

January 21, 2008

Judicial Compensation and Benefits
Commission
99 Metcalfe Street
Ottawa ON K1A 1E3

Attention: Ms. Sheila Block, Chairperson

Dear Ms. Block:

I write to advise that the judges of the Court of Queen's Bench for Saskatchewan oppose the request by a number of Court of Appeal judges for a discrete pay raise over and above what superior court judges may receive as a result of the joint submission.

Our judges have had the benefit of reviewing the very articulate submissions to date made to the Commission in opposition to the request and we endorse the same. In particular:

- We concur a pay differential cannot be justified on the basis of workload, individual responsibility, or learning.
- We concur that the hierarchical status claimed to justify the request for a pay differential, which is that Court of Appeal decisions have higher precedential value in the legal system than do trial decisions, is a status that belongs to Courts of Appeal as a collective, and not to an individual Court of Appeal judge.
- We agree the proposal is divisive in proposing a distinction in the status of superior court judges where none now exists.
- We are of the opinion that the proposal, if implemented, would create more mischief than good.
- We share the view that the comparative argument advanced in favour of the proposal ignores 140 years of successful history, and is without rational justification in the Canadian context.

Respectfully submitted.

Yours truly,

Chief Justice R. D. Laing