



Judicial Independence of the Supreme Court of Canada

Student worksheet

Use this worksheet to guide your thinking before, during, and after the video that you will watch. As you watch, focus on what judicial independence means and why it is important in a democratic society.

Before you watch

Before watching, match each term with the description you think is most appropriate.

Word Bank:

Rule of law	Impartiality	Democracy	Public confidence
Integrity	Legitimacy	Judicial independence	Jurisprudence

Descriptions:

- _____ : The idea that judges make decisions fairly, without bias, prejudice, or personal interest.
- _____ : The trust that people have in courts and the justice system.
- _____ : The principle that everyone, including governments, is subject to the law. In other words, no person or institution is above the law.
- _____ : A system of government where power comes from the people.
- _____ : The honesty and ethical standards expected of judges and public officials.
- _____ : The body of law and legal decisions developed by courts over time.
- _____ : The belief that a court's authority is rightful and should be accepted, even when decisions are unpopular.
- _____ : The ability of judges to make decisions without pressure or interference from others.

While you watch

As you watch the video, fill in the blanks for the main ideas below.

- Judicial independence allows judges to rule on cases without _____ or _____.
- According to Socrates, four things belong to a judge:
 - To hear _____
 - To answer _____
 - To consider _____
 - To decide _____
- What are the key differences between the three branches of power in Canada?
 - Legislative branch → _____
 - Executive branch → _____
 - Judicial branch → _____

4. Judges must be independent and be seen to be independent in order to maintain public _____ in the courts.
5. According to the video, how can public criticism from politicians affect judicial independence?

6. What event tested judicial independence in Canada in 2014?

After you watch

The video features several legal experts discussing judicial independence. Read the quotes provided below from the video and respond to the associated questions.

1. Frank Iacobucci → “The judiciary doesn’t have an army or financial power. It has only its legitimacy.”
What does legitimacy mean in this context?
 - a. What does legitimacy mean in this context?

 - b. Why is independence essential to maintaining legitimacy?

2. Beverley McLachlin → “There is a long tradition that judges do not answer public criticism.”
 - a. What does legitimacy mean in this context?

 - b. Why might judges avoid responding to criticism?

 - c. Why did former Chief Justice Beverley McLachlin feel it was necessary to respond to criticism by former Prime Minister Stephen Harper?

3. Annamaria Enenajor → “Judicial independence is the ability to decide what is right without fear of consequences.”
 - a. What kinds of consequences might judges fear without independence?

 - b. Why is protection from those consequences important?
