

**NOTES FOR A SPEECH BY STÉPHANE RIVARD,
PRESIDENT OF THE FEDERATION OF LAW SOCIETIES OF CANADA,
ON THE OCCASION OF A CEREMONY TO WELCOME
THE HONOURABLE MR. JUSTICE THOMAS A. CROMWELL TO THE
SUPREME COURT OF CANADA**

Ottawa, Ontario

February 16, 2009

(Check against delivery)

Chief Justice McLachlin, Honourable Justices of the Supreme Court, Minister Nicholson, Minister Clarke, distinguished guests, family and friends of Mr. Justice Cromwell.

On an occasion where we celebrate such a well-deserved achievement in the truly exceptional career of Justice Thomas Cromwell, I am particularly honoured today to bring greetings and congratulations on behalf of the 14 governing bodies of the legal profession in Canada which regulate all of Canada's 95,000 lawyers and 3,500 Quebec notaries in the public interest.

As its President, I am honoured that the Federation has been invited to share this podium with representatives of other national and provincial institutions that play so central a role in the administration of justice and the preservation of the rule of law in Canada. And so I wish to thank Chief Justice McLachlin for this opportunity.

I am pleased to add my voice to the congratulations to Justice Cromwell on this momentous occasion. Not only is this a proud moment for him, but for his family as well, so I also offer my heartfelt congratulations to them on this singular achievement.

This occasion is a momentous one for so many reasons. It must surely be a measure of a successful appointment to this Court that the admiration for Justice Cromwell's personal and professional qualities have been so universally expressed by those who have practiced law with him, have been taught by him or who are familiar with his judgments. Admittedly, elevation to the Supreme Court is not and must not be a popularity contest, but if it were, it would be difficult to find Court-watchers with dissenting views about this choice.

Since Justice Cromwell is, in my estimation and no doubt his, still a young man, it would be presumptuous of me to suggest that this part of his professional journey marks the apex, the culmination, of his career. He has barely begun, so it is imprudent to speak of how this assignment caps off a brilliant life as a jurist. Some former members of this Court who are assembled here today might agree with me.

Wearing my hat as the President of the Federation of Law Societies of Canada, I prefer to focus on the beginning of Justice Cromwell's legal career. It is true that

moments such as these recall the time when a justice who moves up the ranks first swore the oath of office as a judge in a lower court.

But I prefer to go back further. Justice Cromwell's commitment to uphold the rule of law and to serve the public good began when he swore the oath administered to him when he was called to the bar and joined the ranks of the legal profession. For many, if not most of us in this room, that solemn moment filled us with more than pride and promise. It was at once the end point of our legal education and the launching pad for much more of the same. Becoming a member of our law society made us feel that we had joined an exclusive group but it instilled in us the overarching responsibility to serve the interests of justice, to serve the public and to serve our clients, and to do so with honour and integrity. Whatever paths we ultimately followed, whether to private or government practice, to the world of business, politics, academia or even to the judiciary, those first emotions when we became lawyers never leave us. And so it is during events such as these today, that the welcome of a new Justice to the Supreme Court is much more than an acknowledgement of Justice Cromwell's personal achievement. Rather, it is a time for all members of the legal profession to reflect on the commitments they made when they first took up their great responsibilities as part of one of the pillars of our system of justice.

The emotions that accompany the elevation of one of our former colleagues to the Supreme Court of Canada include that of shared pride. Pride which is shared by all of Canada's law societies and their nearly 100,000 members.

I conclude with an observation about Justice Cromwell's pre-legal training. You will know from his biography that his first formal training was as a musician and I understand that had he not made the fateful decision to become a lawyer perhaps he would today be an acclaimed professional organist – not a player of the kind of organ one keeps in the corner of a living room, but rather the pipe organ of the sort that adorns cathedrals or evokes images of the Phantom of the Opera. In this reflection of what could have been had Justice Cromwell pursued that path, one sees the metaphor for his career as a judge and particularly that of a judge of the highest court in the land – here, he will don flowing robes and play to vast audiences, sometimes playing solo, other times in a quintet or with the full orchestra. The chords he will strike will be crisp and precise, though on occasion he may deliberately choose a dissonant tone. Above all, his notes will reverberate for a long time and leave a profound impression on all who hear them. Today is a momentous occasion indeed - let the concert begin.

Justice Cromwell, once again, please accept my sincerest congratulations and best wishes. Thank you.