

FACT SHEET ON JUDICIAL EDUCATION

- The Canadian Judicial Council is composed of Canada’s most senior judges – the Chief Justices of our Superior courts.
- The most important responsibilities of the CJC are to oversee judicial conduct and judicial education; both are considered quasi-constitutional responsibilities of the judiciary.
- “Canadians expect their judges to know the law but also to possess empathy and to recognize and question any past personal attitudes and sympathies that might prevent them from acting fairly.” (*Camp* matter)
- Ensuring that judges are up to the task is something the CJC takes very seriously.
- Judges have an ethical obligation to devote sufficient time to maintain and enhance their knowledge and skills to ensure they discharge the duties of their office.
- The CJC is committed to ensuring judges continue to benefit from high quality, effective, ongoing professional development opportunities.
- There have been questions raised recently about judicial education. The facts are:
- The CJC has been a leader in ensuring the development and delivery of education programs that are internationally considered second to none.
- The CJC took the initiative in the early 1990’s to require social context education in all its key programs to ensure that judges – and in particular newly appointed judges – are aware of the challenges faced by vulnerable groups in society.
- The CJC has adopted a comprehensive approach to judicial education, to ensure that judges acquire and maintain the highest degree of knowledge.
- The CJC has adopted and made public clear guidelines about the importance of judicial education and the obligation of judges in this area.
- In effect, almost all newly appointed judges attend “new judges school.” The only exception are for lawyers appointed directly to a court of appeal. In April 2017, the CJC adopted a motion recognizing that the program for new judges is mandatory.
- New judges receive two weeks of intensive training during their first year. Their training over the next four years focuses on core judicial skills. That training is guided by their Chief Justice and may vary from judge to judge depending on their background and the work of the court on which they sit.

- New judges, upon appointment, are expected to develop education plans, receive mentoring and register for available courses.
- New judges' seminars include sessions on ethics, impartiality, criminal law (including sexual assault law), civil trials, judgment writing, managing the courtroom, disability in the courtroom, the Charter, oral judgments communications skills, family law, remedies and evidence, within a social context framework, as mandated by the CJC since 2004.
- Focused and specific seminars are given on aboriginal law, self-represented litigants and the safety and security of women, the latter program a collaboration with the Canadian Chapter of the International Association of Women Judges.
- Chief Justices play a key role in ensuring that judges of their Court do not hear cases for which they have not received appropriate training.
- After attending the courses for new judges, judges are then expected to devote a minimum of 10 days a year, outside of their regular hearing of cases, to judicial education.
- This includes court-based programs that include social context education.
- Judges who take judicial education programs to specifically prepare them to undertake duties assigned to them by the court may be given the time to do so from what would otherwise be sitting time.
- For 2017-18, the CJC approved training opportunities for 906 existing federally-appointed judges. This is in addition to the training that is provided to new judges this fiscal year and to training that is provided through Court-based programs.
- Training for provincially-appointed judges is not a CJC responsibility; however, we are working hard with the government and our provincial colleagues to facilitate access, by provincial judges, to CJC programs.
- Looking forward, the CJC is continuing to look at ways to increase awareness of social issues and law in areas of gender equality; aboriginal issues; poverty; and mental health issues to foster better access to justice for all Canadians.