



Department of Justice
Canada

National Litigation Sector
500-50 O'Connor Street
Ottawa ON K1A 0H8

Ministère de la Justice
Canada

Secteur national du contentieux
500-50, rue O'Connor
Ottawa ON K1A 0H8

Telephone: (613) 670-6345
Facsimile: (613) 954-1920
E-Mail: Kirk.Shannon@justice.gc.ca

BY EMAIL

May 26, 2021

Our File Number: 500008446

Ms. Louise Meagher
Executive Director
Judicial Compensation and Benefits Commission
99 Metcalfe Street, 8th Floor
Ottawa, ON K1A 1E3

Dear Ms. Meagher:

Re: Undertakings - 2020 Judicial Compensation and Benefits Commission

We are in receipt of the Commission's further set of questions, dated May 17, 2021. Responses to those additional questions will be provided by separate letter.

Further to our letter of May 14, 2021, we write on behalf of the parties to provide additional information in response to the requests made by the Commission at the conclusion of the hearings on May 11, 2021.

1) Legislative history (including any comments in the House or before Committee) regarding the 7% IAI limit and any amendments to that provision in the Act.

Please see the separate document entitled "Legislative History of the IAI (Judges Act – docs and links)" sent via the Titan document system. This document contains links to the legislative history before both the House of Commons and the Senate, including discussions before committees. Please note that the chart contains pinpoint references to passages wherein indexation is discussed.

2) Contact the Commissioner for Federal Judicial Affairs Canada to determine if there is a further breakdown of applicants for judicial office by region within each province.

In response to the Commission's request, we contacted the Office of the Commissioner for Federal Judicial Affairs (CFJA). The CFJA has provided two charts with the information requested, which we have transmitted to you via Titan. The CFJA also provided the following explanation:

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1. *The First Chart is the same Chart previously provided (which includes the numbers for applicants current status of outstanding applications, as well as appointments during the period), divided by JAC Committee. Ontario has been divided by its three Committees, and Québec by its two.*
2. *The Second Chart is a list of all applications received during the period, by city. With that data, it is possible to regroup within whichever region is preferred.*
 - *As I had previously mentioned, it is not possible to provide you with information on the applicants (private practice vs other sectors), however, we have been able to indicate whether candidates were prov. Judges or lawyers.*
 - *Finally, keeping in mind privacy issues, it is not possible to further breakdown the assessment results by region or otherwise.*

Regarding the Excel chart prepared by the CFJA, which lists applicants' cities of residence, it must be noted that many of the cities listed individually would fall within the borders of one of the top ten CMAs. As such, we have regrouped the CFJA's data to display results for the top ten CMAs in the document entitled "Judicial Applications by CMA", also provided via the Titan document transfer system.

Should the Commission require further information, please do not hesitate to contact the parties.

Sincerely,



Kirk G. Shannon
Counsel for the Government of Canada

cc: Pierre Bienvenu, Ad. E., Azim Hussain and Jean-Simon Schoenholz, counsel for the CSCJA and the CJC
Andrew Lokan, counsel for the Federal Court Prothonotaries
Christopher Rupar, Samar Musallam, counsel for the Government of Canada