

UNOFFICIAL TRANSLATION

Dear M^e Sabourin,

We are counsel for the Honourable Justice Michel Girouard, judge of the Superior Court of Québec, and have reviewed the letter of June 14, 2016, signed by the Minister of Justice and Attorney General of Canada, as well as the Minister of Justice and Attorney General of Québec on June 13 and 9.

The Justice Ministers who signed the letter are calling for an inquiry under section 63(1) of the Judges Act.

This request is inadmissible and inappropriate.

The inquiry has already been held and was conducted over a period of over 48 months. It led to a unanimous report from the Canadian Judicial Council on April 20, 2016. The Council carried out the mandate entrusted to it by the legislator: it examined the report of the inquiry committee, considering the conclusions of both the majority and the minority, it carried out its own independent assessment as it was required to, and issued its opinion. It did so with due consideration of the interests at stake, including the need to maintain public confidence in the integrity of the judiciary and the capital importance of the principle of the independence of the judiciary, founded upon the rule of irremovability of judges. As part of this process, the Council had the power to hear additional arguments and to require further investigation, which it did not find necessary. The dossier was complete..

The Council's decision is now final and constitutes the Council's final ruling on all legal and factual issues raised during the inquiry. The Honourable Michel Girouard has been sitting without interruption since the Canadian Judicial Council's ruling and his integrity has never been called into question.

By challenging the unanimous conclusions of a report issued by the highest Canadian judicial authorities, the Ministers risk undermining public trust in our institutions and interfering with judicial independence.

In their letter and the press release that preceded it, they ignore the unanimous report of April 20, 2016, which is the only enforceable report. By continuing to refer to the report issued by the inquiry committee, they completely disregard the mechanism provided for by law. The report issued by the inquiry committee is not addressed to the Justice Ministers, but to the Canadian Judicial Council.

This action taken by the two Justice Ministers is of such nature that it undermines public confidence in its institutions, particularly that of the Canadian Judicial Council.

For these reasons we respectfully ask the Council not to act upon the letter of June 14, 2016.

We thank you for your attention and wish to assure you, M^e Sabourin, of our highest consideration.

(signed) M^e Tremblay and M^e Masson