

JUDGES SUBMIT BRIEF FOR QUADRENNIAL SALARY REVIEW

Persistent Gap with Salaries of Senior Civil Servants Justifies Upward Adjustment

OTTAWA (December 15, 2003) – Federally appointed judges today submitted a brief to the Judicial Compensation and Benefits Commission established by Parliament under the Canadian Constitution.

In their joint submissions, the Canadian Superior Courts Judges Association and the Canadian Judicial Council ask that the federal government reduce the gap between the salaries of judges and those of senior civil servants that have traditionally served as a benchmark.

The brief recommends raising judges salary as of April 1, 2004 to the midpoint of the current remuneration of deputy ministers in the DM-3 category, which is \$253,880 a year. This represents an increase of 17%.

“Judges are paid less than partners in many law firms and the gap is widening between their salaries and those of senior civil servants,” said L. Yves Fortier, C.C., Q.C., the counsel retained by the judges to represent them before the Commission.

Quite apart from these comparisons, the organizations representing federally appointed judges note that cases are becoming more and more complex and that a judge’s work is more demanding than ever. Remuneration for judges must therefore be maintained at a level sufficient to continue to attract candidates of the very highest caliber.

The objects of the Canadian Superior Courts Judges Association include the representation of its members on the issue of salaries and benefits guaranteed to the judiciary by the Canadian Constitution and by the Judges Act, so as to foster the competence of judges and the independence of the judiciary.

The Canadian Judicial Council was created by the Judges Act. As part of its mandate to improve the quality of judicial services, it has established a committee on salaries and benefits.

The Association and Council represent over 1,000 federally appointed judges who serve on the Supreme Court of Canada, the superior trial and appellate courts in the provinces and territories of Canada, the Federal Court, the Federal Court of Appeal and the Tax Court of Canada.

The Judicial Compensation and Benefits Commission is a body mandated every four years to submit recommendations to the Government concerning judicial salaries and benefits. When it established this new body in 1998, Parliament provided that the remuneration level of judges must take into account the need to attract outstanding candidates to the Bench, the necessity of ensuring judicial independence and the prevailing economic conditions in Canada. The present Quadrennial Commission (www.quadcom.gc.ca) is chaired by Mr. Roderick A. McLennan, Q.C. The Commissioner nominated by the government is Ms. Gretta Chambers and the Commissioner nominated by the federal judiciary is Mr. Earl A. Cherniak, Q.C.

In their submissions, the judges explain that, despite the increase approved following the last quadrennial Commission, a gap persists between their remuneration and that of senior civil servants.

The following chart compares judicial salaries with the remuneration of deputy ministers at the DM-3 level, a traditional comparator. The graph illustrates the persistent gap between judicial salaries and the remuneration of senior public servants.

INFORMATION:

L. Yves Fortier, C.C., Q.C.
Ogilvy Renault
(514) 847-4740

DM-3s' remuneration and puisne judges' salaries from 1993 to date

