



SUPREME COURT OF CANADA





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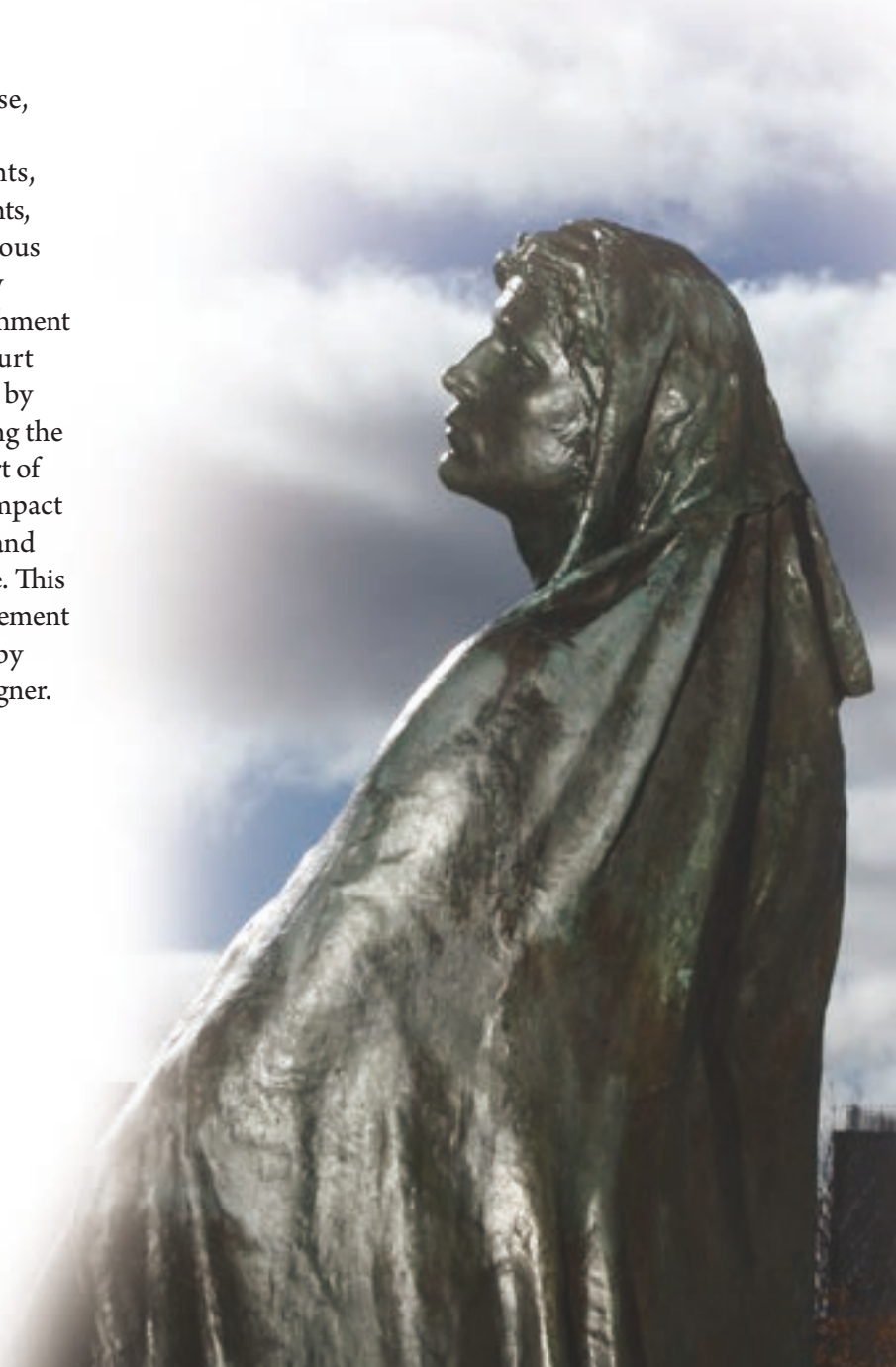
Supreme Court of Canada
301 Wellington Street
Ottawa, Ontario K1A 0J1

Photographs by
Philippe Landreville unless otherwise indicated



SUPREME COURT OF CANADA

From the quill pen to the computer mouse, from unpublished unilingual decisions to Internet accessible bilingual judgments, from bulky paper files to virtual electronic documents, the Supreme Court of Canada has seen tremendous changes from the time of its inception and is now well anchored in the 21st century. Since its establishment in 1875, the Court has evolved from being a court of appeal whose decisions were subject to review by a higher authority in the United Kingdom to being the final court of appeal in Canada. The Supreme Court of Canada deals with cases that have a significant impact on Canadian society, and its judgments are read and respected by Canadians and by courts worldwide. This edition of *Supreme Court of Canada* marks the retirement of Madam Justice Marie Deschamps, followed by the recent appointment of Mr. Justice Richard Wagner.







THE CREATION AND BEGINNINGS OF THE COURT

The Supreme Court of Canada came into existence more than a century after the first courts appeared in what is now Canada. Its role has evolved considerably since its creation in 1875, as it stands today as the final court of appeal in the Canadian judicial system, a status that it did not originally have.

Courts of law flourished in the eighteenth-century in present-day Quebec and Ontario, as well as in what are now the Maritime provinces. Judicial records from before 1750 survive in Quebec, New Brunswick and Nova Scotia. The *Quebec Act, 1774*, section 17, defined powers for creating British-style criminal, civil and ecclesiastical courts in Quebec alongside that province's much more ancient courts dating back to the French regime. The *Constitutional Act, 1791*, created the provinces of Upper and Lower Canada and established new courts for each province. Following this, the *Union Act, 1840* created the first Court of Appeal, in this case for Upper Canada, and set salaries for judges in both Canadas.

It was the *British North America Act, 1867*, now called the *Constitution Act, 1867*, that defined the basic elements of the country's current judicial system. Under it, the Governor in Council appoints all superior court judges across Canada, including judges of the Supreme Court of Canada. Once appointed, a judge serves "during good behaviour" and benefits from all aspects of the principle of judicial independence. A judge may sit until he or she attains 75 years of age. Judicial salaries are "fixed and provided by the Parliament of Canada". At the time of Confederation, decisions of provincial courts could be appealed directly to the Judicial Committee of the Privy Council in the United Kingdom.

The *Constitution Act, 1867* provided that the new federal Parliament could create a "General Court of Appeal for Canada". A few years later, Parliament did just that when it created the Supreme Court of Canada. However, decisions of the new Supreme Court could still be appealed to the Judicial Committee of the Privy Council. The Judicial Committee's jurisdiction over the Court's decisions did not end until 1933 for criminal appeals, and 1949 for civil appeals.

The Supreme Court of Canada's beginnings were most inauspicious. Bills for its creation had been introduced in the Parliament of Canada in 1869 and in 1870, but were withdrawn. On April 8, 1875, a new bill was finally passed. The statesmen who played the most prominent roles in establishing the Court were Sir John A. Macdonald, Téléphore Fournier, Alexander Mackenzie and Edward Blake.

The Court's original puisne judges signed their oaths of office in the Senate Chamber on November 8, 1875, exactly one month after the swearing-in ceremony for the first Chief Justice, the Honourable William Buell Richards, and the first Registrar, Robert Cassels. The Court was inaugurated at a state dinner on November 18, and by mid-January 1876 the new Court had drafted a set of rules of procedure. At its first sitting on January 17, 1876, there was not a single case to be heard. The Court heard its first case — a reference from the Senate requesting its opinion on a private bill — in April 1876. Having dealt with that matter, the Court next sat for one week in June 1876, when it disposed of three cases. It was not convened again until January 1877, at which time it began to hold regular sessions with a full agenda.



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The Court was originally composed of six judges. In addition to Chief Justice Richards, the original puisne judges were William Johnstone Ritchie, Samuel Henry Strong, Jean-Thomas Taschereau, Télesphore Fournier and William Alexander Henry. At first, each member of the Supreme Court was also a judge of the simultaneously created Exchequer Court of Canada (a forerunner of the Federal Court), although this ceased to be the case several years later.

In 1927, the number of Supreme Court judges was raised to seven and, in 1949, with the abolition of all appeals to the Judicial Committee of the Privy Council, the Court reached its present total of nine members. Of the nine, the *Supreme Court Act* requires that three be appointed from Quebec. Traditionally, the Governor in Council appoints three judges from Ontario, two from the West, and one from Atlantic Canada.

The Court first sat in the Railway Committee Room in the Parliament Buildings, then in several other rooms as they became available. In 1882, the Court moved to its own small two-storey building at the foot of Parliament Hill on Bank Street. It would be another 60 years before construction of the building currently occupied by the Court would begin. Queen Elizabeth laid the cornerstone of the new building in the presence of her husband, King George VI, on May 20, 1939. After delays caused by World War II and the government's use of the building to meet wartime needs, the Court finally took possession in January 1946 and heard its first case there that same month.



THE SUPREME COURT TODAY

The Supreme Court of Canada is Canada's final court of appeal. It serves Canadians by deciding legal issues of public importance, thereby contributing to the development of all branches of law applicable within Canada. The independence of the Court, the quality of its work and the esteem in which it is held both in Canada and abroad contribute significantly as foundations for a secure, strong and democratic country founded on the Rule of Law. In accordance with the *Supreme Court Act*, the Supreme Court of Canada consists of the Chief Justice and eight puisne judges. The Supreme Court of Canada is an important national institution that is positioned at the pinnacle of the judicial branch of Canada's government.

The Canadian judicial system may be seen as constituting a pyramid, with a broad base formed by the provincial and territorial courts whose judges are appointed by the provincial and territorial governments. Judges at all the other levels are appointed by the federal government. At the second level, there are the provincial and territorial superior courts. Judgments from the superior courts may be appealed to the next level, being the provincial or territorial courts of appeal. As well, there are the federal courts: the Federal Court of Appeal, the Federal Court, the Tax Court of Canada and the Court Martial Appeal Court. Unlike the provincial superior courts, which exercise inherent jurisdiction, the jurisdiction of these courts is defined by statute and encompasses matters falling within the competence of the federal government. Finally, the Supreme Court of Canada sits at the top of the pyramid, being Canada's final court of appeal.

THE COURT'S JURISDICTION

The Supreme Court of Canada hears appeals from the decisions of the highest courts of final resort of the provinces and territories, as well as from the Federal Court of Appeal and the Court Martial Appeal Court of Canada. Its jurisdiction is derived mainly from the *Supreme Court Act*, as well as from a few other Acts of Parliament, such as the *Criminal Code*. There are three procedures by which cases can come before the Court. First, in most cases, a party who wishes to appeal the decision of a lower court must obtain permission, or leave to appeal, from a panel of three judges of the Supreme Court. Second, there are cases, referred to as appeals "as of right", for which leave to appeal is not required. These include certain criminal cases and appeals from opinions pronounced by courts of appeal on matters referred to them by a provincial government. Third, the Court provides advisory opinions on questions 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.

LEAVE TO APPEAL

Most appeals are heard by the Court only if leave is first given. Leave to appeal is granted by the Court if the case involves a question of public importance or if it raises an important issue of law (or an issue of both law and fact) that warrants consideration by the Court. The Court's decision whether to grant leave to appeal is based on its assessment of the public importance of the legal issues raised in the case in question. The Court thus has control over its docket and is able to supervise the growth and development of Canadian jurisprudence.

The majority of applications for leave to appeal are decided by the Court on the basis of written submissions filed by the parties. The Court considers an average of between 500 and 600 applications for leave to appeal each year. The Court generally does not give reasons for its decisions on applications for leave to appeal.

APPEALS AS OF RIGHT

There are a few instances where leave is not required. In some types of criminal cases, for example, an appeal may be brought as of right where one judge in the court of appeal has dissented on a point of law.

REFERENCES

In addition to being Canada's court of final appeal, the Supreme Court performs a unique function. It can be asked by the Governor in Council to hear references, that is, to consider important questions of law such as the constitutionality or interpretation of federal or provincial legislation and to give its opinion on the question.

CONSTITUTIONAL QUESTIONS

Constitutional questions may also be raised by the parties in appeals involving individual litigants or governments or government agencies. In such cases, the federal and provincial governments must be notified of the constitutional questions and can intervene to present arguments with respect to them.

HEARINGS OF APPEALS

An appeal is heard after the parties and any interveners have prepared and filed with the Court the required documents, including a record of evidence and documentation from the lower court files and factums stating the issues as well as the arguments to be presented. These documents are filed in both paper and electronic versions. Hearings of appeals are scheduled by the Registrar.

The Supreme Court holds three sessions a year and hears on average between 65 and 80 appeals a year. Each session lasts three months. The first session begins in January, the second begins in April and the third begins in October. In recent years, it has been the Court's practice to start each session on a Monday.

Although the Court sits only in Ottawa, litigants can present oral arguments from remote locations by means of a videoconference system. The Court's hearings are open to the public and most hearings are recorded for delayed telecast. When in session, the Court sits Monday to Friday. A quorum consists of five members, but most appeals are heard by panels of seven or nine judges.

On the bench, the Chief Justice, or in the Chief Justice's absence the senior puisne judge, presides from the centre chair with the other judges seated to the presiding judge's right and left by order of seniority of appointment. At sittings of the Court, the judges usually wear black silk robes. They also have ceremonial robes of bright scarlet trimmed with Canadian white mink, which they wear in Court on special occasions as well as in the Senate at the opening of each new session of Parliament.

Except by special leave of the Court, the only persons who may argue a case before the Court, apart from the litigants themselves, are lawyers from any Canadian province or territory. As a general rule, the Court allows two hours for the hearing of an appeal. Each side is given one hour to present its arguments. Intervenors may also be given the opportunity to be heard. At the hearing of an appeal, the judges often question the lawyers.

JUDGMENTS OF THE SUPREME COURT OF CANADA

In some cases, the Court will render its decision orally at the conclusion of the hearing, but most of the time it reserves judgment to enable the judges to write considered reasons. Decisions of the Court need not be unanimous: a majority may decide, in which case the minority will give dissenting reasons. Each judge may write reasons in any case if he or she chooses to do so.

When a judgment is delivered in a case reserved for decision, the parties are given notice of it and the formal judgment is deposited with the Registrar together with all the written reasons and a headnote. Judgments are published simultaneously in both official languages in the *Canada Supreme Court Reports*.

THE COURT'S WEB SITE

The Supreme Court of Canada's Internet site provides a wealth of information on Canada's highest court. Visitors to the site can learn about the role of the Court in Canada's judicial system and can browse through biographies of Supreme Court judges past and present. The site provides information on booking tours of the Supreme Court building for those who wish to do so along with a collection of electronic resources for teachers and a virtual tour that makes it possible to view the building from anywhere. The Frequently Asked Questions page also serves as a useful resource for the public. In addition, the site provides a link to an external site where the Court's judgments can be consulted electronically. Visitors to the Court's site can find information on scheduled hearings of the Court and search an online database of information on all the Court's cases. Counsel and self-represented litigants can access information on electronic filing procedures and instructions for bringing an application for leave to appeal. In most instances, the Court's hearings are broadcast live on the site.

Further information can be obtained by visiting the Internet site of the Supreme Court of Canada at the following address: www.scc-csc.gc.ca.







THE MEMBERS OF THE COURT

The Supreme Court of Canada consists of the Chief Justice of Canada and eight puisne judges appointed by the Governor in Council, all of whom must have been either a judge of a superior court or a member of at least ten years' standing of the bar of a province or territory. The word "puisne" is derived from the ancient French word "puiné", which means "younger". It is used at the Court to distinguish the Chief Justice from the other judges. The Chief Justice is sworn as a member of the Privy Council of Canada before taking the oath of office as Chief Justice.

The judges must devote themselves exclusively to their judicial duties. No judge may hold any other remunerative office or engage in any business enterprise. A judge holds office during good behaviour until he or she retires or attains the age of 75 years, but is removable for incapacity or misconduct in office before that time by the Governor General on address of the Senate and House of Commons.

The Chief Justice presides over all sittings of the Court at which he or she is present. The Chief Justice oversees the work of the Court by designating the panels of judges who are to hear the cases and motions brought before it.

In addition to his or her Court duties, the Chief Justice is chairperson of the Canadian Judicial Council, whose members include the chief justices and associate chief

justices of the federal and provincial superior courts, and the senior judges of the territorial superior courts. This body, established by the *Judges Act*, has a mandate to promote efficiency, uniformity and accountability, as well as to improve the administration of justice throughout Canada.

The Chief Justice also chairs the Board of Governors of the National Judicial Institute. The National Judicial Institute develops and delivers various educational programs for all Canada's federal, provincial and territorial judges.

Moreover, the letters patent of 1947 respecting the office of Governor General provide that, should the Governor General die, become incapacitated, be removed or be absent from the country for a period of more than one month, the Chief Justice or, if the Chief Justice is unavailable, the senior puisne judge of the Supreme Court, would become the Administrator of Canada and exercise all the powers and authorities of the Governor General.

Finally, the Chief Justice of Canada also chairs the committee which advises the Governor General on awards of membership in the Order of Canada.



THE RIGHT HONOURABLE BEVERLEY MCLACHLIN, P.C., CHIEF JUSTICE OF CANADA

Chief Justice McLachlin spent her formative years in Pincher Creek, Alberta and was educated at the University of Alberta, where she received a B.A. (Honours) in Philosophy in 1965. She pursued her studies at the University of Alberta and, in 1968, received both an M.A. in Philosophy and an LL.B.

She was called to the Alberta Bar in 1969 and to the British Columbia Bar in 1971 and practised law in Alberta and British Columbia. Commencing in 1974, she taught for seven years in the Faculty of Law at the University of British Columbia as a tenured Associate Professor.

Her judicial career began in April 1981 when she was appointed to the Vancouver County Court. In September 1981, she was appointed to the Supreme Court of British Columbia. She was elevated to the British Columbia Court of Appeal in December 1985 and was appointed Chief Justice of the Supreme Court of British Columbia in September 1988. Seven months later, in April 1989, she was sworn in as a Justice of the Supreme Court of Canada. On January 7, 2000, she was appointed Chief Justice of Canada. She is the first woman in Canada to hold this position.

In addition to her judicial duties at the Supreme Court, the Chief Justice chairs the Canadian Judicial Council, the Advisory Council of the Order of Canada and the Board of Governors of the National Judicial Institute.

The Chief Justice is the author of numerous articles and publications.



THE HONOURABLE MR. JUSTICE LOUIS LEBEL

Born in Quebec City on November 30, 1939, Louis LeBel is the son of Paul LeBel, Q.C., and Marguerite Sasseville. On August 28, 1965, he married Louise Poudrier, a daughter of Louis-Philippe Poudrier and Dorothée Labrie, in Quebec City. His wife, who is a lawyer and has an LL.D., was a full professor in the law faculty of Laval University until 2000. The couple have three children, Paul, Catherine and François, and several grandchildren.

Louis LeBel received a B.A. from the Collège des Jésuites in Quebec City in 1958 and an LL.L. from Laval University in 1961. He was awarded the Governor General's medal, the Lieutenant General's medal and the Tessier silver medal. He was called to the Bar in 1962. He received a graduate degree (DES) in private law from Laval University in 1965 and an LL.M. from the University of Toronto in 1966. He practised law in Quebec City, first with LeBel, Letarte, Bilodeau, Boily from 1963 to 1964 and then with Désilets, Grondin, LeBel & Associés from 1964 to 1971, before becoming a partner at Grondin, LeBel, Poudrier, Isabel, Morin & Gagnon, where he practised from 1971 to 1984.

Louis LeBel has written various legal articles and studies, and he co-authored, with Robert-P. Gagnon and Professor Pierre Verge, *Le droit du travail en vigueur au Québec*, published by Les Presses de l'Université Laval. He has also been a member of various committees of the Barreau de Québec (Quebec City Bar) and the Barreau du Québec (provincial Bar association), including the editorial board of the *Revue du Barreau*, which he sat on from 1976 to 1982 and chaired from 1979 to 1982. He was a member of the board of directors of the Corporation du Centre communautaire juridique de Québec from 1973 to 1975, and sat before that on the legal aid committee of the Barreau de Québec. He also served as Vice-president of the Barreau du Québec from 1982 to 1983 and as Bâtonnier of Quebec from 1983 to 1984. He taught as a visiting professor at the University of Ottawa and Laval University.

He was appointed to the Quebec Court of Appeal on June 28, 1984 and to the Supreme Court of Canada on January 7, 2000. He received an LL.D. (*honoris causa*) from Laval University in 2001 and an LL.D. (*honoris causa*) from the University of Ottawa in 2010. He was also awarded the medal of the Barreau du Québec in 2000 and the medal of the Barreau de Québec in 2008. He has been an Honorary Fellow of the American College of Trial Lawyers since 2004.



THE HONOURABLE MR. JUSTICE MORRIS J. FISH

Justice Fish, son of Aaron S. Fish and Zlata Grober, was born in Montréal, Québec, on November 16, 1938. He married Judith Chinks, daughter of Henry I. Chinks and Freda Morowitz, on December 25, 1966. They have two daughters, Amy and Laura, and five grandchildren.

Justice Fish received a B.A. (with Distinction) from McGill University in 1959 and a B.C.L. (with First Class Honours) from the Faculty of Law at McGill in 1962, where he was a University Scholar and was elected Permanent Class President. Upon graduation from law school, he was awarded the Greenshields Prize, the Crankshaw Prize for Highest Standing in Criminal Law and the Macdonald Travelling Scholarship. During the ensuing year, 1962-63, he pursued postgraduate studies in Constitutional Law and Public Liberties at the Université de Paris.

Justice Fish was called to the Bars of Quebec in 1964, Prince Edward Island in 1968 and Alberta in 1974. He was an associate (1964-67) and partner (1967-89) in the Montréal law firm of Cohen, Leithman, Kaufman, Yarosky and Fish (and successors firms), and was created a Queen's Counsel in 1984.

An Adjunct Professor in the Faculty of Law at McGill University, Justice Fish taught there as a sessional lecturer in Criminal Evidence and Procedure (1973-80) and Advanced Criminal Law (1986-89). From 1971 to 1974, he taught *Les crimes économiques* at the Faculty of Law, University of Ottawa; and, from 1969 to 1971, *Droit pénal*, at the Université de Montréal. He has over the years contributed to legal periodicals and lectured at numerous legal and judicial conferences in Canada and abroad.

Justice Fish has served as a consultant to the Federal Department of Justice, to Revenue Canada and to the Law Reform Commission of Canada, and as special counsel to the Québec Commission of Inquiry on the Construction Industry ("Cliche Commission") and the Security Intelligence Review Committee. He was a member of the Board of Directors of the Legal Aid Bureau of Montréal (1968-73); a member and chair of various committees of the Bar of Montréal and the Bar of Québec (1969-76); chair of the Québec Rhodes Scholarship Selection Committee (2000-2003, 2006); and member (1994-) and chair (1996-2003) of the Advisory Board of the Faculty of Law at McGill University.

Justice Fish received an honorary LL.D. from McGill University in 2001, and an honorary LL.D. from Yeshiva University in 2009. He was elected an Honorary Fellow of the American College of Trial Lawyers in 2006, and was awarded the F.R. Scott Medal by the Faculty of Law at McGill in 2006, the Medal of Recognition of the International Society for the Reform of Criminal Law in 2008, and the G. Arthur Martin Medal in 2011 for his contribution to criminal justice in Canada. He delivered the H.L.A. Hart Memorial Lecture at Oxford University in 2007 and the Goodman Fellowship Lecture at the Faculty of Law, University of Toronto, in 2004.

While pursuing his legal studies, and later his career at the bar, Justice Fish was a staff reporter and editorial writer for *The Montreal Star* (1959-70), with special assignments in France, Sweden, Israel, Greece, Taiwan, Japan, the United States and the former USSR.

Appointed to the Québec Court of Appeal on June 30, 1989, Justice Fish was elevated to the Supreme Court of Canada on August 5, 2003.



THE HONOURABLE JUSTICE ROSALIE SILBERMAN ABELLA

Justice Abella was appointed to the Supreme Court of Canada in 2004. She is the first Jewish woman appointed to the Court.

She attended the University of Toronto, where she earned a B.A. in 1967 and an LL.B. in 1970. In 1964 she graduated from the Royal Conservatory of Music in classical piano. She was called to the Ontario Bar in 1972 and practised civil and criminal litigation until 1976 when she was appointed to the Ontario Family Court. She was appointed to the Ontario Court of Appeal in 1992.

She was the sole Commissioner of the 1984 federal Royal Commission on Equality in Employment, creating the term and concept of “employment equity”. The theories of “equality” and “discrimination” she developed in her report were adopted by the Supreme Court of Canada in its first decision dealing with equality rights under the *Canadian Charter of Rights and Freedoms* in 1989. The report has been implemented by the governments of Canada, New Zealand, Northern Ireland and South Africa. She subsequently served as

Chair of the Ontario Labour Relations Board (1984 to 1989), Chair of the Ontario Law Reform Commission (1989 to 1992), and Boulton Visiting Professor at the Faculty of Law of McGill University (1988 to 1992). She also served as a commissioner on the Ontario Human Rights Commission; as a member of the Ontario Public Service Labour Relations Tribunal; as Co-Chair of the University of Toronto Academic Discipline Tribunal; as a member of the Premier’s Advisory Committee on Confederation; and as Chair of the Study on Access to Legal Services by the Disabled.

She has written over 80 articles and written or co-edited four books. She was made a Senior Fellow of Massey College in 1989, a Fellow of the Royal Society of Canada in 1997, and a Fellow of the American Academy of Arts and Sciences in 2007. She has given, among others, the Harlan Lecture at Princeton, the Ryan Lecture at Georgetown and the Anderson Lecture at Yale, and was the Bullock Chair at the Hebrew University, the Mackenzie King Distinguished Visiting Professor at Harvard and a Distinguished Visiting Faculty at the University of Toronto Law School.

She was a judge of the Giller Literary Prize; Chair of the Rhodes Selection Committee for Ontario; director of the Institute for Research on Public Policy; moderator of the English Language Leaders’ Debate in 1988; a member of the Canadian Judicial Council’s Inquiry on Donald Marshall, Jr.; Program Chair of the Governor General’s Canadian Study Conference; Chief Rapporteur in Halifax and Co-Chair in Vancouver of the 1992 Renewal of Canada Conferences; Trustee of the McGill Institute for the Study of Canada; and Governor of the International Board of Governors of the Hebrew University.

Justice Abella has been active in Canadian judicial education, organizing the first judicial seminar in which all levels of the judiciary participated, the first judicial seminar in which persons outside the legal profession were invited to participate, the first national education program for administrative tribunals, and the first national conference for Canada’s female judges. She is currently Vice-Chair of the Board of Governors of the National Judicial Institute.

Justice Abella was awarded the Distinguished Alumnus Award of the University of Toronto Faculty of Law; the Distinguished Service Award of the Canadian Bar Association (Ontario); the International Justice Prize of the Peter Gruber Foundation; the Human Relations Award of the Canadian Council of Christians and Jews; the Honourable Walter S. Tarnopolsky Human Rights Award; the Bora Laskin Award for Distinguished Service in Labour Law; and 30 honorary degrees.

Justice Abella was born in a Displaced Person’s Camp in Stuttgart, Germany on July 1, 1946. Her family came to Canada as refugees in 1950. She is the daughter of Jacob and Fanny Silberman. She married Canadian historian Irving Abella on December 8, 1968. They have two sons: Jacob and Zachary, both lawyers.



THE HONOURABLE MR. JUSTICE MARSHALL ROTHSTEIN

Born on December 25, 1940 in Winnipeg, Manitoba, Marshall Rothstein went to school in Winnipeg. He then attended the University of Manitoba, where he earned a B. Com. in 1962 and an LL.B. in 1966. He is married to Montreal native Sheila Dorfman and the couple have four children, Ronald, Douglas, Tracey and Robert, and six grandchildren.

After being called to the Manitoba Bar in 1966, he started his career at Thorvaldson, Eggertson, Saunders and Mauro before moving to Aikins, MacAulay & Thorvaldson in 1969, where he was a partner from 1972 to 1992 and a member and periodic Chairman of the Management Committee/Executive Board from 1981 to 1992. He was appointed Queen's Counsel in 1979. He served as an adjudicator under the Manitoba *Human Rights Act* from 1978 to 1983 and as a member of the Canadian Human Rights Tribunal from 1986 to 1992.

In his practice, he appeared before federal and Manitoba administrative tribunals, the Manitoba Court of Queen's Bench, the Manitoba Court of Appeal, the Federal Court – Trial Division, the Federal Court of Appeal and the Supreme Court of Canada. Justice Rothstein taught transportation law as a lecturer in the University of Manitoba's Faculty of Law from 1970 to 1983 and from 1988 to 1992, and contract law in the University's Extension Department from 1970 to 1975. He was a Bar Admission Course lecturer for the Law Society of Manitoba from 1970 to 1975. He also held many other offices: Secretary (Administrator), Civil Legal Aid Committee, Law Society of Manitoba, 1968-70; Chairman, Commission on Compulsory Retirement (Manitoba), 1981-82; Chairman, Ministerial Task Force on International Air Policy (Canada), 1990-91; Member and Chairman, Manitoba Transportation Industry Development Advisory Committee, 1985-87 and 1987-90 respectively; Member, Airports Task Force, 1985-86; Member, Airports Transfer Advisory Board, 1988-92; and Member, External Advisory Committee, University of Manitoba Transport Institute, 1989-92.

Justice Rothstein was appointed to the Trial Division of the Federal Court of Canada on June 24, 1992; while a judge of the Trial Division, he also served as a member *ex officio* of the Appeal Division, a judge of the Court Martial Appeal Court of Canada and a judicial member of the Competition Tribunal. He was elevated to the Federal Court of Appeal on January 21, 1999, and, finally, to the Supreme Court of Canada on March 1, 2006.



THE HONOURABLE MR. JUSTICE THOMAS ALBERT CROMWELL

The Honourable Thomas Cromwell was appointed to the Supreme Court of Canada on December 22, 2008. He had previously been appointed to the Nova Scotia Court of Appeal on August 27, 1997.

Justice Cromwell went to school in Kingston. He then attended Queen's University, where he obtained a B. Mus. in 1973 and an LL.B. in 1976. He also obtained an A.R.C.T. diploma from the Royal Conservatory of Music in 1974 and attended Oxford University, where he earned a B.C.L. in 1977.

Justice Cromwell practised law in Kingston and Toronto and taught in the Faculty of Law of Dalhousie University. He worked as Executive Legal Officer to Chief Justice Antonio Lamer for three years, 1992-95. He has also held many other offices: Secretary, Board of Governors, National Judicial Institute, 1992-95; Vice-chair, Nova Scotia Labour Relations Board and Construction Industry Panel, 1991-92; labour arbitrator and

adjudicator, 1984-97; President, Continuing Legal Education Society of Nova Scotia; President, Canadian Association of Law Teachers, 1988-89; President, Canadian Institute for the Administration of Justice, 1999-2001; Chair of the Board, Canadian Forum on Civil Justice, 2007-8; Research Director, C.B.A. Court Reform Task Force, 1989-91; Chair, C.B.A. Interim Organizational Committee for the National Organization on Civil Justice Reform, 1996-97; and Commissioner, Law Reform Commission of Nova Scotia, 2002-7. He currently serves as Chair of the National Action Committee on Access to Justice in Civil and Family Matters.

Justice Cromwell was an active member of the Canadian Judicial Council's working committee that prepared the publication entitled *Ethical Principles for Judges* as well as the Council's working committee on Jury Charges and Education Committee. He was also a faculty member of the programs for new federally and provincially appointed judges, the National Judicial Institute's Intensive Evidence Program, and many other national and provincial continuing education programs, including the Effective Written Advocacy Program of the Advocates' Society. He has authored or contributed to six books and numerous articles and served on the editorial boards for CRIMJI and the *Canadian Journal of Administrative Law and Practice*. He is Chair of the Editorial Board of the Canadian Bar Review.

Justice Cromwell has received many awards: the C.B.A.'s Louis St. Laurent Award of Excellence, 1992; Her Majesty's Jubilee Medals, 2002 and 2012; the Dalhousie Law Students Society and Dalhousie Law Alumni Association Award of Teaching Excellence, 1992; and the Dalhousie Law Students' Society Class of 1986 Class Ring. He is an Honorary Director of the Canadian Institute for the Administration of Justice, an Honorary member of the Golden Key International Honour Society, and an Honorary Fellow of Exeter College Oxford and of the American College of Trial Lawyers. He holds honorary doctorates in law from Dalhousie University, Halifax, Queen's University, Kingston and the Law Society of Upper Canada.



THE HONOURABLE MR. JUSTICE MICHAEL J. MOLDAVER

Born in 1947, Justice Moldaver spent his formative years in Peterborough, Ontario. He attended the University of Toronto, where he earned a Bachelor of Arts in 1968 and a Bachelor of Laws in 1971. He is married to Rivka (“Riky”) Moldaver and has two daughters, Shannon and Jessica, and two grandchildren.

Justice Moldaver articulated with the law firm of Thomson Rogers and then with Mr. G. Arthur Martin, and was called to the Ontario Bar in 1973. He began his criminal law practice with the law firm of Pomerant, Pomerant and Greenspan (later Greenspan, Gold and Moldaver), where he became a partner in 1975. Justice Moldaver was appointed Queen’s Counsel in 1985. After practising as a sole practitioner for two years, he was affiliated with the law firm of Goodman and Goodman from 1988 until his appointment to the Bench. While in practice, Justice Moldaver was Director of the Criminal Lawyers’ Association, Director of the Advocates’ Society and

Co-Chair of the University of Toronto Academic Tribunal, Discipline Subsection. He co-chaired the 1989 Advocacy Symposium at Massey Hall as well as the 1990 Advocacy Symposium at Roy Thomson Hall in Toronto, which featured a panel composed of Canadian Chief Justice Dickson, U.S. Chief Justice Rehnquist, and U.K. Lord Chancellor MacKay.

Justice Moldaver began his judicial career as a member of the High Court of Justice for Ontario when he was appointed to the Supreme Court of Ontario (later the Ontario Court of Justice (General Division)) on April 12, 1990. He was elevated to the Court of Appeal for Ontario on December 22, 1995 and to the Supreme Court of Canada on October 21, 2011.

Throughout his career, Justice Moldaver has played an active role in the legal community. From 1978 to 1995, he co-taught criminal law courses at Osgoode Hall Law School and at the University of Toronto Law School. He has acted as a speaker and an instructor in numerous continuing education programs for both the judiciary and the profession, participating in educational programs sponsored by the National Judicial Institute and the Canadian Institute for the Administration of Justice, teaching criminal law to newly appointed judges from across Canada, and instructing in the Ontario Crown Attorneys’ Association, Criminal Lawyers’ Association and Ontario Bar Association continuing education programs. Justice Moldaver is an Honorary Fellow of the American College of Trial Lawyers.



THE HONOURABLE MADAM JUSTICE ANDROMACHE KARAKATSANIS

Justice Andromache Karakatsanis was appointed to the Supreme Court of Canada in October 2011. She had been appointed a judge of the Court of Appeal for Ontario in March 2010 and a judge of the Ontario Superior Court of Justice in December 2002.

Justice Karakatsanis is a graduate of the University of Toronto and Osgoode Hall Law School.

Following her call to the Bar in 1982, Andromache Karakatsanis served as a law clerk to the Ontario Court of Appeal. In private practice, she practised criminal, civil and family litigation in Toronto for several years. She then served in the Ontario Public Service for 15 years in a number of senior positions.

During her career in public service, Andromache Karakatsanis served as Chair and Chief Executive Officer of the Liquor Licence Board of Ontario (1988-95); as Assistant Deputy Attorney General and Secretary for Native Affairs (1995-97); and as Deputy Attorney General (1997-2000).

Andromache Karakatsanis served as Ontario's Secretary of the Cabinet and Clerk of the Executive Council from July 2000 to November 2002. As the province's senior public servant, she provided leadership to the Ontario Public Service and to the deputy ministers.

While in the public service, Justice Karakatsanis was actively involved in issues related to education and reform in the field of administrative justice. She was a recipient of the Society of Ontario Adjudicators and Regulators (SOAR) Medal in 1996 for outstanding service to Ontario's administrative justice system.

Justice Karakatsanis volunteered extensively with the YMCA of Greater Toronto from 1990 to 2002 and held a number of senior positions, including that of Chair of the Board of Directors. She also served as a member of the Board of the Public Policy Forum and of Canadian Policy and Research Networks (CPRN).

Justice Karakatsanis was born in Toronto on October 3, 1955. She is married to Tom Karvanis and they have two children, Paul and Rhea.



THE HONOURABLE MR. JUSTICE RICHARD WAGNER

Richard Wagner was born in Montreal on April 2, 1957. He studied at Collège Jean-de-Brébeuf in Montreal and obtained his Diploma of College Studies (DEC) in 1975. He earned a Bachelor of Social Sciences (B.Soc.Sc.) with a major in Political Science from the University of Ottawa in 1978, graduating *cum laude*. He received a Licentiate in Laws (LL.L.) from the University of Ottawa's Faculty of Law in 1979, also graduating *cum laude*.

Richard Wagner was called to the Quebec Bar in 1980 and practised law until being appointed to the Quebec Superior Court on September 24, 2004. He was a partner in the law firm of Lavery, de Billy (formerly Lavery, O'Brien and Lavery, Johnston, Clark, Carrière, Mason & Associés) from 1980 to 2004. His practice there focused mainly on professional liability of lawyers, accountants, architects and engineers, and on commercial litigation related in particular to real estate law, oppression remedies and class action suits. He argued cases before all the Quebec courts and quasi-judicial tribunals, as well as before the Federal Court and the Supreme Court of Canada.

A member of the Canadian Bar Association from 1980 until he was appointed to the bench in 2004, he sat on the board of the Association's Quebec Branch and was president of, among others, the Construction Law Section. He also chaired the liaison committee of the Bar of Montréal and the Superior Court. He sat on a number of committees of the Bar of Montréal and the Barreau du Québec, was elected to the Council of the Bar of Montréal in 1998 and chaired the Bar of Montréal's ad hoc committee on Quebec law libraries. In 1998, he was a founding Fellow of the Canadian College of Construction Lawyers (CCCL). In 1989-90 and in 2001, he taught trial advocacy courses at the École du Barreau du Québec. He was elected First Councillor of the Bar of Montréal for 2000-2001 before being elected Bâtonnier of the Bar of Montréal for 2001-2. At the time, he also chaired the Barreau du Québec's applications committee and sat on the General Council of the Barreau du Québec as well as on its administrative committee and finance committee. In 2003, he taught a course on civil procedure under both the former and the new Code of Civil Procedure at the École du Barreau du Québec.

In June 2005, he received the Barreau du Québec's Award of Merit in recognition of his contribution to the legal profession and, in particular, to the creation of the Centre d'accès à l'information juridique (CAIJ) which has provided access to legal information for members of the profession throughout Quebec since 2002. He was a member of the CAIJ's board of directors and its vice-president until being appointed to the Quebec Superior Court.

On September 24, 2004, Richard Wagner was appointed to the Quebec Superior Court for the District of Montréal, where he sat in the Civil Division, the Commercial Division and the Criminal Division. He was appointed to the Quebec Court of Appeal on February 3, 2011.

As a Superior Court judge, he sat on several of the court's committees, including the judicial practice committee, which oversaw training for newly appointed judges. He became a member of the board of directors of the Conférence des juges des cours supérieures du Québec in 2006, and its president in 2009. He has been a member of the Judicial Conduct Review Committee and the Remuneration Committee of the Canadian Superior Courts Judges Association and has sat on its board of directors since 2011. He was appointed to the Supreme Court of Canada on October 5, 2012.

THE CHIEF JUSTICES



1. The Hon. Sir William Buell Richards, Kt.
September 30, 1875 – January 10, 1879



2. The Hon. Sir William Johnstone Ritchie, Kt.
January 11, 1879 – September 25, 1892



3. The Rt. Hon. Sir Samuel Henry Strong, P.C., Kt.
December 13, 1892 – November 18, 1902



4. The Rt. Hon. Sir Henri-Elzéar Taschereau, P.C., Kt.
November 21, 1902 – May 2, 1906



5. The Rt. Hon. Sir Charles Fitzpatrick, P.C., G.C.M.G.
June 4, 1906 – October 21, 1918



6. The Rt. Hon. Sir Louis Henry Davies, P.C., K.C.M.G.
October 23, 1918 – May 1, 1924



7. The Rt. Hon. Francis Alexander Anglin, P.C.
September 16, 1924 – February 28, 1933



8. The Rt. Hon. Sir Lyman Poore Duff, P.C., G.C.M.G.
March 17, 1933 – January 7, 1944



9. The Rt. Hon. Thibaudeau Rinfret, P.C.
January 8, 1944 – June 22, 1954



10. The Hon. Patrick Kerwin, P.C.
July 1, 1954 – February 2, 1963



11. The Rt. Hon. Robert Taschereau, P.C., C.C.
April 22, 1963 – September 1, 1967



12. The Rt. Hon. John Robert Cartwright, P.C., C.C., M.C.
September 1, 1967 – March 23, 1970



13. The Rt. Hon. Joseph Honor  G erald Fauteux, P.C., C.C.
March 23, 1970 – December 23, 1973



14. The Rt. Hon. Bora Laskin, P.C., C.C.
December 27, 1973 – March 26, 1984



15. The Rt. Hon. Robert George Brian Dickson, P.C., C.C.
April 18, 1984 – June 30, 1990



16. The Rt. Hon. Antonio Lamer, P.C., C.C., C.D.
July 1, 1990 – January 6, 2000



17. The Rt. Hon. Beverley McLachlin, P.C.
January 7, 2000





THE PUISNE JUDGES

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|----------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------|
| 1 Hon. William Johnstone Ritchie
30-09-1875 – 11-01-1879* | 17 Hon. John Idington
10-02-1905 – 31-03-1927 | 33 Hon. Albert Blellock Hudson
24-03-1936 – 06-01-1947 |
| 2 Hon. Samuel Henry Strong
30-09-1875 – 13-12-1892* | 18 Hon. James Maclennan
05-10-1905 – 13-02-1909 | 34 Hon. Robert Taschereau
09-02-1940 – 22-04-1963* |
| 3 Hon. Jean-Thomas Taschereau
30-09-1875 – 06-10-1878 | 19 Hon. Lyman Poore Duff
27-09-1906 – 17-03-1933* | 35 Hon. Ivan Cleveland Rand
22-04-1943 – 27-04-1959 |
| 4 Hon. Téléphore Fournier
30-09-1875 – 12-09-1895 | 20 Hon. Francis Alexander Anglin
23-02-1909 – 16-09-1924* | 36 Hon. Roy Lindsay Kellock
03-10-1944 – 15-01-1958 |
| 5 Hon. William Alexander Henry
30-09-1875 – 03-05-1888 | 21 Hon. Louis-Philippe Brodeur
11-08-1911 – 10-10-1923 | 37 Hon. James Wilfred Estey
06-10-1944 – 22-01-1956 |
| 6 Hon. Sir Henri-Elzéar Taschereau
07-10-1878 – 21-11-1902* | 22 Hon. Pierre-Basile Mignault
25-10-1918 – 30-09-1929 | 38 Hon. Charles Holland Locke
03-06-1947 – 16-09-1962 |
| 7 Hon. John Wellington Gwynne
14-01-1879 – 07-01-1902 | 23 Hon. Arthur Cyrille Albert Malouin
30-01-1924 – 01-10-1924 | 39 Hon. John Robert Cartwright
22-12-1949 – 01-09-1967* |
| 8 Hon. Christopher Salmon Patterson
27-10-1888 – 24-07-1893 | 24 Hon. Edmund Leslie Newcombe
16-09-1924 – 09-12-1931 | 40 Hon. Joseph Honoré Gérald Fauteux
22-12-1949 – 23-03-1970* |
| 9 Hon. Robert Sedgewick
18-02-1893 – 04-08-1906 | 25 Hon. Thibaudeau Rinfret
01-10-1924 – 08-01-1944* | 41 Hon. Douglas Charles Abbott
01-07-1954 – 23-12-1973 |
| 10 Hon. George Edwin King
21-09-1893 – 08-05-1901 | 26 Hon. John Henderson Lamont
02-04-1927 – 10-03-1936 | 42 Hon. Henry Grattan Nolan
01-03-1956 – 08-07-1957 |
| 11 Hon. Désiré Girouard
28-09-1895 – 22-03-1911 | 27 Hon. Robert Smith
18-05-1927 – 07-12-1933 | 43 Hon. Ronald Martland
15-01-1958 – 10-02-1982 |
| 12 Hon. Sir Louis Henry Davies
25-09-1901 – 23-10-1918* | 28 Hon. Lawrence Arthur Dumoulin Cannon
14-01-1930 – 25-12-1939 | 44 Hon. Wilfred Judson
05-02-1958 – 20-07-1977 |
| 13 Hon. David Mills
08-02-1902 – 08-05-1903 | 29 Hon. Oswald Smith Crocket
21-09-1932 – 13-04-1943 | 45 Hon. Roland Almon Ritchie
05-05-1959 – 31-10-1984 |
| 14 Hon. John Douglas Armour
21-11-1902 – 11-07-1903 | 30 Hon. Frank Joseph Hughes
17-03-1933 – 13-02-1935 | 46 Hon. Emmett Matthew Hall
23-11-1962 – 01-03-1973 |
| 15 Hon. Wallace Nesbitt
16-05-1903 – 04-10-1905 | 31 Hon. Henry Hague Davis
31-01-1935 – 30-06-1944 | 47 Hon. Wishart Flett Spence
30-05-1963 – 29-12-1978 |
| 16 Hon. Albert Clements Killam
08-08-1903 – 06-02-1905 | 32 Hon. Patrick Kerwin
20-07-1935 – 01-07-1954* | 48 Hon. Louis-Philippe Pigeon
21-09-1967 – 08-02-1980 |



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|-----------------------------------------------------------------|---------------------------------------------------------------|----------------------------------------------------|
| 49 Hon. Bora Laskin
19-03-1970 – 27-12-1973* | 60 Hon. Gérard V. LaForest
16-01-1985 – 30-09-1997 | 71 Hon. Louise Arbour
15-09-1999 – 30-06-2004 |
| 50 Hon. Robert George Brian Dickson
26-03-1973 – 18-04-1984* | 61 Hon. Claire L'Heureux-Dubé
15-04-1987 – 01-07-2002 | 72 Hon. Louis LeBel
07-01-2000 |
| 51 Hon. Jean Beetz
01-01-1974 – 10-11-1988 | 62 Hon. John Sopinka
24-05-1988 – 24-11-1997 | 73 Hon. Marie Deschamps
07-08-2002 – 07-08-2012 |
| 52 Hon. Louis-Philippe de Grandpré
01-01-1974 – 01-10-1977 | 63 Hon. Charles Doherty Gonthier
01-02-1989 – 01-08-2003 | 74 Hon. Morris J. Fish
05-08-2003 |
| 53 Hon. Willard Zebedee Estey
29-09-1977 – 22-04-1988 | 64 Hon. Peter deCarteret Cory
01-02-1989 – 01-06-1999 | 75 Hon. Rosalie Silberman Abella
30-08-2004 |
| 54 Hon. Yves Pratte
01-10-1977 – 30-06-1979 | 65 Hon. Beverley McLachlin
30-03-1989 – 07-01-2000* | 76 Hon. Louise Charron
30-08-2004 – 30-08-2011 |
| 55 Hon. William Rogers McIntyre
01-01-1979 – 15-02-1989 | 66 Hon. William Stevenson
17-09-1990 – 05-06-1992 | 77 Hon. Marshall Rothstein
01-03-2006 |
| 56 Hon. Julien Chouinard
24-09-1979 – 06-02-1987 | 67 Hon. Frank Iacobucci
07-01-1991 – 30-06-2004 | 78 Hon. Thomas Albert Cromwell
22-12-2008 |
| 57 Hon. Antonio Lamer
28-03-1980 – 01-07-1990* | 68 Hon. John C. Major
13-11-1992 – 25-12-2005 | 79 Hon. Michael J. Moldaver
21-10-2011 |
| 58 Hon. Bertha Wilson
04-03-1982 – 04-01-1991 | 69 Hon. Michel Bastarache
30-09-1997 – 30-06-2008 | 80 Hon. Andromache Karakatsanis
21-10-2011 |
| 59 Hon. Gerald Eric Le Dain
29-05-1984 – 30-11-1988 | 70 Hon. William Ian Corneil Binnie
08-01-1998 – 20-10-2011 | 81 Hon. Richard Wagner
05-10-2012 |

* Date of appointment as Chief Justice



THE ADMINISTRATION OF THE COURT

The Registrar, who answers directly to the Chief Justice, is responsible for the management of the Court and exercises the quasi-judicial powers conferred by the Rules of the Court. The Registrar's management responsibilities include the appointment and supervision of Court staff, management of the Library and the Registry, and publication of the *Canada Supreme Court Reports*. The Registrar and the Deputy Registrar are both appointed by the Governor in Council. The Court's staff currently numbers approximately 200 employees, all of whom are members of the federal public service.

Each judge of the Court has three law clerks, usually recent law school graduates, who provide him or her with research assistance. The one-year term each clerk serves is regarded as meeting in whole or in part the articling requirements set by the various provincial law societies as a condition for admission to the practice of law. A judicial assistant and a court attendant are assigned to each judge to ensure the efficient management of the judge's office. An Executive Legal Officer, whose responsibilities include media relations in regard to the Members of the Court and to cases before the Court, and a Legal Officer are attached to the office of the Chief Justice.

The Court Operations Sector, composed of the Law Branch, Reports Branch, Registry Branch and Library and Information Management Branch, is responsible for the planning, direction and provision of legal advice and operational support to the Supreme Court judges respecting all aspects of the case management process, from the initial filing to the final judgment on an appeal. This includes

the processing and recording of proceedings, scheduling of cases, legal and jurilinguistic services, legal research and library services, legal editing services and publication of the *Canada Supreme Court Reports*. Information management services, including case related and corporate records information, are also provided by the Sector.

The Communication Services Branch develops and implements communications strategies, plans and programs to increase public awareness and understanding of the Supreme Court of Canada, and to enhance internal communications within the Court.

Administrative and operational support for all the Court's judges and staff is provided by the Corporate Services Sector, which is responsible for: strategic, business and resource planning; corporate reporting; management accountability; modern management methods and tools; integrated risk management; finance; procurement; accommodation; administration (telecommunications, mail and printing services); human resources; security; health and safety; emergency management and preparedness; development, delivery and management of IT strategies, plans, policies, standards and procedures; as well as business continuity planning.

The Judicial Support and Protocol Branch is responsible for the delivery of all judicial support services to the Chief Justice of Canada and the eight puisne judges of the Supreme Court of Canada, including protocol and judges' dining room services, the development and delivery of integrated judicial support programs and services, judicial administration, as well as the judges' law clerk program.



THE REGISTRY

The Registry plays a pivotal role in the Court's operations. It is the hub of all procedural and documentary activities at the Court. The Registry is responsible for processing, recording and directing the flow of all documents filed by parties, as well as recording all steps and events during the life of a case. This information is available to the public at the Court and on its Web site. The Registry also provides assistance in scheduling the Court's hearings and providing support during sittings, as well as in finalizing the documentation for all cases after judgment has been rendered.

THE CANADA SUPREME COURT REPORTS

The Court's decisions are published simultaneously in English and French in its official reports, the *Canada Supreme Court Reports*. All written and oral judgments and reasons for judgment are printed in their entirety along with a summary (called a headnote) of the reasons. The first reported case, published in 1877, was for an appeal heard in 1876 from the Supreme Court of Judicature of Prince Edward Island. Originally numbered in series from 1 to 64, the *Reports* have been identified since 1923 by their year of publication. In 1975, the printed reports grew from one to two volumes a year, and

since 1990, three or four volumes have been published annually, each consisting of four to six parts issued periodically and containing an index and a table of cases cited. Judgments are made available electronically the day of their release through a link on the Court's Web site at www.scc-csc.gc.ca.

THE LIBRARY

With approximately 300,000 volumes, the Library of the Supreme Court of Canada provides a substantial research base for the Court to consult in performing its role of deciding questions of public importance. The Library's extensive collection includes statutes, law reports, periodicals and treatises from major common and civil law jurisdictions, such as Canada, the United Kingdom, the United States, Australia, New Zealand, France and Belgium. Its print, microform and electronic holdings are supplemented by access to a vast range of electronic networks and databases. Its collection is also enriched by a valuable collection of rare books printed in the 16th, 17th and 18th centuries that pertain to the common law of England and the civil law of France. In addition to serving the Supreme Court itself, the Library provides services to lawyers appearing before the Court, to members of the Bar, faculty members and students-at-law, and, by special permission, to legal researchers and members of the public.

THE REGISTRARS OF THE SUPREME COURT OF CANADA



Library and Archives Canada

Robert Cassels, Q.C.
1875-1898



SCC Collection

Edward Robert Cameron, K.C.
1898-1930



SCC Collection

James F. Smellie, K.C.
1930-1940



Library and Archives Canada

Paul Leduc, K.C.
1940-1958



SCC Collection

Alan Burnside-Harvey, Q.C.
1958



SCC Collection

Kenneth J. Matheson, Q.C.
1958-1972



SCC Collection

François Des Rivières, Q.C.
1972-1976



SCC Collection

Gérard Bertrand, Q.C.
1976-1979



SCC Collection

Bernard C. Hofley, Q.C.
1979-1985



Mikie Pinder

Guy Y. Goulard, Q.C.
1985-1990



Anne Roland
1990-2008



Roger Bilodeau, Q.C.
2009



THE COURT BUILDING

The Supreme Court building was designed by Ernest Cormier, a renowned Montreal architect who also designed the Quebec Court of Appeal building in Montreal, the Government Printing Bureau in Gatineau and the University of Montreal. Situated just west of the Parliament Buildings on a bluff high above the Ottawa River and set back from busy Wellington Street by an expanse of lawn, the building provides a dignified setting worthy of the country's highest tribunal.

A statue of former Prime Minister Louis S. St-Laurent (1949-57), erected in 1976, stands on the lawn in front of the building. It is the work of Vancouver sculptor Elek Imredy. There are two flagstaffs at the front of the building. The one to the west is hoisted daily. The other flag flies only when the Court is sitting.

Two tall statues have been erected next to the steps of the building: *VERITAS* (Truth) to the west and *IVSTITIA* (Justice) to the east. They were sculpted by Toronto artist Walter S. Allward, the creator and architect of the Canadian National Vimy Memorial in France, amongst many other works. A bust of Mr. Allward, created by artist Christian Corbet, is found in the Grand Entrance Hall.

At the entrance to the building are two candelabrum style fluted metal lamp standards. Two bronze doors give access to the impressive Grand Entrance Hall, which measures 32 metres by 17, and is 12 metres high. The walls are made of *rubané* marble and the floor of *rubané* and Montanello marble. Four Verdello marble columns along the end walls support a deep coffered ceiling.

In the Grand Entrance Hall is the bust of Sir Lyman Poore Duff, who was Chief Justice from 1933 to 1944 and is the Court's longest-serving member to date, having served from 1906 to 1944. The busts of Chief Justices Cartwright, Laskin, Dickson and Lamer, by sculptor Kenneth Jarvis, Q.C., can also be found in the Hall. Photographs of all the judges who have sat on the Supreme Court since its establishment hang in the Gallery off the Hall.

At each end of the Grand Entrance Hall is a courtroom, one used by the Federal Court of Appeal and the other by the Federal Court. The walls of these two courtrooms are panelled with Australian Blackwood, punctuated with zebrawood pilasters trimmed with Honduras mahogany. Corridors with Missisquoi marble floors and walls encircle the building on the ground floor as well as on the first and second floors.



The Main Courtroom, reserved for the sole use of the Supreme Court, occupies the centre of the building on the first floor.

Two stairways leading up from the Grand Entrance Hall provide public access to the Main Courtroom. A bronze reproduction of the original Supreme Court Building, a gift from the Canadian Bar Association for the Court's centennial year in 1975, hangs between these stairways. It is the work of Canadian artist Arthur Price. Verdello marble was used for the staircase and golden Morocco marble for the railings.

The Main Courtroom, which measures 12 metres by 16, has black walnut walls between fluted pilasters. Six windows, each seven metres in height, open to the naturally lighted interior courtyards, which also serve as buffers to protect from outside noises.

The groundwork for a modern courtroom was laid in 2007 with the installation of new computerized audio-visual equipment and a wheelchair accessible lectern, as well as wireless Internet connections. Display monitors for counsel and the media were added, and laptop computers were embedded in the bench desktop for the judges' use. The new lectern can be raised and lowered to accommodate counsel of different heights and those in wheelchairs. In addition, new cameras were installed along with an improved lighting system.

The Court Registry and the offices of the Registrar and the Deputy Registrar are also located on the first floor. The Judges' Conference Room is directly behind the courtroom.

The main reading room of the Court's Library is on the third floor of the building, directly above the Grand Entrance Hall.



VISITS TO THE COURT

Visitors to the Supreme Court of Canada can become better acquainted with Canada's highest court by taking a guided tour. The Court's tour guides, who are all law students, show visitors the public areas of the Court building and in doing so familiarize them with the operation of the Canadian judicial system and explain how the Court deals with legal issues of public importance. When the Court is in session, it is also possible to sit in on the hearing of an appeal.

From early September to the end of April every year, the Supreme Court of Canada building is open to the public from 9:00 a.m. to 5:00 p.m., Monday to Friday. Tours are available by pre-arrangement only. The building is closed on Saturdays and Sundays, and on statutory holidays.

From early May to the end of August, the building is open to the public from 9:00 a.m. to 5:00 p.m. daily, including weekends and holidays, and tours are conducted on a continuing basis.

Reservations for tours should be made in advance via the on-line reservation request form located on the Supreme Court of Canada website at www.scc-csc.gc.ca, or by:

- Phone: 613-995-5361 or 1-866-360-1522
- Fax: 613-941-5817, or
- E-mail: tour-visite@scc-csc.ca