



Supreme Court of Canada



Statistics
2007-2017

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Introduction

This report sets out a statistical view of the work of the Supreme Court of Canada in 2017 with comparisons to the previous ten years' work.

The following brief description of the appeal process is provided to help explain the statistical charts and tables. The Court decides cases that come to it from three sources. First, in most cases, a party seeking to appeal the decision of another court (usually a provincial or territorial court of appeal or the Federal Court of Appeal) must obtain permission from the Court. Such permission, or leave to appeal, is given if the Court concludes that the case involves a question of public importance or raises an important issue of law. Second, there are cases, referred to as appeals “as of right”, for which leave to appeal is not required. These include certain serious criminal cases, for example, those where there is a dissent on a point of law in the court of appeal, and appeals from provincial references. The third group comprises references from the federal government. Federal references (which are counted as appeals as of right for the purposes of these statistics) require the Court to give an opinion on the questions referred to it by the Governor in Council. The figure on page 4 summarizes the progress of a case from the filing of a complete application for leave to appeal, a notice of appeal as of right or a reference to the issuing of a judgment.

The table on page 6, “Summary 2007 to 2017”, outlines the Court’s workload during that period, broken down into five categories.

The first category, “Cases Filed”, shows the number of complete applications for leave to appeal and notices of appeal as of right filed by litigants with the Court’s Registry each year. In 2017, 514 new cases were filed – 497 applications for leave to appeal and 17 appeals as of right, a decrease of 13% from 2016.

The second category, “Applications for Leave Submitted”, shows the number of leave applications submitted to the Court for decision, the number of leave applications granted and the percentage granted of the total submitted. As leave applications filed one year may be submitted to the Court the next year due to the time required for processing, the number of complete leave applications filed and the number submitted to panels will differ in each year. In 2017, there were 492 leave applications submitted to the Court for decision, a decrease of 18% from 2016.

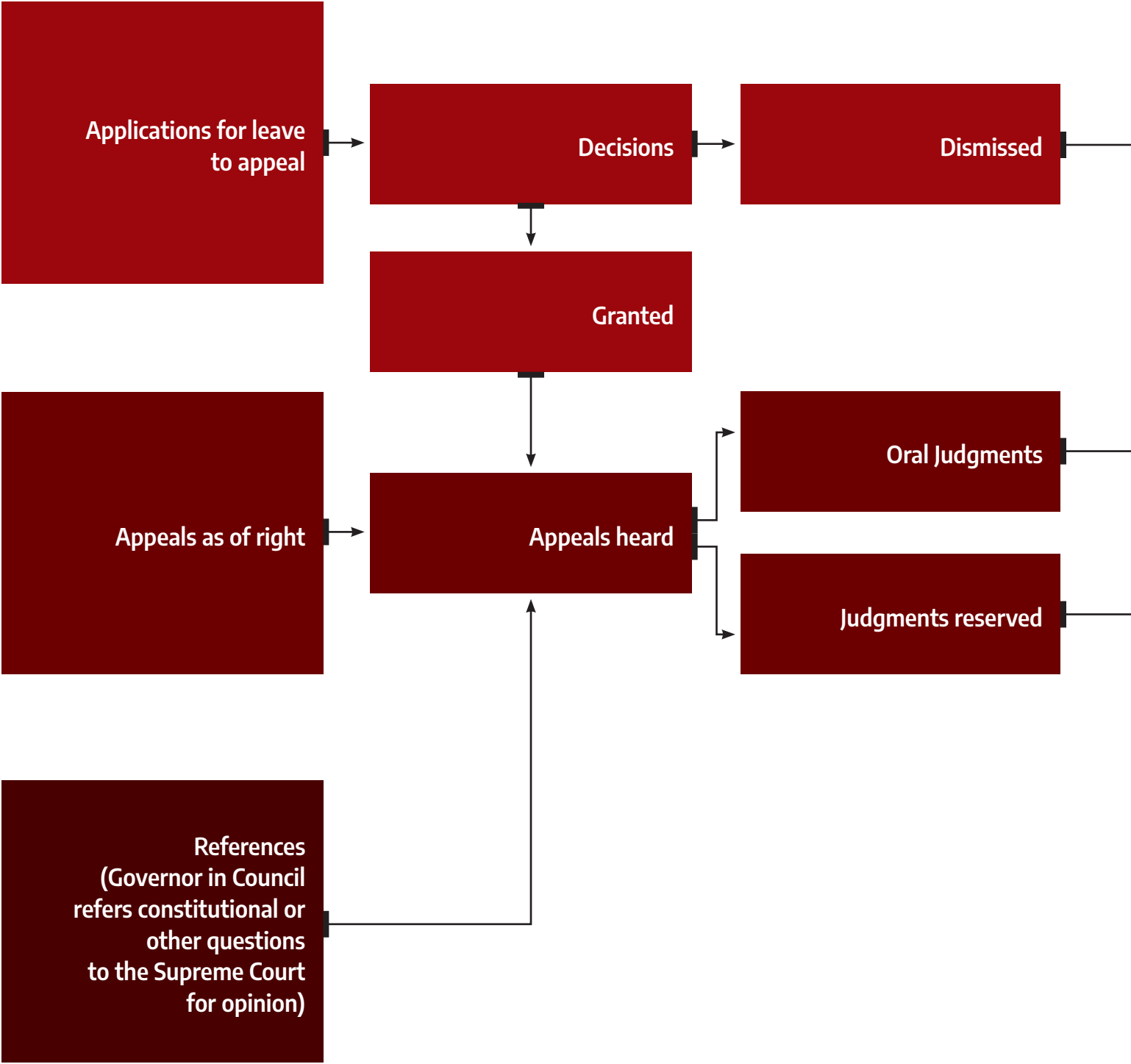
The third category, “Appeals Heard”, shows the number of appeals heard each year and the number of hearing days over the year. In 2017, the Court heard 66 appeals over 60 hearing days.

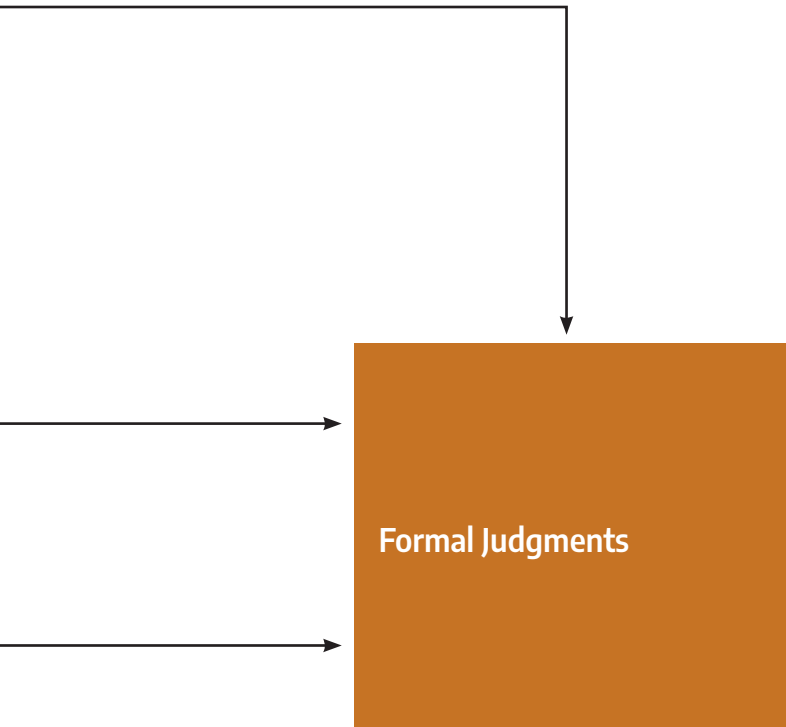
The fourth category, “Appeal Judgments”, gives information with respect to the number of judgments rendered each year. The Court released 67 judgments in 2017. Of these, 19 were pronounced from the bench (“oral judgments”), with written reasons to follow in 3 of them. In 54% of the judgments, all judges agreed in the result of the appeal.

Since the Court does not always render judgments in the same year in which the appeal is heard, there is usually a difference between the total number of appeals heard in a year and the number of judgments rendered in the same year. There were 25 appeal judgments in reserve at year-end.

The final category, “Average Time Lapses”, shows average time lines in the life of a case at the Court. In 2017, the average time between the filing of a complete application for leave to appeal and the Court’s decision on whether leave should be granted or denied was 3.8 months. Appeals were heard 7.4 months after leave was granted or the notice of appeal as of right was filed, and judgments were rendered, on average, within 4.6 months of the appeal hearing.

Detailed information about Supreme Court of Canada cases and judgments can be found on the Court’s website at www.scc-csc.ca.





The Appeal Process in the Supreme Court of Canada

Summary 2007 to 2017

01. Cases Filed

Complete applications for leave to appeal

Notices of appeal as of right

02. Applications for Leave

Submitted to the Court

Granted (pending)

Percentage granted

0.3 Appeals Heard

Total number

As of right

By leave

Hearing days

04. Appeal Judgments

Total number

Delivered from the bench

Delivered after being reserved

Unanimous

Split

Percentage of unanimous judgments

Appeals standing for judgment at the end of each year

05. Average Time Lapses (in months)

Between filing of application for leave and decision
on application for leave

Between date leave granted
(or date notice of appeal as of right filed) and hearing

Between hearing and judgment

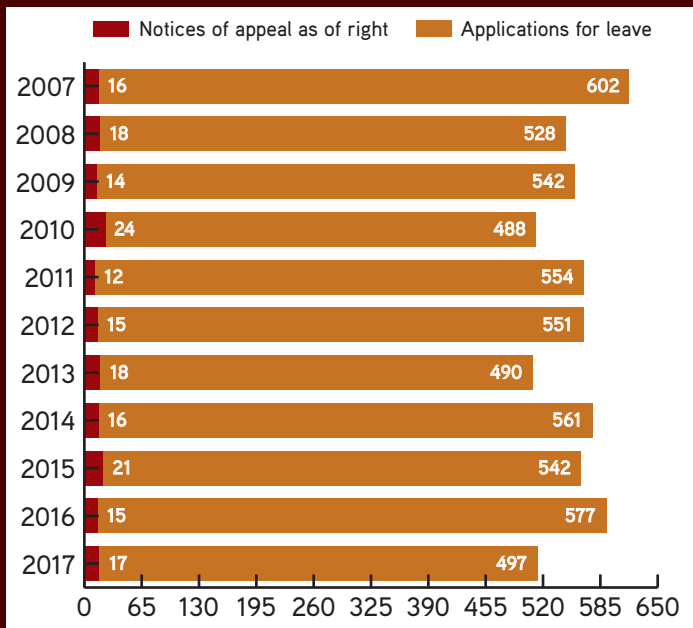
2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
602	528	542	488	554	551	490	561	542	577	497
16	18	14	24	12	15	18	16	21	15	17
629	509	518	465	541	557	529	502	483	598	492
69	51	59	55	69	69	53	50	43	50(1)	48(41)
11	10	11	12	13	12	10	10	9	8	10*
53	82	72	65	70	78	75	80	63	63	66
10	16	12	15	19	15	12	22	15	15	17
43	66	60	50	51	63	63	58	48	48	49
46	60	55	51	60	65	65	63	50	53	60
58	74	70	69	71	83	78	77	74	57	67
2	5	2	4	8	8	9	22	16	13	19
56	69	68	65	63	75	69	55	58	44	48
36	56	44	52	53	60	53	61	52	35	36
22	18	26	17	18	23	25	16	22	22	31
62	76	63	75	75	72	68	79	70	61	54
30	38	40	36	35	30	27	29	18	24	25
3.5	3.2	3.2	3.4	4.1	4.4	3.3	3.2	4.1	4.0	3.8
9.0	8.9	7.6	7.7	8.7	9.0	8.2	8.2	7.3	7.5	7.4
6.6	4.8	7.4	7.7	6.2	6.3	6.2	4.1	5.8	4.8	4.6

All applications for leave, appeals and judgments are counted by individual file number.

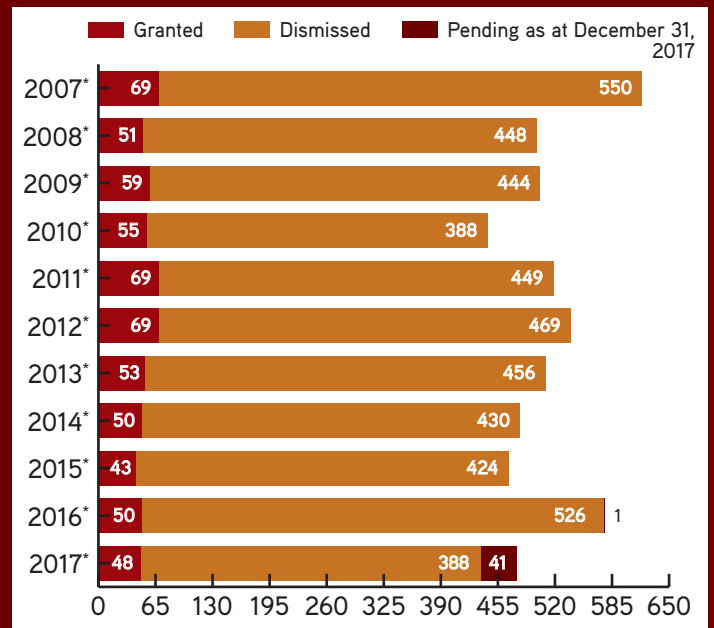
* This percentage may change once all pending leave applications are decided.

01 Cases Filed

02 Applications for Leave Submitted



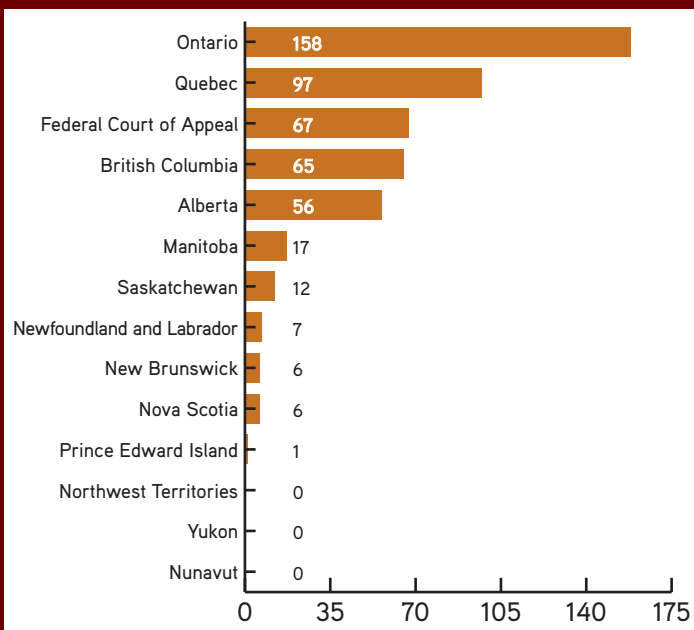
Caseload



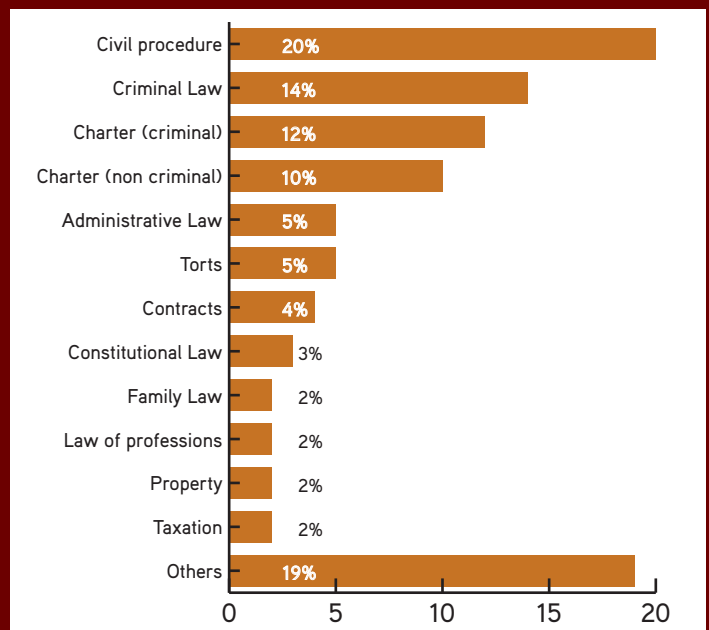
Applications for Leave Submitted

Does not include applications for leave remanded to a lower court, discontinued, quashed or adjourned.

* Does not include cases that were submitted but extension of time was dismissed.



Origin of Applications for Leave in 2017

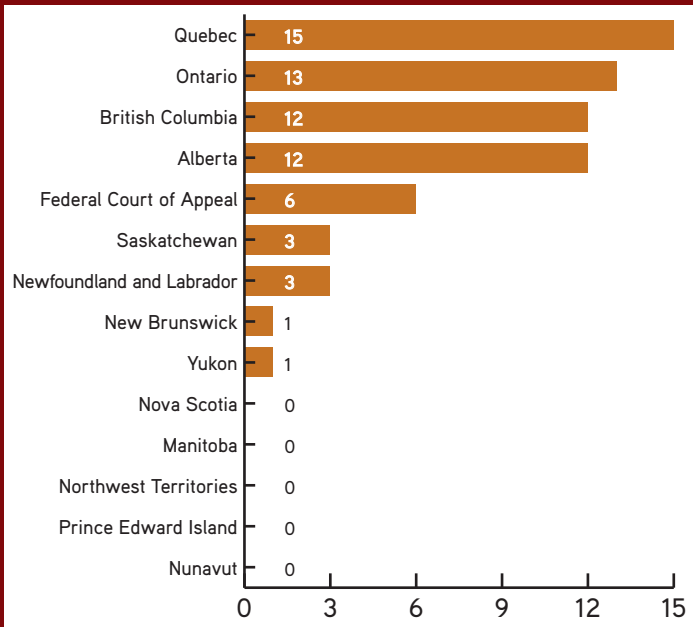


Type of Applications for Leave in 2017

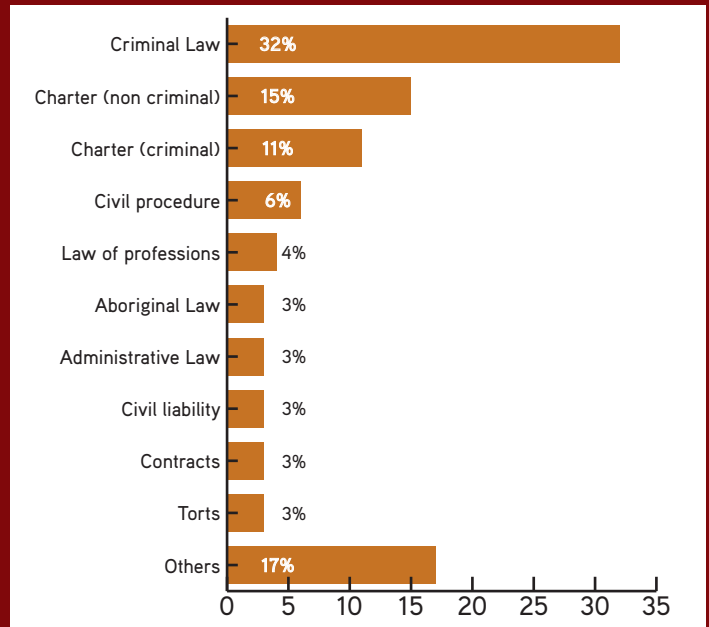
Cases are classified by the principal area of law.

Of all applications for leave, 26% were criminal and 74% were civil.

03 Appeals Heard



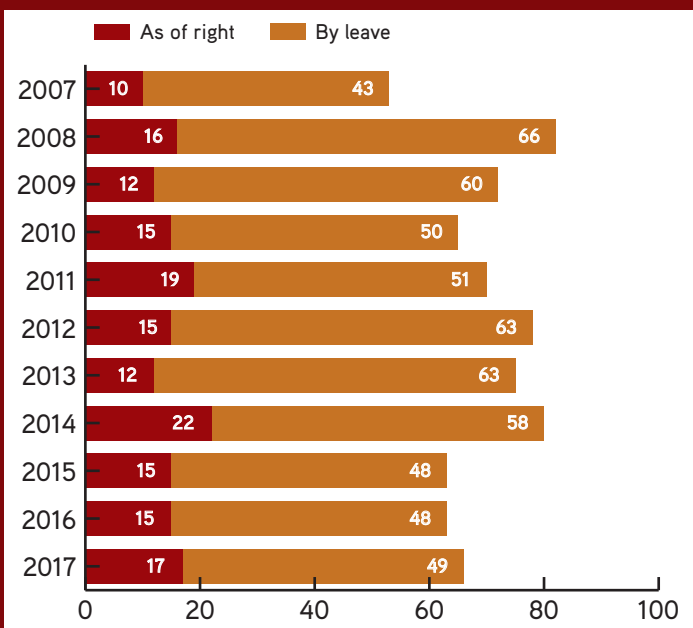
Origin of Appeals Heard in 2017



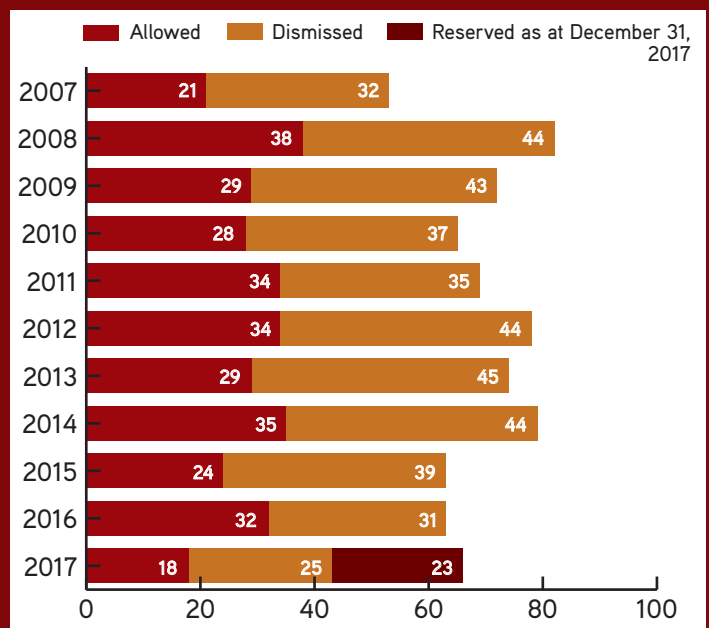
Type of Appeals Heard in 2017

Cases are classified by the principal area of law.

Of all appeals, 43% were criminal and 57% were civil.



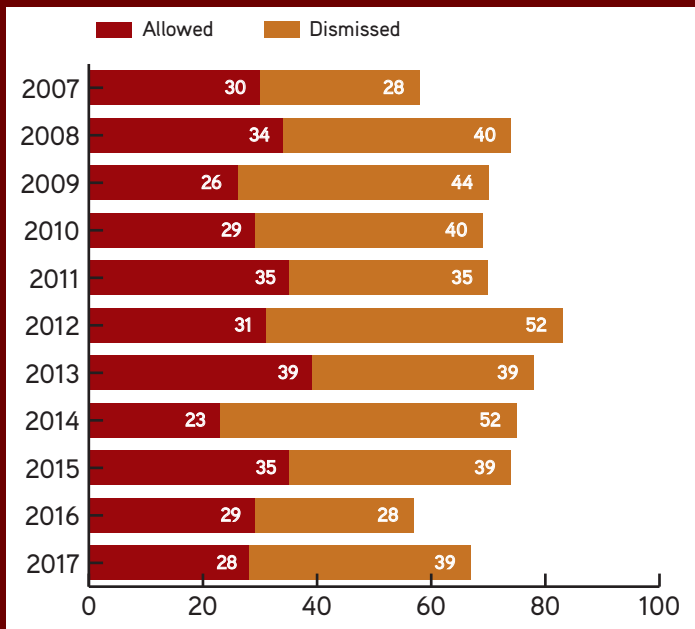
As of Right vs. By Leave



Disposition

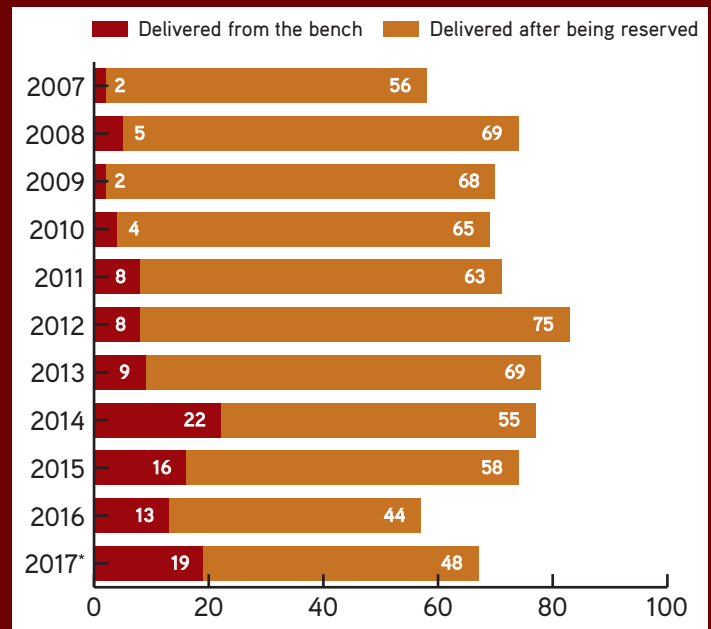
Appeals where a rehearing or remand was ordered or that were discontinued after hearing are not counted, nor are opinions on references under s. 53 of the *Supreme Court Act*.

04 Appeal Judgments



Disposition

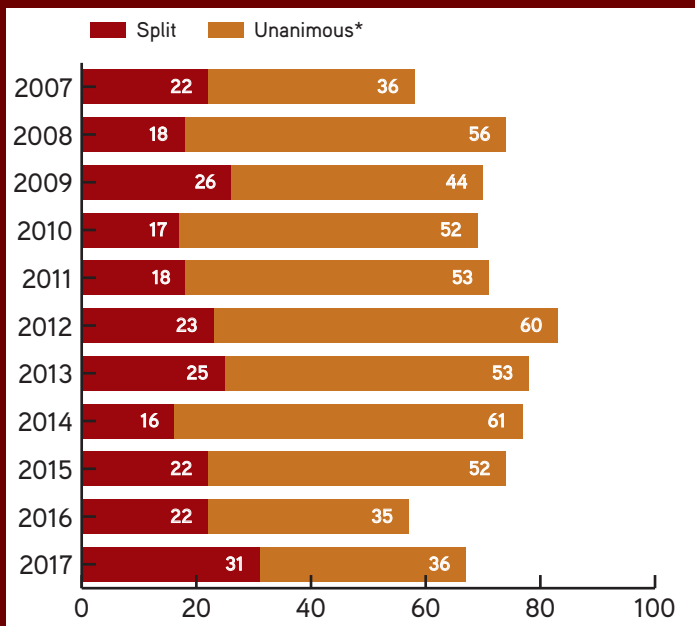
The appeals to which the judgments relate may have been heard in a previous year. Opinions on references under s. 53 of the *Supreme Court Act* are not included.



From the Bench vs. Reserved

The appeals to which the judgments relate may have been heard in a previous year.

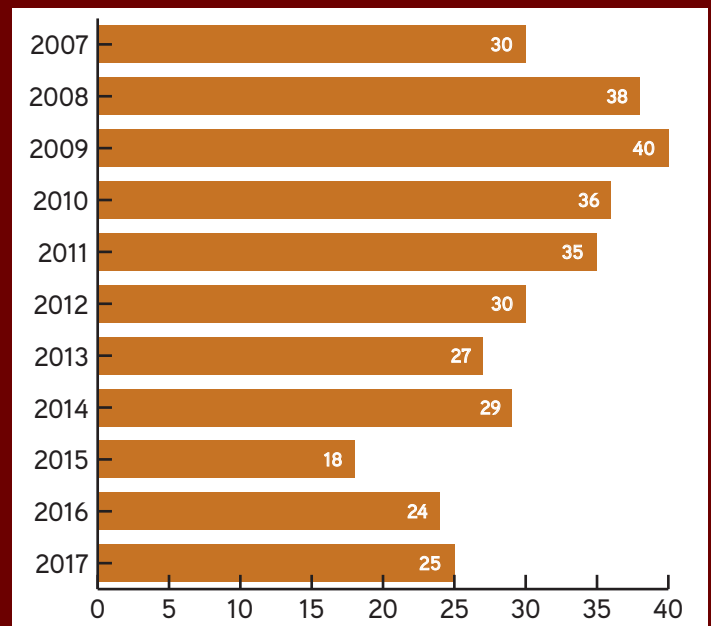
* Of the 19 oral judgments, 3 judgments were delivered with written reasons to follow.



Split vs. Unanimous

The appeals to which the judgments relate may have been heard in a previous year.

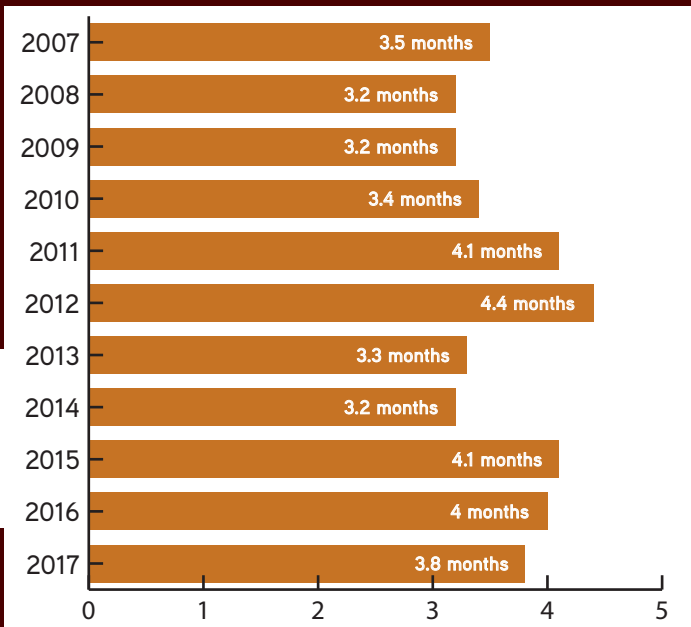
* All judges agreed in the disposition of the appeal.



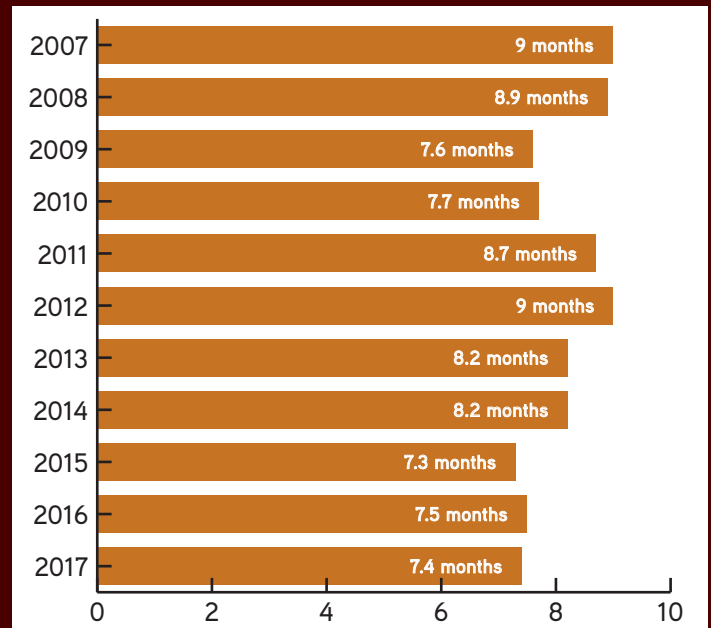
Appeals Standing for Judgment

Appeals that were under reserve as at December 31st of each year.

05 Average Time Lapses

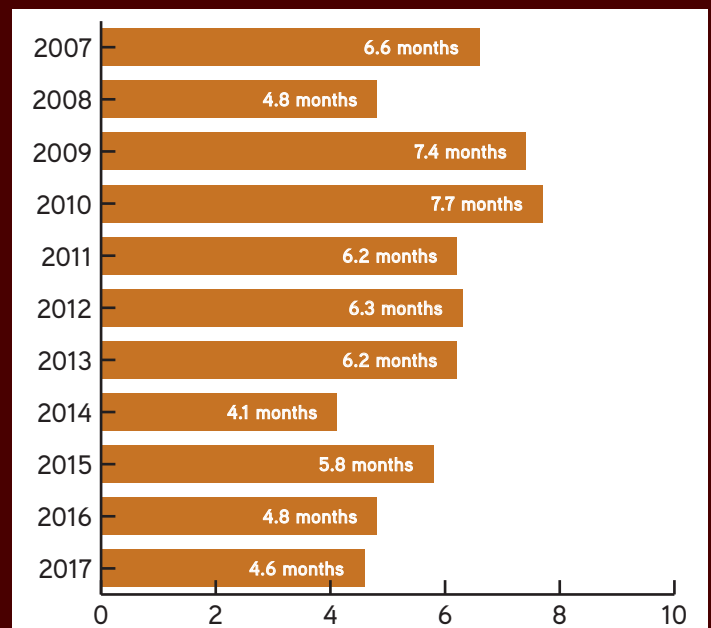


Between Filing of and Decision on Application for Leave to Appeal



Between Date Leave Granted* and Hearing

* Or date notice of appeal as of right was filed.



Between Hearing of Appeal and Judgment