

**THE SUPREME COURT OF THE YUKON TERRITORY**

The Honourable Mr. Justice Ronald S. Veale

January 25, 2008

VIA FAX: 613-947-4442

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

Attention: Ms. Sheila Block, Chairperson

Dear Ms. Block:

*Proposed Salary Differential between Trial and Appellate Judges*

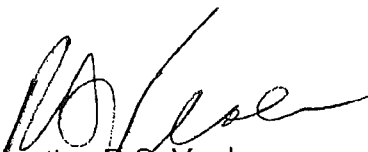
I write to advise that the judges of the Supreme Court of Yukon are opposed to the submission made by some appellate court judges that there be a differential between the salaries of federally appointed trial court judges and appellate court judges.

I have had an opportunity to read the letter of Chief Justice Donald I. Brenner, dated December 11, 2007, and I wish to confirm that we are in agreement with the opinions expressed in it.

It may be of some interest to you to know that all of the nine superior court justices in Yukon, Nunavut and Northwest Territories are each members of their respective courts of appeal. Thus, we have the experience of sitting as both trial judges and court of appeal judges. I do not consider it fruitful to debate whether the workload of individual judges in the trial courts is somehow different than appellate judges. It is a simple fact that the workloads of individual judges vary according to the matters assigned to them and the diligence they apply to each case.

The only argument that I wish to address is the hierarchical one. Simply put, the submission is that appellate courts are higher courts and the remuneration should correspondingly be higher. That argument comes up against the historical fact that superior court judges in the two levels of court have received the same compensation throughout the history of Canada. A salary hierarchy, where none has previously existed, is not necessary to address the "adequacy of the salaries" for superior court judges.

In our view, it is a very divisive proposal and should not be recommended.



Mr. Justice R.S. Veale