

## EDITORS' PREFACE

The reach of judicial speech is not the newest or largest of legal issues. It does, however, return to the foreground from time to time in rather dramatic fashion.<sup>1</sup> In January 1995 Justice Angers of the New Brunswick Court of Appeal wrote an open letter to Prime Minister Jean Chrétien and the Members of Parliament which was critical of the government's position on gun-control. This letter was widely circulated in the media and its contents became well known in New Brunswick. The public and political nature of the letter resulted in public outcry and renewed questions over the limits of judicial speech.

The Canadian Judicial Council established a panel to investigate concerns voiced and complaints received regarding Justice Angers. At the conclusion of the investigation the panel sent a letter expressing disapproval to Justice Angers. Further, the Canadian Judicial Council made public copies of both letters and relevant background material on account of public interest in the matter. Justice Angers responded with a public statement to clarify his position regarding this matter.

These events were significant in deciding the Forum subject for this year: Judicial Free Speech. The text of these three documents – Justice Angers' open letter to the Prime Minister, the Canadian Judicial Council's letter of disapproval to Justice Angers, and Justice Angers' statement on the matter – are reproduced in an appendix to the Forum as illustrative background material to the issues involved.

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<sup>1</sup>A particularly striking example of this issue would be the recent controversy surrounding the comments of Justice Jean Bienvenue of the Québec Superior Court and the question of the appropriate response to be made to those comments. See, "Quebec judge unfit, council decides" *Globe and Mail* (5 July 1996) A4.