Spookw v. Gitxsan Treaty Society, 2017 BCCA 225, British Columbia Court Of Appeal (Harris, Goepel And Savage JJ.A.), 9 June 2017

June 21, 2017

The B.C. Court of Appeal ordered that the unsuccessful appellants in this proceeding pay costs to the respondent Gitxsan Treaty Society. In January 2017, the Court of Appeal had dismissed an appeal brought by the appellants on the basis that they did not have standing: 2017 BCCA 16 [summarized in our e-Newsletter of 2 March 2017]. The appellants submitted that each party should bear its own costs, or that costs be fixed at $5,000, on the basis that they should be treated as "public interest litigants". The Court of Appeal rejected this submission:

... we can see no reason to justify departing from the usual principles with respect to costs. While issues of general importance were in play in the litigation as a whole, the critical issues before us had to do with standing in the context of seeking oppression-related and winding-up remedies under the *Societies Act*, S.B.C. 2015, c. 18.

The Court ordered that the Gitxsan Treaty Society is entitled to its costs of the appeal.

https://courts.gov.bc.ca/jdb-txt/ca/17/02/2017BCCA0225.htm

By

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