



Supreme Court of Canada

2003-2004 Estimates

A Report on Plans and Priorities

Approved

**The Honourable M. Cauchon
Minister of Justice and
Attorney General of Canada**

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I: Registrar's Message and Management Representation Statement

The plans and priorities of the Office of the Registrar of the Supreme Court of Canada directly support the institution's mandate, which is to provide a "general court of appeal" for Canada. Through its decisions, the Court settles disputes submitted to it by the parties, and in the process leads the development of the nation's jurisprudence, which affects all Canadians. A strong and independent judiciary is crucial in maintaining a strong democracy predicated on the rule of law.

The Office of the Registrar must therefore promote the independence of the Court within the framework of sound public management. It must take the necessary steps to enhance access to the Court for litigants and Canadian citizens, using traditional methods and appropriate technologies. It is committed to providing users with effective and efficient services, in keeping with the institution's high profile. It must respond to the need for Canadians to understand the key institutions in their country, including the roles they are called on to play, in an era of rapid change and internationalization of issues.

The administration of the Court is committed to serving the Canadian public by meeting the challenges posed by the Court's heavy workload, emerging technologies and information management. To achieve its goals, it is fortunate to be able to rely on the dedication and expertise of its staff, whose contributions and team spirit must be acknowledged. By being flexible and by adapting to changing needs, while at the same time respecting sound rules and traditions, it will contribute to the better administration of justice.

MANAGEMENT REPRESENTATION STATEMENT

Report on Plans and Priorities 2003-2004

I submit, for tabling in Parliament, the 2003-2004 Report on Plans and Priorities (RPP) for

the Supreme Court of Canada.

This document has been prepared based on the reporting priorities and disclosure requirements contained in the *Guide to the preparation of the 2003-2004 Report on Plans and Priorities*:

- It accurately portrays the Supreme Court's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's Budget and by TBS.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____
Anne Roland,
Registrar

Date: _____

II: Raison d'être

A. Mission and Responsibilities



Mission

As the final court of appeal, the Supreme Court of Canada serves Canadians by leading the development of common and civil law through its decisions on questions of public importance.

The Court is committed to:

- The rule of law.
- Independence and impartiality.
- Accessibility to justice.

The Office of the Registrar supports the Court by:

- Providing responsive administrative services.
- Nurturing the dedication, pride and professionalism of its employees.
- Respecting diversity and linguistic duality.
- Collaborating with other courts and legal institutions.

The Supreme Court of Canada is Canada's highest court and one of its most important national institutions. It hears appeals from the decisions of the courts of appeal of the provinces and territories as well as from the Federal Court of Appeal. In addition, the Court is required to give its opinion on any question referred to it by the Governor in Council.

The importance of the Court's decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system. Its jurisdiction is derived from the *Supreme Court Act* and other Acts of Parliament such as the *Criminal Code*.

More detailed information on the Court's responsibilities, the hearing process and judgments is available on the Internet (<http://www.scc-csc.gc.ca>)

B. Benefits to Canadians



The Supreme Court of Canada provides Canadians with:

A final court of appeal which leads the development of the law through its decisions on questions of public importance.

III: Planning Overview

The mandate of the Supreme Court of Canada is to have and exercise an appellate, civil and criminal jurisdiction within and throughout Canada.

The Court is comprised of the Chief Justice and eight Puisne Judges, all of whom are appointed by the Governor in Council. The Registrar, who answers directly to the Chief Justice, is responsible for the administration of the Court and exercises quasi judicial powers.

The administration of the Court is funded through a non-statutory appropriation. The entitlements to the Judges of the Court provided in the *Judges Act* are funded through a statutory authority.

The administration of the Court aligns its resources to its single business line, dictated by the Court's mandate, that is, to hear and decide cases of public importance. The Court's priorities are to process cases without delay and to issue well-reasoned decisions. These priorities do not change from year to year.

IV: Strategic Outcome and Priorities

The Supreme Court of Canada's approved Planning, Reporting and Accountability Structure (PRAS) is comprised of one business line: the Office of the Registrar.

A. Strategic Outcome

The strategic outcome for the Office of the Registrar is to provide the best possible decision-making environment for the Court.

The planned results are:

- An independent judiciary;
- Improved access to the Court and its services;
- Cases processed without delay; and,
- Ready access to a comprehensive information base.

B. Challenges

The situation of the Court at the apex of the judiciary gives it a wide visibility in Canada and to a lesser extent abroad. In this context, the Office of the Registrar must ensure that the institutional independence of the Court is clearly safeguarded within the framework of sound public administration. It requires that appropriate arms-length relationships be maintained with litigants, the media, the public, Parliament, the Department of Justice and the Central Agencies. As the Court is called upon to play an active role as a member of the international community of judges and jurists, through visits, protocol arrangements and memberships in international associations, appropriate support must be provided to these activities.

The Supreme Court Act mandates that the Court hear and decide cases that raise issues of public importance. To fulfill its mandate, the Court must be accessible, and provide service to litigants which includes processing cases with the minimum delay. The Office of the Registrar must ensure that the judges have all the information and support they need to continue to issue well-reasoned, clear and bilingual decisions in a timely fashion.

The Court hears an average of 100 appeal cases a year. In most cases, permission to appeal must first be granted. Such permission, or "leave to appeal", is given by the Court if a case involves a question of public importance or if it raises an important issue of law (or a combination of law and fact) that warrants consideration by the Court. In the remaining appeal cases, leave to appeal is not required, such as when, in a criminal case a court of appeal reverses an acquittal, or when a judge of that court dissents on a point of law. In these cases, it is possible to appeal as of right to the Court. Finally, the Court is required to give an opinion on constitutional or other questions when asked to do so by the Governor in Council. The majority of appeals heard arise from leave to appeal, and it is in this area that the volume of activity is particularly significant.

The volume and nature of work carried out by the Court depends mainly on the number and nature of cases filed with the Court, as well as the complexity of the issues raised in those cases, both of which are outside the control of the Court. Statistics demonstrate that the annual number of leave applications filed with the Court has increased by almost 30% since 1995. The increases in applications for leave to appeal have meant that a chronic backlog in processing these cases remains a concern. The volume of applications for leave over the past 10 years has increased significantly (approx. 25 %), and also the time between the filing of the application for leave and the decision as to whether the appeal will be heard.

Though the *Charter of Rights and Freedoms* was proclaimed over 20 years ago, it continues to exert an important influence on the Court, presenting it with difficult and complex issues for resolution. These issues require in depth research and analysis and their resolution engages the attention of Canadians from all walks of life.

Efforts by the Judges to render decisions without delay affect the workload of the Court's staff and of the Judges themselves. The Court continues to pursue a policy of delivering judgments quickly, both on applications for leave to appeal and on appeals. Most appeal judgments are accompanied by reasons for judgment, which are often lengthy. Before reasons for judgment are released, they are translated, summarized and edited.

A major challenge faced by the Office of the Registrar in providing the required level of support to the Court is how to deal with workload pressures. Significant efforts have been made to deal with the workload pressures by maximizing productivity through the improvement of processes, and balancing workload and resource allocation among the functions of the Court.

The staffing of professional positions to support the work of the Court is difficult since the pool of available resource is small and staffing efforts are further hampered by the lack of space to house the staff in the Supreme Court of Canada Building. This building is a heritage asset. It is seriously overcrowded and extensive planning has taken place, in partnership with Public Works Government Services Canada, to commence the implementation of a strategy to deal with accommodation pressures.

The Office of the Registrar has identified three significant challenges it must address in the upcoming eighteen months. They are as follows:

- To ensure that work flow processes are as efficient as possible.
- To accommodate its employees properly.
- To continue to maintain a knowledgeable, specialized, and motivated staff.

C. Plans and Priorities

The Supreme Court of Canada has one business line dictated by its mandate: to hear and decide cases of public importance. The fundamental priorities of the Court are to process cases without delay and to issue well-reasoned decisions, and these do not change from year to year. In the upcoming period, the Office of the Registrar plans to address the following:

- The development and implementation of productivity/process improvements (including Translation, Security and Information Management);
- The implementation of its accommodation strategy once the Federal Court vacates the SCC building; and,
- The development and implementation of learning, training and career development plans for its staff.

Productivity improvement through the fine tuning of internal process and rationalization of resources across the organization was one of the three priorities addressed in 2002/03. Efforts in this area will continue, with particular focus this year on the translation activity, security and the management of information.

In May 2002, the Ministers of Justice and Public Works and Government Services Canada jointly announced that a new building, the Federal Judicial Building, would be constructed, and that, in the Spring of 2003, Federal Court of Canada Judges and employees presently located in the Supreme Court of Canada building, would be relocated. This move will free up much of the building's ground floor, and will resolve the Court's current accommodation pressures. The Court and Public Works and Government Services Canada are working on an accommodation strategy incorporating the significant changes that are needed to refit the vacated space. Implementation of this strategy will be a major priority in 2003/04.

In keeping with the principles of Modern Comptrollership and in response to the results of the Public Service Employee Survey, special attention will be given in 2003/04 to learning, training and career development plans for staff. This priority will support corporate knowledge and retention strategies to meet the long term needs of the organization as well as respond to Treasury Board requirements in the area of human resource modernization.

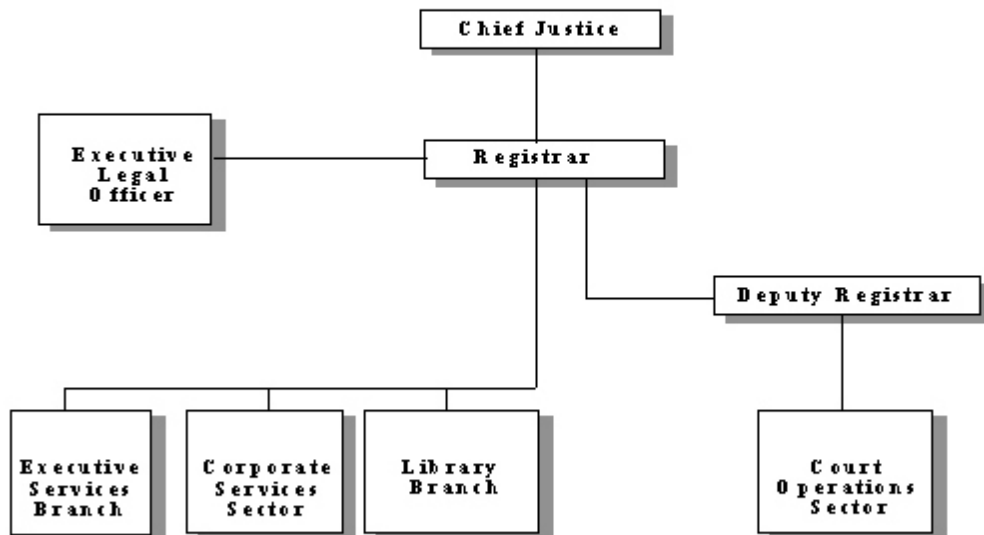
V: Organization

A. Strategic Outcome and Business Line

	Strategic Outcome	
Business Line (\$ millions)	Provide the best possible decision-making environment for the Court	Total
Office of the Registrar	29.4	29.4

B. Accountability

The Supreme Court of Canada has a single Business Line - the Office of the Registrar - which provides the services the Court requires to render its decisions. The organization of the Office of the Registrar is shown in the Chart below.



The Registrar, who answers directly to the Chief Justice, is responsible for the administration of the Court and exercises quasi judicial powers. The Registrar and Deputy Registrar are appointed by the Governor in Council. An Executive Legal Officer and Legal Officer are also attached to the office of the Chief Justice. The Registrar is responsible for management of support for the Justices' chambers, the law clerk program, and dignitary visits.

The Deputy Registrar oversees the work of the Court Operations Sector, which includes the Registry Branch and the Law Branch. Public information services, including the management of the Court's web site and its Tour Program, are also provided by staff in the Deputy Registrar's Office.

The Registry plays a pivotal role in the functioning of the court. It is the hub of all procedural and documentary activities at the Court. The Registry processes, records and directs the flow of all documents filed by the parties and records all events which take place during the life of a case. It "cases manages" every leave application, appeal and motion to ensure that cases are dealt with efficiently, so that no time is wasted by judges on procedural matters or incomplete filings. The Registry assists parties by providing information on the Court's processes and activities, schedules the Court's sittings, runs the Courtroom audio visual systems, and finalizes the documentation for cases after judgments have been rendered.

The Law Branch provides legal services to the Judges and administration of the Court, and manages the publication of the judgments of the Court and the Registrar's legal correspondence. Staff lawyers provide legal opinions on all leave applications filed and legal editing of all reasons for decisions. The Branch also prepares and publishes the Bulletin of Proceedings and press releases outlining the court's agenda and listing judgments rendered or to be rendered. Legal and general translation and terminology services are provided by the jurilinguists of the Law Branch supported by external translation services.

The Court Library is a major legal research library operating in a combined print and electronic environment in support of the research of the Court. The collection comprises statutes, law reports, periodicals and treatises from major common law and civil law jurisdictions, including Canada, the United Kingdom, the United States, Australia, New Zealand, France and Belgium. In addition to maintaining its collection resources, the Library provides a full range of library services to members and staff of the Court, including reference and current awareness services, orientation and instruction, and administration of the Court's internal data base of decisions.

The administrative and operational support to the Judges and Court staff is provided by the Corporate Services Sector, which is responsible for accommodation, finance, human resources, administration, security, informatics, strategic planning, and any special projects requested by the Registrar.

C. Departmental Planned Spending

(\$ millions)	Forecast Spending 2002-2003	Planned Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006
Office of the Registrar				
Budgetary Main Estimates (gross)	19.1	24.9	22.3	22.3
Non-Budgetary Main Estimates (gross)	-	-	-	-
Less: Respendable revenue	-	-	-	-
Total Main Estimates	19.1	24.9	22.3	22.3
Adjustments*	4.9	4.5	4.9	4.9
Net Planned Spending	**24.0	29.4	27.2	27.2
Less: Non respendable revenue	0.1	0.1	0.1	0.1
Plus: Cost of services received without charge	4.4	4.8	5.0	5.0
Net Cost of Program	28.3	34.1	32.1	32.1

Full Time Equivalents	167	187	187	187
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* Adjustments are to accommodate approvals obtained since the Main Estimates and include Budget initiatives and Supplementary Estimates.

** Reflects the best forecast of total net planned spending to the end of the fiscal year.

VI: Annexes

A. Financial Tables

Table 7: Sources of Respendable and Non-Respendable Revenue

Respendable Revenue

(\$ millions)	Forecast Revenue 2002-2003	Planned Revenue 2003-2004	Planned Revenue 2004-2005	Planned Revenue 2005-2006
Office of the Registrar	-	-	-	-
Total Respendable Revenue	-	-	-	-

Non-respendable Revenue

(\$ millions)	Forecast Revenue 2002-2003	Planned Revenue 2003-2004	Planned Revenue 2004-2005	Planned Revenue 2005-2006
Office of the Registrar	0.1	0.1	0.1	0.1
Total Non-respendable Revenue	0.1	0.1	0.1	0.1

Total Respendable and Non-respendable Revenue	0.1	0.1	0.1	0.1
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Table 8: Net Cost of Program for the Estimates Year

(\$ millions)	Total
Net Planned Spending	29.4
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	3.7
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS	0.9
Worker's compensation coverage provided by Human Resources Canada	0.2
Salary and associated expenditures of legal services provided by Justice Canada	-
	4.8
<i>Less: Non-Respendable Revenue</i>	0.1
2003-2004 Net Cost of Program	34.1

B. Contacts for Further Information

Supreme Court of Canada Building 301 Wellington Street Ottawa, Ontario K1A 0J1	General Enquiries Telephone: (613) 995-4330 Fax: (613) 996-3063
World Wide Web: http://www.scc-csc.gc.ca	Internet Access reception@scc-csc.gc.ca
Anne Roland - Registrar Telephone: (613) 996-9277	E-mail: rolanda@scc-csc.gc.ca
Louise Meagher - Deputy Registrar Telephone: (613) 996-7521	E-mail: meagherl@scc-csc.gc.ca
Irene O'Connor - Director General, Corporate Services Telephone: (613) 996-7662	E-mail: occonnori@scc-csc.gc.ca

C. Listing of Statutory and Departmental Reports

<i>Supreme Court Reports</i>
Pursuant to Section 17 of the Supreme Court of Canada, the Registrar or the Deputy Registrar, as the Chief Justice directs, is responsible for the publication of the judgments of the Court in the Supreme Court Reports, which include all the reasons for judgment rendered by the Court in a given calendar year.

D. Legislation Administered

<i>Supreme Court Act</i>	R.S.C., 1985, as amended
<i>Judges Act</i>	R.S.C., 1985, as amended