

## PREFACE

This is the first report of the Judicial Compensation and Benefits Commission established by 1998 amendments to the *Judges Act* to inquire into the adequacy of salaries and benefits of the federally-appointed judiciary. This new quadrennial process in part results from the Supreme Court of Canada's 1997 decision in *Reference Re Remuneration of Judges* calling for independent compensation commissions. The creation of this Commission also reflects recognition of the need to improve upon the previous process to determine judicial salary and benefits, which several triennial commissions had concluded was substantially inadequate. We undertook our responsibilities knowing that all parties were looking to this new process to produce results.

Our report is forward-looking. Past circumstances informed our deliberations; however, they were not determinative of our recommendations. The conclusions and recommendations in this report are the result of the Commissioners considering many relevant issues, weighing sometimes competing interests and making those choices that we believe are appropriate today and for the remainder of our mandate.

We believe that our recommendations, if fully implemented on a timely basis, will assist in ensuring the continued independence of the Judiciary and the ability to attract outstanding candidates for appointment to the Bench.

### **Acknowledgements**

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We also express our appreciation to the Office of the Chief Actuary, in particular Lou Cornelis, and to Raymond Gaudet and André Sauvé, of Morneau Sobeco, for their valuable assistance in actuarial, compensation and costing matters. The Commission also benefited from the constitutional expertise of Professor Patrick Monahan, of Osgoode Hall Law School, who was of great assistance in assessing the implications of the *Charter of Rights and Freedoms* on some of the issues raised during deliberations.

The Commission is most fortunate to have had as its Executive Director, Deborah Lapierre who was seconded to the Commission by Natural Resources Canada. Her previous experience with other boards and inquiries, together with her dedicated commitment to the organization and coordination of the Commission's research and proceedings made it possible to deliver this report within the legislated time limit. Ms Lapierre was ably assisted by Paula Carty, a Masters Degree graduate from Carleton University whose research, word processing and editing skills were relied upon in compiling our report. We are grateful to them both.

Richard Drouin, O.C., Q.C., Chair

Eleanore Cronk, Commissioner

Fred Gorbet, Commissioner