

Speech by Chief Justice Noël

**The Federal Courts' 50th Anniversary Celebrations
October 1, 2021 – 4:00 p.m.**

First, thank you Frank [Iacobucci] for this informative and heartfelt introduction. No one can talk about the Federal Courts with the same passion and authority as you. You have seen the Federal Courts from every angle. This is a great start for this historic book launch.

Thank you, Madam Justice Gauthier, for the opportunity afforded to me to speak outside of this launch commemorating the 50th anniversary of the creation of the Federal Court of Canada.

Those behind the creation of this new court had a vision. They foresaw a court that would oversee the fair, just and uniform application of federal laws from coast to coast, and that would grow to become an important part of the lives of Canadians.

The book being launched today shows that the Federal Courts' 50 years story unfolded as its founding members hoped it would. From the distant

Exchequer Court that was being replaced, the Federal Courts became a significant part of the judicial landscape in Canada.

As I look back on the journey marking our 50th anniversary—a journey that included us—that morning of June 1, 1971, saw the creation of a national court—bilingual, bijural, and universally accessible. It was a shift toward modernity, openness and inclusion.

For the first time in the legal world, all courts and jurisdictions taken together, the combination of two languages, two cultures, and two large legal systems became the cornerstone of a court of law. As stated in the book that we are launching today, the spirit of openness and respect that comes out of this combination has faithfully guided our destiny and allowed us to better respond to the aspirations of those whom we called to serve.

The task of writing a 50-year anniversary book on the Federal Courts was by no means an easy one. The Federal Courts have many distinguishing features ranging from their bilingual and bijural status, to their numerous areas of specialized jurisdictions, all different, but whose

common trait lies in their ever-increasing importance as the years unfold. As can be seen from the book, more than a few pages, indeed well over 600, were required to present a fair picture of the story to date.

I take the occasion to thank the judges on the organizing committee and the staff members who worked so hard to make this publication possible.

Particular thanks to the drivers of the project, judges Simon Noël and Richard Boivin. Special thanks also to those who edited the book and authored its key chapters, professors Ian Green, Martine Valois, Peter McCormick and Craig Forcese. They were given extensive academic freedom and used it fully. The result is a true and fair depiction of our history that will forever be inscribed in our collective memory.

This book not only tells about our past, but also gives us a glimpse of the future. Looking ahead, the inclusive model that has served us so well in the past could certainly be used to meet other aspirations beyond those envisioned in 1971.

One of the chapters in the book describes the major contribution of the Federal Courts to the development of jurisprudence related to

Indigenous law. At this stage, we must use our experience in openness and inclusion to see how we can integrate into our practices the modes and traditions that Indigenous peoples share. The recent initiative taken by the Federal Court to publish decisions involving First Nations in their own language, and the enthusiastic reaction that it elicited from these communities, show how even the most simple acts of openness can move things forward. We have a huge task ahead of us. Even after 50 years, the Federal Courts are still a work in progress.

I close by expressing my deep gratitude to those about whom this book is all about; I am speaking of the judges, prothonotaries, registry officers and staff members who have built our history to date. May those who are called upon to write the next chapter be blessed with the same courage, determination and fortitude as those who led us through our first 50 years.

Thank you and happy reading.

I now invite my colleague Chief Justice Crampton to speak.