

[39] In this regard, I am also mindful that this is the parties' litigation, the court has been requested to adjudicate between the diverse positions to be taken by the applicant and the respondent, Government of Saskatchewan. As a result, the parties are the ones to direct the discussion on the factual and legal issues presented.

[40] All of the proposed intervenors have indicated they intend to bring different arguments before the Court. Despite not being in a position to specifically advance those at this stage, the clear submissions were to the effect that they do not intend to simply echo submissions made by one side or the other. Because of these different perspectives, it appears that all of the intervenors are interested in advancing the process and improving the arguments before the Court for decision.

[41] All of the intervenors have indicated that they do not intend to expend the number of issues before the Court. As well, they have all indicated that they will work to ensure that they are able to comply with all timelines imposed by the Court. That is to say, the clear weight of the submissions is that none of the proposed intervenors will impede the progress of the action.

[42] There is nothing in the materials or submissions to suggest that any of the intervenors will prejudice either of the parties. All of the intervenors have provided their assurances that they do not intend to transform the Court into a political arena. Rather, they seek to advance specific arguments from their unique perspective and experience.

[43] At the argument of this matter, counsel for the applicant indicated that their client consents to the granting of intervenor status to the CCLA, LEAF, and John Howard. They did not oppose the granting of status to GDA or Parents for Choice in

Education. Counsel for the government submitted that intervenor status should be granted only to GDA and Parents for Choice in Education.

[44] As a result of all of the foregoing, I determine to exercise my discretion to grant the applications for intervenor status brought by GDA, Parents for Choice in Education, and John Howard Society, CCLA, and LEAF. On the basis of the material before me, and the submissions received from counsel, that when considering the factors as outlined by Brown J., these entities should be entitled to participate in these proceedings.

[45] Each of those intervenors shall be entitled to file a brief of no more than 15 pages of substantive response to the matters in issue in this litigation. Furthermore, each of these intervenors shall be entitled to advance submissions at the hearing of the application regarding the constitutionality of the Policy of no more than 15 minutes. I decline to grant status to intervene on the application for an interlocutory injunction. I note that LEAF did not seek such status. In any event, I determine that the issue of the injunction is to be argued by the parties to this litigation.

[46] I decline to award costs with respect to these applications and direct that the applicants shall bear their own costs in this matter.



M.T. MEGAW J.