

**REPORT TO CANADIANS ON THE WORK OF  
THE CANADIAN JUDICIAL COUNCIL  
APRIL 2020**

**Judicial Conduct:**

- The Council works hard to administer an efficient and timely process to review all complaints against judges. 80% of all complaints to the Council are reviewed within 3 months. Some matters may be more complex and take longer. From April 2019 to March 2020, the Council reviewed 648 files of which 335 were opened as complaints. In the same period, Council closed 292 complaint files, of which 270 were closed at the early screening stage. 22 matters were referred to a member of the Judicial Conduct Committee. There is currently [one matter](#) before an Inquiry Committee.
- The Council continues to work in collaboration with the Canadian Superior Court Judges Association to urge the Government to move forward with needed reforms to the *Judges Act*. These reforms will add clarity and efficiency to the judicial conduct review process. Council members were pleased that these reforms were included in the Minister of Justice's Mandate Letter and hope that the new legislation will be introduced soon.

**Judicial Education:**

- The Council continued to play a leadership role in ensuring that the federally appointed judiciary has access to high quality, effective, ongoing judicial education. The Council and the National Judicial Institute have presented to Parliament recommended amendments to Bill C-5 (Sexual Assault training) that would continue to require social context education in all its key programs while ensuring that judicial education remains under the control of an independent judiciary. It was further recommended that all governments work together to bring this training to provincial/territorial court judges.
- From January 2014 to December 2019, the Council approved 41 education sessions on sexual assault law delivered by the NJI. Some sessions were multi-day programs. In addition, another 15 sessions focussed on related issues such as domestic violence, human trafficking, victim rights and trauma informed treatment. In each of the 2019 and 2020 fiscal years, 60 federally appointed judges from all across Canada completed a 5-day program on the law, skills and social context in sexual assault cases.

**Ethical Principles for Judges:**

- Canadians expect their judges to uphold the highest ethical standards in both their personal and professional lives. Council's *Ethical Principles for Judges* provides guidance in areas that have been recognized as essential in the judicial context. Guidance is based on the 5 principles of: Judicial independence; Integrity and respect; Diligence and competence; Equality; Impartiality. As society evolves, so too does the work of judges. Council has recently consulted the public, judges and numerous stakeholders on updated *Ethical Principles* that will provide continuing guidance applicable to the evolving role of judges.

- Council anticipates the revised *Ethical Principles* will be published in late 2020 and, will include new guidance on professional development, post-retirement return to practice, settlement conferences and case management, self-represented litigants, social media and public engagement.

#### **Access to Justice:**

- Canadians must be confident that access to justice not only means that the Rule of Law prevails, but also that timely and efficient access to justice is available to everyone, no matter where they reside in the country. Efficiency in the justice system fosters better access to justice at reduced cost.
- The Council has been working on developing national guidelines and best practices in case management in criminal, civil and family matters that will provide courts with added tools to increase efficiency and uniformity. Best Practices in Case Management in Criminal Matters is expected to be published in late 2020, with material covering Civil and Family proceedings thereafter.

#### **Committee Management and Communications:**

- The Council has a well-established governance structure based on a number of standing and *ad hoc* Committees composed of Chief Justices, *puisne* judges and experts. Each Committee has clear terms of reference and collectively they undertake aspects of the work of Council. Over the last 12 months, the Council office has provided secretariat support to 32 in person meetings and 17 teleconferences including planning, coordination, tracking follow-up actions, and supporting the respective Chairs in their undertakings.
- Underpinning much of Council's work is its focus on outreach communications through the maintenance of a modern and intuitive website and managing constructive and responsive relations with journalists.. In the last 12 months, the Council has published or reposted 15 News Releases and social media posts and has responded to dozens of media queries and requests for interviews.