

The Supreme Court of Canada



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of Canada

History

The Supreme Court of Canada, created by an act of parliament in 1875, is Canada's final court of appeal, the last judicial resort for all litigants, whether individuals or governments.

For many years, the Court's decisions could be appealed to the Judicial Committee of the Privy Council in the United Kingdom. This right of appeal was abolished in criminal cases in 1933 and in other cases in 1949. The Court is now Canada's final court of appeal.

The Court was originally composed of a chief justice and five puisne or associate judges. 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, and 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, which has since been demolished. Construction on the present building began in 1938.

The Supreme Court building, which now has a heritage designation, was designed by renowned Montréal architect Ernest Cormier. It is situated just west of the Parliament Buildings on a bluff high above the Ottawa River. The building was completed in 1941 but was used to house wartime government offices until the Court took possession in 1946.

The imposing structure contains a Grand Entrance Hall, the Supreme Court's Main Courtroom, the judges' offices and Conference Room, the offices of the administrative staff, a Library and two Courtrooms used by the Federal Court of Canada and the Federal Court of Appeal.

Jurisdiction of the Court

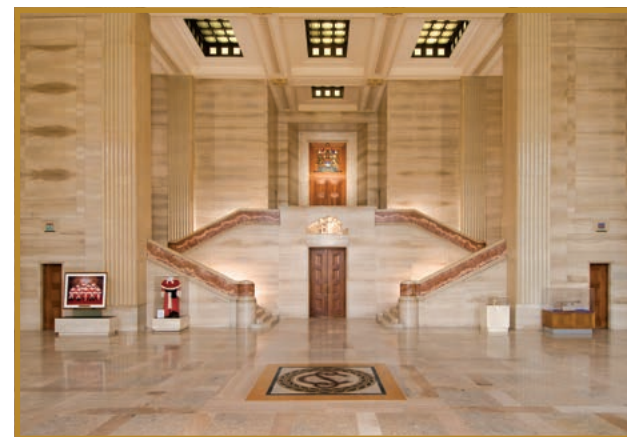
The Supreme Court is Canada's final court of appeal. It reviews decisions from the provincial and territorial appellate courts, as well as from the Federal Court of Appeal and the Court Martial Appeal Court of Canada. In some cases, a party will have the automatic right to have an appeal heard by the Court. However, in most cases, appeals are heard by the Court only if permission or leave to appeal is granted. The Court will grant such leave if a question of public importance is involved or if there is an important issue of law (or an issue of both law and fact) that warrants consideration by the Court. The Court considers an average of between 500-600 applications for leave to appeal each year.



The Court in Session

The Supreme Court sits in Ottawa. The Court holds three sessions a year, in winter, spring and fall and hears an average of 65-80 appeals a year. Hearings are open to the public. The Court generally sits Monday to Friday starting at 9:30 a.m. daily, except in July, August and September. Although the Court sits only in Ottawa, litigants can present oral arguments from remote locations by means of a video-conference system.

The minimum number of judges required to hear an appeal is five. However, most cases are heard by a panel of seven or nine judges. 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 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. The decisions and reasons of the Court are printed and also posted on its Internet site, in both official languages.

Visits to the Court

From early May to the end of August, the Supreme Court of Canada building is open to the public from 9:00 a.m. to 5:00 p.m. daily, including weekends and holidays, and guided tours are conducted on a continuing basis. Please note that no visits are offered between 12:00 noon and 1:00 p.m.

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

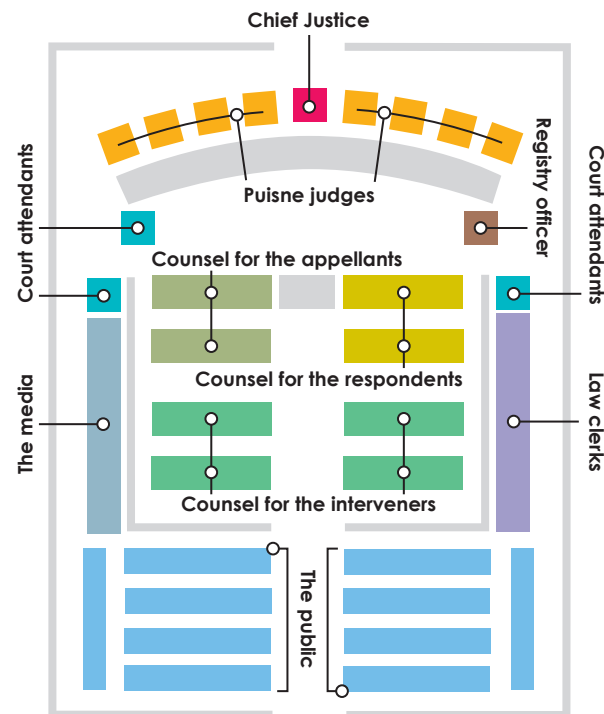
Group visits can be arranged throughout the year. Reservations for guided tours should be made in advance by filing out the on-line reservation request form at www.scc-csc.gc.ca or calling 613-995-5361 or 1-866-360-1522.

Please note that it may, for reasons related to the work of the Court, be necessary to alter or cancel guided tours, sometimes on short notice.

Did you know?

- The Supreme Court sat for the first time on January 17, 1876, but did not have any cases to hear. In April of that year, it heard its first case. It sat for one week in June and disposed of three cases. In the following January, it started holding regular sessions with a full agenda.
- 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.
- The judges are appointed by the Governor in Council. They may remain in the position until age 75.
- Puisne judge: The word "puisne" is an old French word meaning younger. This term, used by the Supreme Court, distinguishes the Chief Justice from the other eight judges.
- The cornerstone of the Court building is dated May 19, 1939, and was supposed to be laid by King George VI. Queen Elizabeth laid the cornerstone in the presence of the King, her husband, on May 20, 1939.
- There are two flagstaves 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 3-metre high bronze statues have been erected next to the steps of the Supreme Court building. These works from the early 1920s were created to be a part of a huge memorial to King Edward VII and were to be stored until its completion. The memorial to Edward VII was never finished. Made by Toronto artist Walter S. Allward (creator and architect of the Canadian National Vimy Memorial in France), *IVSTITIA* (Justice) and *VERITAS* (Truth), were forgotten for almost 50 years. In 1969, they were found in their crates buried under a parking lot. They were erected on their present site in 1970.
- The judges wear the red robes trimmed with white Canadian mink only for special occasions, such as the swearing in of new justices or the reading of the speech from the Throne.

Floor Plan



How to contact the Supreme Court

Internet site:
www.scc-csc.gc.ca

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TOUR INFORMATION OR RESERVATIONS

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