

May 7, 2014

The Honourable Stephen Harper
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2
By Fax: 613-941-6900

The Honourable Peter Gordon MacKay
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, ON K1A 0H8
By Fax: 613-954-0811

Dear Prime Minister Harper and Justice Minister McKay:

Re: Statements Regarding Chief Justice Beverley McLachlin

The Faculty of Law Council at the University of Calgary joins with the Canadian Council of Law Deans and members of the legal community across Canada in expressing its grave concern with respect to statements made by Prime Minister Stephen Harper and Minister of Justice Peter MacKay, suggesting that Chief Justice Beverley McLachlin engaged in improper conduct in the context of the appointment of Mr. Justice Marc Nadon to the Supreme Court of Canada.

On the contrary, the facts confirm that the Chief Justice's actions were consistent with the duties of her office, responsible, and beyond criticism. To suggest that the Chief Justice in performing her administrative role was inappropriately lobbying is to endanger one of the most important aspects of Canadian constitutional democracy, that being the relationship of respect between the independent judicial and executive arms of our government.

The University of Calgary Faculty of Law Council joins in the legal community's condemnation of the government's declarations regarding the actions of Chief Justice McLachlin. Our shared sentiment is that this is an unprecedented, baseless attack on one of the most important institutions of Canada's constitutional democracy.

We call on the Prime Minister and the Minister of Justice to immediately and unequivocally apologize to the Chief Justice for wrongly impugning her integrity and to the Supreme Court of Canada for attempting to compromise its independence.

Unanimously approved by the University of Calgary Law Faculty Council on May 6, 2014.