

The Supreme Court of Canada



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of Canada

History

The Supreme Court of Canada came into existence more than a century after the first courts appeared in what is now Canada. Its role has evolved considerably since its creation in 1875, as it stands today as the final court of appeal in the Canadian judicial system, a status that it did not originally have.

Decisions of the Supreme Court could originally be appealed to the Judicial Committee of the Privy Council in the United Kingdom. This did not change until 1933 for criminal appeals, and 1949 for civil appeals.

The Court was originally composed of six judges. In 1927, the number of Supreme Court judges was raised to seven, and the Court reached its present total of nine members in 1949. The *Supreme Court Act* requires that three of the nine be appointed from Quebec. Traditionally, the Governor in Council appoints three judges from Ontario, two from the West, and one from Atlantic Canada.

The Court first sits in the Railway Committee Room in the Parliament Buildings, after which it sat in several other rooms as they became available. In 1882, the Court moves to its own small two-storey building, which no longer exists, at the foot of Parliament Hill on Bank Street. It would be another 56 years before construction of the building currently occupied by the Court begins.

After delays caused by World War II and the government's use of the building to meet wartime needs, the Court finally takes possession in January 1946 and hears its first case there that same month.

The Supreme Court building has two bronze doors that give access to the impressive Grand Entrance Hall. At each end of the hall is a courtroom, one used by the Federal Court of Appeal and the other by the Federal Court. The Main Courtroom, reserved for the sole use of the Supreme Court, occupies the centre of the building on the first floor.

Jurisdiction of the Court

The Supreme Court is a general court of appeal from decisions of all other Canadian courts of law. It therefore has jurisdiction over disputes in all areas of the law, including constitutional law, administrative law, criminal law and private law. Most appeals are heard by the Court only if leave is first given. Leave to appeal is granted by the Court if, for example, the case involves a question of public importance or an important issue of law (or of both law and fact) that warrants consideration by the Court.



The Court in Session

The Supreme Court holds three sessions a year and hears, on average, between 65 and 80 appeals a year. Each session lasts three months. The first takes place in winter, the second in spring and the third in fall. Although the Court sits only in Ottawa, litigants can present oral arguments from remote locations by means of a videoconference system. The Court generally sits Monday to Friday, starting at 9:30 a.m. Its hearings are open to the public.

In some cases, the Court will render its decision orally at the conclusion of the hearing, but most of the time it reserves judgment to enable the judges to write considered reasons.



Credit: Cochran Photography

Decisions of the Court need not be unanimous: a majority may decide, in which case the minority will give dissenting reasons. Each judge may write reasons in any case if he or she chooses to do so. Judgments are published simultaneously, in both official languages, both in print and online.

Visits to the Court

From early May to the end of August, the Supreme Court of Canada building is open to the public from 9:00 a.m. to 5:00 p.m. daily, including weekends and holidays, and guided tours are conducted on a continuing basis. Please note that no tours are offered between 12:00 noon and 1:00 p.m.

From early September to the end of April, the building is open to the public from 9:00 a.m. to 5:00 p.m., Monday to Friday. Guided tours are available by pre-arrangement only. The building is closed on Saturdays and Sundays, and on statutory holidays.

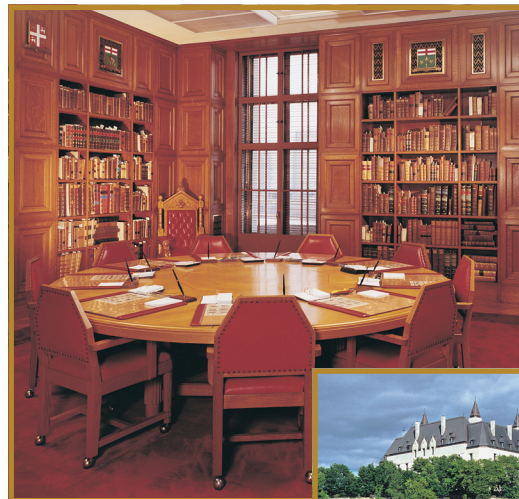
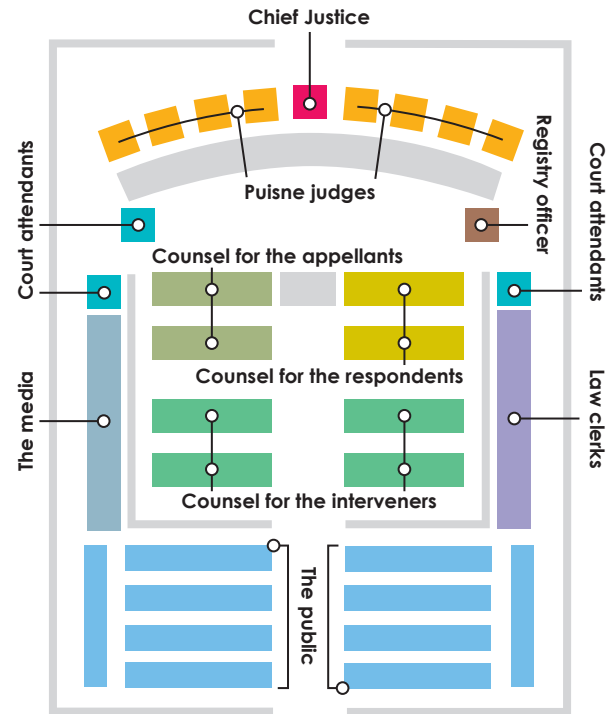
Group tours can be arranged throughout the year. Reservations for guided tours should be made in advance by filling out the online reservation request form at www.scc-csc.ca or calling 613-995-5361 or 1-866-360-1522.

Please note that, for reasons related to the work of the Court, it may be necessary to alter or cancel guided tours, sometimes on short notice.

Did you know?

- When it sat for the first time, on January 17, 1876, the Court quickly rose, as there was no business to dispose of. No cases came before it until April, when it examined a private bill that the Senate had referred to it for a report. The Court next sat for one week in June, when it heard three appeals. After that, no further hearings were held until January 1877; from then on, the Court held regular sessions with a busy schedule.
- Should the Governor General die, become incapacitated, be removed or be absent from the country for a period of more than one month, the Chief Justice or, if the Chief Justice is unavailable, the senior judge of the Supreme Court, would become the Administrator of Canada and exercise all the powers and authorities of the Governor General.
- The Governor in Council appoints all superior court judges across Canada, including judges of the Supreme Court of Canada. A judge may sit until he or she attains 75 years of age.
- The cornerstone of the Supreme Court building bears the wrong date. Queen Elizabeth laid the cornerstone of the new building in the presence of her husband, King George VI, on May 20, 1939. The ceremony had been planned for May 19, 1939, but was postponed when the royal couple were delayed at sea.
- There are two flagstaves at the front of the building. The one to the west is hoisted daily. The other flag flies only when the Court is sitting.
- Two tall statues stand next to the steps of the building: *Veritas* (Truth) to the west, and *Ivstitia* (Justice) to the east. They were sculpted in approximately 1920 to be part of a monument to King Edward VII designed by Toronto artist Walter S. Allward, the creator of the Canadian National Vimy Memorial in France. The statues were stored, and forgotten, for almost 50 years before being rediscovered. They were erected on their present site in 1970.
- At sittings of the Court, the judges usually wear black silk robes. They also have ceremonial robes of bright scarlet trimmed with Canadian white mink, which they wear in court on special occasions as well as in the Senate at the opening of each new session of Parliament.

Floor Plan



How to contact the Supreme Court

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