5 Cp (cm 5 C) 7 C C C C C C C C C C C C C C C C C
Extensions	No.
Standing	Unknown.
Mandate	An inquiry be made into the circumstances that resulted in the death of Neil Stonechild and the conduct of the investigation into the death of Neil Stonechild for the purpose of making findings and recommendations with respect to the administration of criminal justice in the Province of Saskatchewan.
Administrative and	Authorizing the Commission to engage:
Funding Structure	A) the services of such experts, clerks, reporters and assistants as the Commission deems necessary or advisable; and,
	B) the services of counsel to aid and assist the Commission;
	to be paid by the Department of Justice as approved by the Minister of Justice and Attorney General;
	authorizing reimbursement to the Commissioner by the Department of Justice for reasonable travelling and sustenance expenses incurred by him in the performance of his duties.
Procedures	Unknown.
Rulings	Unknown.
Misc. Comments and Differences	

Jurisdiction / Inquiry Name		Saskatchewan / North Battleford Water
Commissioner / Status Legislation		Hon. Robert Laing / Active – SK
		The Public Inquiries Act (SK)
Announced / Interim	Report	May 10, 2001 / no
Date Specified for Fir	nal Report	Yes, March 31, 2002
Final Report		March 28, 2002
Extensions	No.	
Standing	Commission	on counsel have standing throughout.
		r groups may be granted standing by the Commissioner if the oner is satisfied that they:
	A) are dir	ectly and substantially affected by the Inquiry; or
	manda before	ent clearly ascertainable interests and perspectives that are essential to his ate, which the Commissioner considers ought to be separately represented the Inquiry, in which event the party may participate in a manner to be nined by the Commissioner.
Administrative and Funding Structure	report of cou	rizing the Commission to engage the services of such experts, clerks, ers and assistants as deemed necessary or advisable, and also the services nsel to aid and assist the Commission, to be paid by the Department of e as approved by the Minister of Justice;
	reason	rizing reimbursement to the Commissioner by the Department of Justice for table travelling and sustenance expenses incurred by him in the mance of his duties.
	witnesses, legal cour	nission shall determine applications by those parties, if any, or those if any, to the public inquiry that apply to the Commission to have their sel paid for by the Commission and further determine at what rate such hall be paid for their services.
Procedures		
Rulings	Yes. Stand	ing. Funding. Final Submissions.
Misc. Comments and Differences		

Mandate

The Commission of Inquiry appointed pursuant to the Order will have the responsibility to inquire into and report on and make findings and recommendations with respect to any and all aspects of the following matters:

- A) the circumstances that led to the current contamination of the public water supply of the City of North Battleford;
- B) the adequacy and effectiveness of the actions taken by officials of the Government of Saskatchewan, the Battlefords District Health Board and the City of North Battleford leading up to and in response to the discovery of the contamination of the public water supply in the City of North Battleford;
- C) the effect, if any, of the regulations, bylaws, policies, guidelines, procedures and practices of or applicable to the Government of Saskatchewan, the Battlefords District Health Board and the City of North Battleford on the events referred to in (a) and (b);
- D) any other relevant matters that the Commission considers necessary to determine that the City of North Battleford's public drinking water is safe in the future.

BRITISH COLUMBIA

Jurisdiction / Inquiry Name British Columbia / Pickton **Commissioner / Status** Wally Oppal / Former AG - BC Legislation Public Inquiry Act (BC) **Announced / Interim Report** September 28, 2010 / no Date Specified for Final Report December 31, 2011 **Final Report Extensions** No. Standing Not yet available. Mandate To inquire into and report on the conduct of the missing women investigations: A) to conduct hearings, in or near the City of Vancouver, to inquire into and make findings of fact respecting the conduct of the missing women investigations; B) consistent with British Columbia (Attorney General) v. Davies, 2009 BCCA 337, to inquire into and make findings of fact respecting the decision of the Criminal Justice Branch, on January 27, 1998, to enter a stay of proceedings on charges against Robert William Pickton of attempted murder, assault with a weapon, forcible confinement and aggravated assault; C) to recommend changes considered necessary respecting the initiation and conduct of investigations in British Columbia of missing women and suspected multiple homicides; D) to recommend changes considered necessary respecting homicide investigations in British Columbia by more than one investigating organization, including the co-ordination of those investigations. Administrative and Not yet available. **Funding Structure Procedures** Not yet available. **Rulings** Not yet available.

Controversial choice of Commissioner.

Misc. Comments

and Differences

	e criteria for participation are set out in s. 11 of the Public Inquiry Act, S.B.C. 2007, 9. The following criteria must be considered by the Commissioner:
A)	whether, and to what extent, the person's interest may be affected by the findings of the commission;
B)	whether the person's participation would further the conduct of the inquiry;
C)	whether the person's participation would contribute to the fairness of the inquiry.
	te terms of reference of the inquiries to be conducted by the study commission tablished under section 2 (1) are as follows:
A)	to review current rules, policies and procedures applicable to constables, sheriffs and authorized persons referred to in section 2 (1) in respect of their use of conducted energy weapons and their training and re-training in that use;
B)	to review research, studies, reports and evaluations respecting the safety and effectiveness of conducted energy weapons when used in policing and law enforcement in British Columbia and in other jurisdictions;
C)	to make recommendations respecting:
	i) the appropriate use of conducted energy weapons by constables, sheriffs and authorized persons referred to in section 2 (1) in the performance of their duties and the exercise of their powers, and
	 ii) the appropriate training or re-training of those constables, sheriffs and authorized persons in the use of conducted energy weapons;
D)	to submit a report to the Attorney General on or before June 30, 2008.
	ne terms of reference of the inquiries to be conducted by the hearing and study mmission under section 2 (2) are as follows:
A)	to conduct hearings, in or near the City of Vancouver, into the circumstances of and relating to Mr. Dziekanski's death;
B)	to make a complete report of the events and circumstances of and relating to Mr. Dziekanski's death, not limited to the actual cause of death;
C)	to make recommendations the commissioner considers necessary and appropriate;
D)	to submit a report to the Attorney General on or before a date to be determined

by the Attorney General in consultation with the Commissioner.

British Columbia / Dziekanski

February 15, 2008 / June 18, 2009

May 20, 2010 Phase 2 Report Released

Public Inquiry Act (BC)

Hon. Thomas Braidwood / Retired – BC and YK

Yes. Report originally due on June 30, 2008, later extended to June 30, 2009.

Jurisdiction / Inquiry Name

Announced / Interim Report

Date Specified for Final Report

Commissioner / Status

Legislation

Final Report

Extensions

Standing

Mandate

Administrative and Funding Structure	Unknown.
Procedures	Order in Council established two Commissions:
	The first commission of inquiry is a "study" commission to report on the use of conducted energy weapons (Tasers) in British Columbia, and to make recommendations respecting their appropriate use.
	The second commission of inquiry is a "hearing and study" commission to provide the Dziekanski family and the public with a complete record of the circumstances of Mr. Robert Dziekanski's death and to make recommendations the Commissioner considers necessary and appropriate.
Rulings	Yes. Participant Status.
	Final submissions.
Misc. Comments and Differences	Taser International, Inc. v. British Columbia (Thomas Braidwood, Q.C. Study Commission).
	Judicial review seeking to quash the findings of the Commissioner with respect to the risks associated with conducted energy weapon use, and in particular Parts 9 and 10 of the Study Commission Report.

Jurisdiction / Inquiry Name British Columbia / Frank Paul

Commissioner / Status Hon. William H. Davies / Retired – BC and NWT

Legislation Public Inquiry Act (BC)

Announced / Interim Report August 9, 2007 / February 13, 2009

Date Specified for Final Report Yes

Final Report

Final Report	inal Report	
Extensions	Yes. Following unsuccessful litigation to prevent the Commissioner from inquiring into the Criminal Justice Branch's activities, an extension was granted.	
Standing	The Commissioner may accept an applicant as a participant after considering all of the following:	
	A) whether, and to what extent, the person's interests may be affected by the findings of the Commission,	
	B) whether the person's participation would further the conduct of the inquiry,	
	C) whether the person's participation would contribute to the fairness of the inquiry (see Public Inquiry Act, s. 11(4)).	
Mandate	A) to conduct hearings, in or near the City of Vancouver, into the circumstances surrounding the death of Mr. Paul;	
	B) to make findings of fact regarding circumstances relating to Mr. Paul's death, including findings of fact respecting the response of the British Columbia Ambulance Service, the Vancouver Police Department, the BC Coroners Service, the Office of the Police Complaints Commissioner and the Criminal Justice Branch of the Ministry of the Attorney General to the death of Mr. Paul;	
	C) to examine the rules, policies and procedures of the Vancouver police board and of the Vancouver police department respecting police interaction with persons who are incapacitated by alcohol or drug use, including directions for the handling, detention, transportation and release of individuals who, as a result of alcohol or drug use, are incapacitated, violent, unable to care for themselves, self-destructive or unconscious;	
	D) to examine the rules, policies and procedures of the British Columbia Ambulance Service respecting the interaction of staff of the British Columbia Ambulance Service with persons who are incapacitated by alcohol or drug use, including directions for the handling and transportation of individuals who, as a result of alcohol or drug use, are incapacitated, violent, unable to care for themselves, self-destructive or unconscious;	
	E) to examine the rules, policies and procedures of the BC Coroners Service, the Office of the Police Complaints Commissioner and the Criminal Justice Branch of the Ministry of the Attorney General related to the role and response of each of those offices where an individual dies in circumstances similar to the circumstances of Mr. Paul's death;	

Mandate (continued)	F) to recommend changes considered necessary to the rules, policies and procedures referred to in paragraphs (c), (d) and (e);	
	G) to identify the health care and social service programs and facilities available in the City of Vancouver that the police may access if a municipal constable determines that a person should not be detained but the person requires immediate health care or social services because the person is incapacitated by alcohol or drug use.	
Administrative and Funding Structure	Unknown.	
Procedures	Considering factual and policy questions separately.	
Rulings	Yes. Participant status. Authority to Inquire into the Criminal Justice Branch.	
	Call Further Witnesses.	
	Proper Scope and Manner of Cross-Examination.	
Misc. Comments and Differences	Inquiry resuming for criminal justice phase following the Supreme Court of Canada's refusal to hear the Criminal Justice Branch's appeal that no such inquiry take place.	

NOTES	

NOTES