

ETHICS ADVISORY COUNCIL REPORT

CAPCJ Spring Meeting 2023

The Ethics Advisory Council [EAC] is a subcommittee of the Judicial Ethics Committee [JEC]. Since the fall of 2017, the EAC has been responding to requests for advice on ethical questions raised by members of CAPCJ.

As there are EAC councils in Quebec and Ontario, members of those courts seek advice from their respective provincial committee.

The EAC provides advice only. It is up to the requesting member to determine the appropriate course of action.

The members meet over Teams and discuss the issue. The member from whose province the request has been received then drafts the consensus opinion and circulates it for review before releasing it. Often time is of the essence and the committee member who received the request for an opinion will advise the requesting member of the decision by phone or email with the formal decision to follow.

If there is a dissenting opinion, and none come to mind, the dissenting judge would prepare their opinion.

The EAC opinions are generally published on the website. They are anonymized. However, if a judge requests that the opinion not be published that request is respected. The posted opinions are available on an “open to members” portion of the website.

Judge Sandra Chapman chaired this subcommittee until her retirement in September of 2022. Her leadership has been instrumental, and the members will miss her wise guidance and good humour.

Judge Jacqueline Jenkins was appointed to this position but was unable to continue. The position was advertised twice because in the first attempt no one stepped forward. The second round of advertising is now closed, and we hope to have an announcement by the end of March.

In the interim Justice Morneau has been covering this position.

We have had no requests for advice since our last report.

The membership on this subcommittee is as follows:

Member	Term Expiry **
Judge Nancy Orr – Prince Edward Island	February 2024
Judge Alain Begin - Nova Scotia	Summer 2024
Judge Suzanne Bernard – New Brunswick	February 2024
Judge Julie Messier – Quebec	Sept. 2023
Judge Julia Morneau – Ontario	Fall 2024
Judge Kael McKenzie – Manitoba	Fall 2025
Judge Janet Dixon – Alberta	2025
Judge Roger Cutler – British Columbia	2024
Judge Nicole Angers – New Brunswick – CAPCJ committee liaison	
Vacancies in Newfoundland/Labrador, Yukon Northwest Territories and Saskatchewan.	

**** There is some confusion amongst the members as to the length of their term.**

Meeting held since last report – February 28, 2023

Dated March 15, 2023

Justice Julia Morneau

Acting Chair of Judicial Advisory Council