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## The Role of Judges

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### Description

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Lamer, The Rt. Hon. Antonio, Speaker

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The speaker's belief that a skilled, dedicated and independent judiciary is a central element in a healthy democracy and that the judicial branch of government is probably the least understood. Evidence to support these statements from a recent study. The speaker's personal pride in Canada's judiciary and system of justice, and his enthusiasm for his role in it. The public's intolerance of injustice. A discussion of the role of the Courts in our society and how that evolved. New responsibilities under the Charter of Rights and Freedoms, and enhanced public interest. Judiciary and legislative responsibilities. The decisions of judges as the subject of public attention, and the appropriateness of that attention. Various aspects of the role of the judge. How judicial decisions serve a variety of public purposes. The important difference between having public confidence over the long term and being popular. The necessity for honest and accurate coverage of the decisions of courts. The Courts assisting journalists. Initiatives of the Canadian Journalism Foundation. Two areas of judicial responsibility: conduct and continuing education. The rarity of real misconduct. A study of conduct process and many other issues to be received late in the summer of 1995. Developments in continuing education. The challenge of the combined effects of pressure of work, delays and the expense of litigation. The need for more public concern for the discovery of the solutions to many of our problems. Waging war on delays in the Courts. Some accomplishments. Some examples of success. Ensuring that adequate tools are given to the courts to allow them to function effectively. The need to assess aspects of our system at a more systemic and institutional level. Some questions. The challenge to cope with the complexity and prolixity in legal proceedings. Finding ways to retain a fair process, but in the context of a process that can achieve practical results in a reasonable time and at reasonable expense. Consequences if this does not happen. Well-

informed public interest as the necessary starting point for needed reforms.

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**Full Text****The Rt. Hon. Antonio Lamer, Chief Justice of  
Canada****THE ROLE OF JUDGES****Chairman: John A. Campion****President, The Empire Club of Canada**

Head Table Guests

Mary Lou Benotto, Partner, Chappell, Bushell, Stewart and a Director, The Empire Club of Canada; Bryan Finlay, Q.C., Partner Weir & Foulds; Francois Rolland, Partner, Martineau Walker; Jane Pepino, Q.C., Partner, Aird & Berlis; The Hon. David Smith, P.C., Q.C., Chairman, Fraser & Beatty; Dennis O'Connor, Q.C., Partner, Borden & Elliot; The Hon. Mr. Justice Robert Sharpe, former Dean of University of Toronto Law School, now Justice of the Ontario Court (General Division); The Hon. Roy McMurtry, Q.C., Chief Justice of Ontario Court of Justice; His Eminence G. Emmett Cardinal Carter, C.C., Archbishop Emeritus of Toronto; Julie Hannaford, Partner, Borden & Elliot and 1st Vice-President, The Empire Club of Canada; Paul Lamek, Q.C., Partner, Genest Murray; Earl Cherniak, Q.C., Partner, Lerner & Associates; The Hon. Mr. Justice D. Carruthers, Ontario Court (General Division); The Hon. Madam Justice Kathy Feldman, Ontario Court (General Division); and The Hon John Morden, Associate Chief Justice of Ontario.

Introduction by John Campion

Job's Cry to Gallileo

In the cool, wet desert dawn of a middle-Eastern morning, a man lay dying in pain, suffering from an inglorious and unknown malady. The pathways for a cure were clouded in a mist of inadequate science. He endured his incapacity without comfort. He felt that life and his God had abandoned him. He called out:

"Let me but call a witness in my defence. Let the Almighty state his case against me. If my accuser had written out his indictment I would not keep silence and remain indoors."

So cried a Jewish man named Job in the pre-dawn of