



Department of Justice
Canada

Civil Litigation Section
Bank of Canada Bldg
East Tower, Room 1216
234 Wellington Street
Ottawa, Ontario
K1A 0H8

Ministère de la Justice
Canada

Contentieux des affaires civiles
Édifice de la Banque du Canada
Pièce 1109, tour est
234, rue Wellington
Ottawa, Ontario
K1A 0H8

Telephone: (613) 952-0276
Fax: (613) 954-1920

Our File Number: 2-368044

January 30, 2009

Freya J. Kristjanson
Military Police Complaints Commission
270 Albert Street, 10th floor
Ottawa, Ontario K1P 5G8

Ms. Kristjanson:

Re: *Amnesty International Canada and other*
MPCC 2007-006, 2008-024 and 2008-042
BCCLA's motion on funding

I am writing in response to the motion filed by the British Columbia Civil Liberties Association (BCCLA) for a recommendation from the Commission that my client fund the BCCLA. This complainant wishes the Government to pay for full-time attendance of its counsel at the hearings into the captioned complaints, presently scheduled to begin on February 17, 2009.

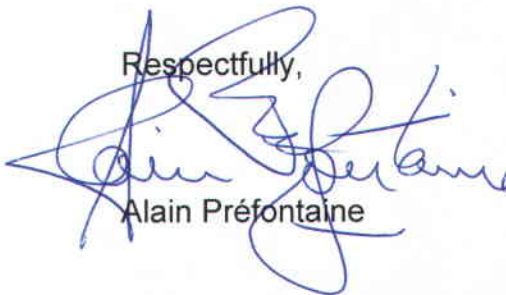
My client will consider the recommendation of the Commission, if the Commission decides to make one. Should that be the case, it would be of assistance if the Commission articulated why, in its opinion, funding this complainant would be in the public interest when:

- Part IV of the *National Defence Act* assigns to the Commission the responsibility of investigating lawful complaints, not to complainants.
- The *Rules of Procedure for Hearings before the Military Police Complaints Commission*¹ and the *Afghanistan Public Interest Hearings Rules* entrust to Commission counsel a predominant role in the hearing process.
- The Commission is staffed to conduct the hearings. In fact, the Government has acceded to the request made by the Commission for approximately \$4 000 000 in additional funding for that purpose.

¹ SOR/2002-241.

I look forward to hearing from you on this issue.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Alain Préfontaine', written in a cursive style. The signature is positioned above the printed name.

Alain Préfontaine

Cc: P. Champ
W. Carroll