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[1980] S. C. R. Statistical Analysis

Anonymous

[1980] S. C. R. Statistical Analysis

STATISTICAL ANALYSIS OF [1980] S.C.R.

TABLES

Statistics compiled by the Boards of Editors of Volumes 20 and 21 of the Osgoode Hall Law Journal, York University. The editors wish to acknowledge the invaluable assistance of Mr. H. Laurence, a member of the 1982 graduating class of Osgoode Hall Law School, in the preparation of these tables. All tables except Table I deal with reported cases only.

TABLE I[1]

VOLUME OF WORK

			TOTAL
Reported Judgments[2]			
Private	Public		
46[3]	107[3]		149[3]
Reported Motions			
Allowed	Dismissed	Other	
5	0	0	5
Unreported Appeals[4]			
Allowed	Dismissed	Other	
12[5]	12	13	37
Unreported Motions			
Allowed	Dismissed	Other	
267	272	29	568
Unreported References			
1[5]			1[5]

[1] All data presented in this table are derived from the [1980] *Supreme Court Reports* and the [1981] *Supreme Court Reports* that were available at the time of compilation, and the [1980] *Bulletin of Proceedings Taken In the Supreme Court of Canada.*

[2] Appellate decisions and references are included under this heading; motions are not. A decision involving one or more appeals (including cross-appeals) or references is considered to be one case for the purpose of this category. Procedural cases are classified according to their underlying subject matters. If a case is classified under both "Private" and "Public", it is entered under each of these headings, but only once under "Total".

[3] *Solosky* v. *The Queen*, [1980] 1 S.C.R. 821, has been included under both "Private" ("Privilege") and "Public" ("Civil Rights") but only once under "Total". In like manner: *Dauphin Plains Credit Union Ltd.* v. *Xyloid Indus. Ltd.*, [1980] 1 S.C.R. 1182, has been included under both "Private" ("Interest") and "Public" ("Expropriation") and *Barratt* v. *City of North Vancouver*, [1980] 2 S.C.R. 418, has been included under both "Private" ("Negligence") and "Public" ("Municipal Law"); but only once under "Total".

[4] With respect to unreported decisions the following procedure applies: a decision involving one or more appeals (including cross-appeals) or one or more motions is entered under one of "Allowed", "Dismissed" or "Other" except if the dispositions of the appeals or motions are not the same, the decision is entered under "Other". The "Other" category also includes motions or appeals already heard by the Supreme Court in which judgment has not yet been delivered. It should be noted that appeals and motions of this nature will eventually be disposed of as "Allowed", "Dismissed" or "Other" and may be reported in subsequent volumes of the Supreme Court Reports.

[5] *Re Residential Tenancies Act 1979*, [1980] *Bulletin of Proceedings Taken In the Supreme Court of Canada* 26/11/80 is placed under both "Unreported Appeals" and "Unreported References" since it is an appeal to the Supreme Court of Canada from the disposition of this reference by the Ontario Court of Appeal.

TABLE II

BREAKDOWN BY SOURCE[1]

	PRIVATE			PUBLIC			Total from Source
	Affirmed	Reversed	Other	Affirmed	Reversed	Other	
Newfoundland and Labrador	0	0	0	0	2	0	2
Nova Scotia	0	2	2[8,11]	1	1	1[4]	7
Prince Edward Island	0	0	0	0	0	0	0
New Brunswick	1	1	0	0	1	0	3
Quebec	1	3	0	8	6	0	18
Ontario	9	6	1[7]	20	8	0	44
Manitoba	1	1	1[5]	6	3	1[5]	12
Saskatchewan	0	0	0	2	0	0	2
Alberta	0	3	0	6	3	1[9]	13
British Columbia	3[6]	2[10]	0	14[6]	3[10]	0	20
Yukon Territories	0	0	0	0	0	0	0
Northwest Territories	0	0	0	1	0	0	1
Court Martial Appeal Court	0	0	0	1	0	0	1
Federal Boards	0	0	0	0	0	0	0
Federal Courts	8[3]	1	0	10[3]	7	1[2]	26
TOTAL	23	19	4	69	34	4	149

[1] Only appellate decisions (including references on appeal from the decision of a lower court) are included in this table. Decisions may be classified under both "Private" and "Public" because of multiple subject matters. A decision involving one or more appeals (including cross-appeals) is entered once under "Affirmed", "Reversed" or "Other" unless the lower court is both affirmed and reversed, in which case the decision is entered once under two or more of "Affirmed", "Reversed" or "Other". A decision is entered only once under "Total from Source" unless it involves multiple appeals having different origins. Procedural decisions are classified according to their underlying subject matters.

[2] In *Adegbola* v. *Rivard*, [1980] 1 S.C.R. 758, the appeal was held to be abandoned.

[3] *Solosky* v. *The Queen*, [1980] 1 S.C.R. 821, has been included under both "Private" and "Public" for the purposes of this table.

[4] In *Ritcey* v. *The Queen*, [1980] 1 S.C.R. 1077, the Court affirmed in part and reversed in part the decision of the Supreme Court, Appeal Division.

[5] *Dauphin Plains Credit Union Ltd.* v. *Xyloid Indus. Ltd.*, [1980] 1 S.C.R. 1182, has been classified under both "Private" and "Public" for the purposes of this table. The Court affirmed in part and reversed in part the decision of the Court of Appeal.

[6] *Barratt* v. *City of North Vancouver*, [1980] 2 S.C.R. 418, has been included under both "Private" and "Public" for the purposes of this table.

[7] In *Can. Lab. Supplies Ltd.* v. *Englehard Indus. of Can. Ltd.*, [1980] 2 S.C.R. 450, the Court sent the case back for rehearing.

[8] In *Central and Eastern Trust Co.* v. *Irving Oil Ltd.*, [1980] 2 S.C.R. 29, the Court affirmed in part and reversed in part the decision of the Supreme Court, Appeal Division.

[9] In *Canadian Pacific Ltd.* v. *Town of Vulcan*, [1980] 2 S.C.R. 177, the Court affirmed in part and reversed in part the decision of the Supreme Court, Appellate Division.

[10] *British Pac. Properties Ltd.* v. *Min. of Hwys. and Pub. Works*, [1980] 2 S.C.R. 283, has been included under both "Private" and "Public" for the purposes of this table.

[11] In *Carl V. Potter Ltd.* v. *Mercantile Bank of Can.*, [1980] 2 S.C.R. 343, the Court affirmed in part and reversed in part the decision of the Supreme Court, Appeal Division.

TABLE III

SUBJECT MATTER OF LITIGATION[1]

This table indicates, first, the breakdown by subject matters of the reported cases; second, the number of cases decided by a given majority/dissent ratio within a given subject matter; and third, with respect to "Appellate" cases only, the number of those cases in which the Supreme Court affirmed, reversed or took other action with respect to the decision of the court immediately below. For example, there are two cases dealing with "Wills". In one of those cases, the majority consisted of five judges, no justices dissented and the court below was reversed. In the other case, the majority consisted of four judges, one justice dissented and the court below was affirmed.

	Number of Cases Reported	Majority/ Dissent Ratio	Affirmed	Reversed	Other
ORIGINAL JURISDICTION					
References[2]	1	1;8/0	0	1	0
Reported Motions	5	1;9/0	1	0	0
		4;5/0	4	0	0
APPELLATE					
(a) PRIVATE					
(i) *Administration and Succession*					
Dependent's Relief					
Devolution					
Executors and Administrators	1[41]	1;4/1	1[41]	0	0
Wills	2[21,41]	1;5/0	0	1[21]	0
		1;4/1	1[41]	0	0
(ii) *Commercial*					
Accounts					
Agency	2[46]	2;5/0	0	2[46]	0
Assignments					
Bankruptcy	1	1;6/1	1	0	0
Banks and Banking	1[52]	1;7/0	0	0	1[52]
Companies	1[54]	1;7/0	0	0	1[54]
Contract	6[29,46,47]	6;5/0	2	4[29,46,47]	0
Debtor and Creditor	2[26]	1;5/2	0	0	1[26]
		1;5/0	1	0	0
Insurance	4[6]	1;7/0	0	1	0
		1;4/3	0	1	0
		2;5/0	2[6]	0	0
Interest	1[50]	1;5/0	0	1[50]	0
Sale of Goods	1	1;5/0	0	1	0
(iii) *Domestic Relations*					
Adoption	1[28]	1;5/0	1[28]	0	0
Annulment					
Child Welfare and Custody	1[28]	1;5/0	1[28]	0	0

	Number of Cases Reported	Majority/ Dissent Ratio	Affirmed	Reversed	Other
Divorce	1[3]	1;5/4	0	1[3]	0
Judicial Separation					
Maintenance and Support					
Matrimonial Property	3[3,31,39]	1;9/0	1[39]	0	0
		1;5/4	0	1[3]	0
		1;5/0	0	1[31]	0
(iv) *Intellectual Property*					
Copyrights	1	1;9/0	1	0	0
Industrial Designs					
Patents					
Trade Marks	1	1;5/0	1	0	0
(v) *Land*					
Hypothecs and Mortgages	1	1;7/0	0	1	0
Landlord and Tenant					
Mechanics' Liens	1	1;5/0	1	0	0
Real Property	2[5,47]	1;5/0	0	1[47]	0
		1;4/1	0	1[5]	0
(vi) *Natural Resources*	1	1;5/0	1	0	0
(vii) *Torts*					
Assault and Battery	2[40]	2;7/0	0	2[40]	0
Bailment	1	1;4/1	1	0	0
Conspiracy and Intimidation					
Conversion and Detinue					
False Imprisonment					
Libel and Slander					
Negligence	5[30,40,52]	4;7/0	1[30]	2[40]	1[52]
		1;5/0	0	1	0
Nuisance					
Occupier's Liability					
Trespass					
Vicarious Liability					
(viii) *Other*					
Admiralty and Shipping	3[6]	1;9/0	0	1	0
		2;5/0	2[6]	0	0
Associations	1	1;5/0	0	1	0
Charities					
Choses in Action					
Conflict of Laws					
Damages	2	2;5/0	1	1	0

	Number of Cases Reported	Majority/ Dissent Ratio	Affirmed	Reversed	Other
Master and Servant	1	1;7/0	1	0	0
Privilege	3[5,14]	1;9/0	1[14]	0	0
		1;5/0	1	0	0
		1;4/1	0	1[5]	0
Trusts and Trustees	3[21,39,46]	1;9/0	1[39]	0	0
		2;5/0	0	2[21,46]	0
(b) PUBLIC					
Administrative Boards	16[4,12,27,37,44,53]	1;9/0	1[4,12]	0	0
		1;6/3	0	1	0
		1;8/0	1	0	0
		6;7/0	2[44]	3	1[53]
		1;6/1	1	0	0
		6;5/0	4[27]	2[37]	0
Assessment	1[35]	1;5/0	0	1[35]	0
Certiorari	3[8,37]	1;9/0	0	1	0
		1;6/1	0	1[8]	0
		1;5/0	0	1[37]	0
Civil Rights	1[14]	1;9/0	1[14]	0	0
Combines	1[36]	1;6/1	0	1[36]	0
Constitutional	14[9,12,15,22,32,33,38,51]	3;9/0	3[9,12,51]	0	0
		2;7/2	2	0	0
		1;6/3	0	1[15]	0
		1;5/4	0	1	0
		6;7/0	3[32]	2[33]	1[22]
		1;4/3	1[38]	0	0
Criminal	47[7,9,10,11,16,17,19,20,22,23,24,25,32,34,36,42,45,49]	1;9/0	1[9]	0	0
		2;8/1	2[16,17]	0	0
		1;6/3	1[10]	0	0
		28;7/0	23[11,19,20,24,32,42]	4[23]	1[22]
		2;6/1	1	1[36]	0
		5;5/2	2[45]	3[7,25,34]	2
		1;4/3	1	0	0
		7;5/0	6[49]	1	0
Crown and Sovereign Immunity					
Elections					
Expropriation	2[50]	2;5/0	1	1[50]	0
Habeas Corpus	1[49]	1;5/0	1[49]	0	0
Immigration	1	1;6/3	1	0	0
International					

	Number of Cases Reported	Majority/ Dissent Ratio	Affirmed	Reversed	Other
Labour	11[4,8,34,37,44]	1;9/0	1[4]	0	0
		1;7/2	1	0	0
		1;7/0	1[44]	0	0
		1;6/1	0	1[8]	0
		1;5/2	0	1[34]	0
		1;6/0	0	1	0
		5;5/0	3	2[37]	0
Mandamus					
Municipal	3[30,43]	1;7/0	1[30]	0	0
		1;5/2	1[43]	0	0
		1;4/1	0	1	0
Native Rights	1	1;7/0	0	1	0
Prohibition					
Public Utilities					
Railways					
Securities					
Statutory Interpretation	3[19,43,48]	1;7/0	1[19]	0	0
		1;5/2	1[43]	0	0
		1;5/0	1[48]	0	0
Taxation	9[33,38,48,51]	1;9/0	1[51]	0	0
		2;7/0	0	2[33]	0
		1;4/3	1[38]	0	0
		5;5/0	4[48]	1	0
Unemployment	2	1;7/0	0	1	0
		1;5/0	0	1	0
(c) PROCEDURAL					
Appeal	4[13,27,29,31]	1;7/0	0	0	1[13]
		3;5/0	1[27]	2[29,31]	0
Costs	1[55]	1;5/0	0	0	1[55]
Declaratory Action					
Evidence	16[3,7,10,11,16,17,23,24,25,45]	3;9/0	3	0	0
		2;8/1	2[16,17]	0	0
		1;6/3	1[10]	0	0
		1;5/4	0	1[3]	0
		6;7/0	3[11,24]	3[23]	0
		3;5/2	1[45]	2[7,25]	0
Injunctions					
Jurisdiction	5[20]	4;7/0	3[20]	1	0
		1;6/1	1	0	0
Limitation Periods	1[13]	1;7/0	0	0	1[13]
Procedure	2[42]	2;7/0	1[42]	1	0
Res Judicata	2[35]	1;7/0	1	0	0
		1;5/0	0	1[35]	0
Standing					

[1] A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purposes of this table unless the results differ with respect to affirmation or reversal, or the vote or composition of majority or minority varies among the appeals, motions or references. Multiple entries are made if a case involves more than one subject matter of importance.

[2] Appeals from decisions on references brought before lower courts are classified according to subject matter under "Appellate".

[3] *Harper* v. *Harper*, [1980] 1 S.C.R. 2, has been included under "Divorce", "Matrimonial Property" and "Evidence" for the purposes of this table. Estey J. (Pigeon, Pratte and McIntyre JJ. concurring) dissented in part.

[4] *Northern Telecom Ltd.* v. *Communications Workers of Can.*, [1980] 1 S.C.R. 115, has been included under both "Labour" and "Administrative Boards" for the purposes of this table.

[5] *McCauley* v. *McVey*, [1980] 1 S.C.R. 165, has been included under both "Real Property" and "Solicitor and Client" for the purposes of this table.

[6] *Green Forest Lumber Ltd.* v. *General Security Ins. Co.*, [1980] 1 S.C.R. 176, has been included under both "Insurance" and "Admiralty and Shipping" for the purposes of this table.

[7] *The Queen* v. *Ali*, [1980] 1 S.C.R. 221, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[8] *Douglas Aircraft Co. of Can.* v. *McConnell*, [1980] 1 S.C.R. 245, has been included under both "Certiorari" and "Labour" for the purposes of this table. Estey J. dissented in part.

[9] *Jack* v. *The Queen*, [1980] 1 S.C.R. 294, has been included under both "Constitutional" and "Criminal" for the purposes of this table.

[10] *McFall* v. *The Queen*, [1980] 1 S.C.R. 321, has been included under "Criminal" and "Evidence" for the purposes of this table.

[11] *The Queen* v. *Jean*, [1980] 1 S.C.R. 400, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[12] *Can. Pioneer Mgt. Ltd.* v. *Lab. Rel. Bd. of Sask.*, [1980] 1 S.C.R. 433, has been included under both "Administrative Boards" and "Constitutional" for the purposes of this table. Pratte J. participated in the judgment but was not a party to the reasons.

[13] *Adegbola* v. *Rivard*, [1980] S.C.R. 758, has been included under both "Limitation Periods" and "Appeal" for the purposes of this table. The appeal was held to be abandoned.

[14] *Solosky* v. *The Queen*, [1980] 1 S.C.R. 821, has been included under both "Civil Rights" and "Privilege" for the purposes of this table.

[15] *Labatt Breweries of Can. Ltd.* v. *A.G. Can.*, [1980] 1 S.C.R. 914, has been included under both "Administrative Boards" and "Constitutional" for the purposes of this table.

[16] *Rosen* v. *The Queen*, [1980] 1 S.C.R. 961, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[17] *Goldman* v. *The Queen*, [1980] 1 S.C.R. 976, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[18] *Four B Mfg. Ltd.* v. *United Garment Workers of America*, [1980] 1 S.C.R. 1031, has been included under both "Labour" and "Constitutional" for the purposes of this table.

[19] *The Queen* v. *Kranneburg*, [1980] 1 S.C.R. 1053, has been included under both "Criminal" and "Statutory Interpretation" for the purposes of this table.

[20] *The Queen* v. *Thompson*, [1980] 1 S.C.R. 1063, has been included under both "Criminal" and "Jurisdiction" for the purposes of this table.

[21] *Lottman* v. *Stanford*, [1980] 1 S.C.R. 1065, has been included under both "Wills" and "Trusts and Trustees" for the purposes of this table.

[22] *Ritcey* v. *The Queen*, [1980] 1 S.C.R. 1077, has been included under both "Constitutional" and "Criminal" for the purposes of this table. The appeals of four of the appellants were allowed and the appeal of the fifth appellant was dismissed.

[23] *The Queen* v. *Crosthwait*, [1980] 1 S.C.R. 1089, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[24] *The Queen* v. *Barnier*, [1980] 1 S.C.R. 1124, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[25] *Cooper* v. *The Queen*, [1980] 1 S.C.R. 1149, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[26] In *Dauphin Plains Credit Union Ltd.* v. *Xyloid Indus. Ltd.*, [1980] 1 S.C.R. 182, the appeal was allowed in part and dismissed in part. Estey J. (Chouinard J. concurring) dissented in part.

[27] *Cornish-Hardy* v. *Bd. of Referees (Unemployment Ins. Act)*, [1980] 1 S.C.R. 1218, has been included under both "Administrative Boards" and "Appeal" for the purposes of this table.

[28] *Williams* v. *Hillier*, [1980] 2 S.C.R. 368, has been included under both "Adoption" and "Child Welfare and Custody" for the purposes of this table.

[29] *Landry* v. *Lapointe*, [1980] 2 S.C.R. 412, has been included under both "Contract" and "Appeal" for the purposes of this table.

[30] *Barratt* v. *City of North Vancouver*, [1980] 2 S.C.R. 418, has been included under both "Negligence" and "Municipal" for the purposes of this table.

[31] *Wouk* v. *Halvorson*, [1980] 2 S.C.R. 430, has been included under both "Matrimonial Property" and "Appeal" for the purposes of this table.

[32] *The Queen* v. *Sutherland*, [1980] 2 S.C.R. 451, has been included under both "Constitutional" and "Criminal" for the purposes of this table.

[33] *A.G. B.C.* v. *Canada Trust Co.*, [1980] 2 S.C.R. 466, has been included under both "Constitutional" and "Taxation" for the purposes of this table.

[34] *Gratewicz* v. *The Queen*, [1980] 2 S.C.R. 493, has been included under both "Criminal" and "Labour" for the purposes of this table.

[35] *Kew* v. *Burlington*, [1980] 2 S.C.R. 598, has been included under both "Assessment" and "Res Judicata" for the purposes of this table.

[36] *Atlantic Sugar Ltd.* v. *A.G. Can.*, [1980] 2 S.C.R. 644, has been included under both "Combines" and "Criminal" for the purposes of this table.

[37] *Yellow Cab Ltd.* v. *Bd. of Indus. Rel.*, [1980] 2 S.C.R. 761, has been included under "Administrative Boards", "Certiorari" and "Labour" for the purposes of this table.

[38] *Covert* v. *Min. of Finance of Nova Scotia*, [1980] 2 S.C.R. 774, has been included under both "Constitutional" and "Taxation" for the purposes of this table.

[39] *Pettkus* v. *Becker*, [1980] 2 S.C.R. 834, has been included under both "Matrimonial Property" and "Trusts and Trustees" for the purposes of this table.

[40] *Reibl* v. *Hughes*, [1980] 2 S.C.R. 880, has been included under "Assault and Battery" and "Negligence" for the purposes of this table.

[41] *Public Trustee* v. *Guaranty Trust Co. of Can.*, [1980] 2 S.C.R. 931, has been included under both "Executors and Administrators" and "Wills" for the purposes of this table.

[42] *The Queen* v. *Chabot*, [1980] 2 S.C.R. 985, has been included under both "Criminal" and "Procedure" for the purposes of this table.

[43] *Homex Realty and Dev. Co.* v. *Village of Wyoming*, [1980] 2 S.C.R. 1011, has been included under both "Municipal" and "Statutory Interpretation" for the purposes of this table.

[44] *A.G. Que.* v. *Labrecque*, [1980] 2 S.C.R. 1057, has been included under both "Administrative Boards" and "Labour" for the purposes of this table.

[45] *Pappajohn* v. *The Queen*, [1980] 2 S.C.R. 120, has been included under both "Criminal" and "Evidence" for the purposes of this table.

[46] *Greenwood Shopping Plaza* v. *Beattie*, [1980] 2 S.C.R. 228, has been included under "Agency", "Contract" and "Trusts and Trustees" for the purposes of this table.

[47] *Hechter* v. *Thurston*, [1980] 2 S.C.R. 254, has been included under both "Contract" and "Real Property" for the purposes of this table.

[48] *The Queen* v. *Campbell*, 2 S.C.R. 256 has been included under both "Statutory Interpretation" and "Taxation" for the purposes of this table.

[49] *Korponay* v. *Kulik*, [1980] 2 S.C.R. 265, has been included under both "Criminal" and "Habeas Corpus" for the purposes of this table.

[50] *British Pac. Properties Ltd.* v. *Min. of Hwys. and Pub. Works*, [1980] 2 S.C.R. 283, has been included under both "Expropriation" and "Interest" for the purposes of this table.

[51] *The Queen* v. *Air Canada*, [1980] 2 S.C.R. 303, has been included under both "Constitutional" and "Taxation" for the purposes of this table.

[52] *Carl V. Potter Ltd.* v. *Mercantile Bank of Can.*, [1980] 2 S.C.R. 343, has been included under both "Banks and Banking" and "Negligence" for the purposes of this table. The appeal was allowed and the cross-appeal was dismissed.

[53] In *Canadian Pacific Ltd.* v. *Town of Vulcan*, [1980] 2 S.C.R. 177, the appeal was allowed and the cross-appeal was dismissed.

[54] In *Central and Eastern Trust Co.* v. *Irving Oil Ltd.*, [1980] 2 S.C.R. 29, the appeal was dismissed and the cross-appeal was allowed.

[55] In *Can. Lab. Supplies Ltd.* v. *Englehard Indus. of Can. Ltd.*, [1980] 2 S.C.R. 450, Laskin C.J.C., on a rehearing of [1979] 2 S.C.R. 787, ordered that the money paid into court by the respondent be paid out to the appellant and varied the costs order made in that judgment.

TABLE IV

MAJORITY/DISSENT RATIO[1]

Total Number of Cases Reported	155
Unanimous Decisions	125
Split Decisions	30

9/0.....13	8/0.....1	7/0.....58	6/0.....1	5/0.....53
8/1.....2	7/1.....0	6/1.....6	5/1.....0	4/1.....4
7/2.....2	6/2.....0	5/2.....7	4/2.....0	3/2.....0
6/3.....3	5/3.....0	4/3.....3	3/3.....0	
5/4.....2	4/4.....0			

[1] Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purposes of this table unless the composition of majority and minority varies among the appeals, motions or references. Dissenting judgments include dissents in part.

TABLE V

TYPE OF WORK[1]

	Common Law	Civil Law	Constitutional	Criminal	Other Public Law	Reported Motions
Beetz	20	3	5	39	30	3
Chouinard	19	1	3	27	23	2
Dickson	33	4	6	42	32	5
Estey	35	4	4	39	34	5
Lamer	7	2	0	15	8	1
Laskin	18	1	4	24	11	4
Martland	25	4	6	40	24	4
McIntyre	33	5	5	37	28	5
Pigeon	11	2	5	25	15	3
Pratte	6	1	2	11	5	1
Ritchie	23	4	6	35	26	4
Spence	0	0	0	1	3	0

The composition of the Court changes as follows:
Retired: Spence Dec. 29, 1978* Joined: Lamer March 28, 1980
Pigeon Feb. 8, 1980

* In *Northern Telecom Ltd.* v. *Communications Workers of Can.*, [1980] 1 S.C.R. 115, *Volvo Can. Ltd.* v. *UAW Local 720*, [1980] 1 S.C.R. 178, *Douglas Aircraft Co. of Can.* v. *McConnell*, [1980] 1 S.C.R. 245 and *McFall* v. *The Queen*, [1980] 1 S.C.R. 321, the appeals were heard in 1978 but judgments were not given until 1980.

[1] Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions or references is considered to be one case for the purposes of this table. Procedural cases and references are classified according to their underlying subject matters. Cases involving multiple subject matters may be classified under one or more of "Common Law", "Civil Law", "Constitutional", "Criminal" or "Other Public Law".

Jack v. *The Queen*, [1980] 1 S.C.R. 294, heard before Laskin C.J., Martland, Ritchie, Pigeon, Dickson, Beetz, Estey, Pratte and McIntyre JJ., has been included under both "Constitutional" and "Criminal" because of multiple subject matters.

Can. Pioneer Mgt. Ltd. v. *Lab. Rel. Bd. of Sask.*, [1980] 1 S.C.R. 433, heard before Laskin C.J., Dickson, Beetz, Martland, Ritchie, Pigeon, Estey and McIntyre JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Administrative Boards".

Solosky v. *The Queen*, [1980] 1 S.C.R. 821, heard by Laskin C.J., Dickson, Martland, Ritchie, Pigeon, Beetz, Estey, Pratte and McIntyre JJ., has been included under both "Common Law" and "Other Public Law" because of multiple subject matters, specifically, "Privilege" and "Civil Rights".

Labatt Breweries of Can. Ltd. v. *A.G. Can.*, [1980] 1 S.C.R. 914, heard by Laskin C.J., Pigeon, McIntyre, Ritchie, Martland, Dickson, Beetz and Pratte JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Administrative Boards".

Four B Mfg. Ltd. v. *United Garment Workers of America*, [1980] 1 S.C.R. 1031, heard before Laskin C.J., Ritchie, Beetz, Martland, Pigeon, Dickson, Estey, Pratte and McIntyre JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Labour".

The Queen v. *Kranneburg*, [1980] 1 S.C.R. 1053, heard before Dickson, Martland, Ritchie, Pigeon, Beetz, Estey and McIntyre JJ., has been included under both "Criminal" and "Other Public Law" because of multiple subject matters, specifically, "Criminal" and "Statutory Interpretation".

Ritcey v. *The Queen*, [1980] 1 S.C.R. 1077, heard before Ritchie, Martland, Pigeon, Dickson, Beetz, Estey and Chouinard JJ., has been included under both "Constitutional" and "Criminal" because of multiple subject matters.

Dauphin Plains Credit Union Ltd. v. *Xyloid Indus. Ltd.*, [1980] 1 S.C.R. 1182, heard before Pigeon, Martland, Ritchie, Beetz, McIntyre, Estey and Chouinard JJ., has been included under both "Common Law" and "Other Public Law" because of multiple subject matters, specifically, "Debtor and Creditor" and "Taxation".

Barratt v. *City of North Vancouver*, [1980] 2 S.C.R. 418, heard before Martland, Ritchie, Dickson, Beetz, Estey, McIntyre and Chouinard JJ., has been included under both "Common Law" and "Other Public Law" because of multiple subject matters, specifically, "Negligence" and "Municipal".

The Queen v. *Sutherland*, [1980] 2 S.C.R. 451, heard before Dickson, Martland, Ritchie, Beetz, Estey, McIntyre and Chouinard JJ., has been included under both "Constitutional" and "Criminal" because of multiple subject matters.

A.G. B.C. v. *Canada Trust Co.*, [1980] 2 S.C.R. 466, heard before Dickson, Martland, Ritchie, Pigeon, Beetz, Estey and Chouinard JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Taxation".

Gratewicz v. *The Queen*, [1980] 2 S.C.R. 493, heard before Chouinard, Ritchie, Dickson, Beetz, Estey, McIntyre and Martland JJ., has been included under both "Criminal" and "Other Public Law" because of multiple subject matters, specifically, "Criminal" and "Labour".

Atlantic Sugar Ltd. v. *A.G. Can.*, [1980] 2 S.C.R. 644, heard before Pigeon, Martland, Ritchie, Dickson, Beetz, McIntyre and Estey JJ., has been included under both "Criminal" and "Other Public Law" because of multiple subject matters, specifically, "Criminal" and "Combines".

Covert v. *Min. of Finance of Nova Scotia*, [1980] 2 S.C.R. 774, heard before Martland, Pigeon, Beetz, Chouinard, Dickson, Ritchie and McIntyre JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Taxation".

Korponay v. *Kulik*, [1980] 2 S.C.R. 265, heard before Laskin C.J., Dickson, Beetz, Estey, Martland, McIntyre, Chouinard and Lamer JJ., has been included under both "Criminal" and "Other Public Law" because of multiple subject matters, specifically, "Criminal" and "Habeas Corpus".

British Pac. Properties Ltd. v. *Min. of Hwys. and Pub. Works*, [1980] 2 S.C.R. 283, heard before Laskin C.J., Beetz, Estey, McIntyre and Lamer JJ., has been included under both "Common Law" and "Other Public Law" because of multiple subject matters, specifically, "Interest" and "Expropriation".

The Queen v. *Air Canada*, [1980] 2 S.C.R. 303, heard before Laskin C.J., Martland, Ritchie, Pigeon, Dickson, Beetz, Estey, McIntyre and Chouinard JJ., has been included under both "Constitutional" and "Other Public Law" because of multiple subject matters, specifically, "Constitutional" and "Taxation".

TABLE VI

ACTION OF THE JUSTICES[1,2]

This table indicates, first, the number of cases on which a justice sat; second, the number of cases in which a justice wrote a judgment (whether "Majority" or "Dissent"); third, the number of cases in which a justice did not write a judgment and concurred with the judgment of a particular justice. For example, Laskin C.J.C. sat on sixty-eight cases, wrote thirty-four majority and seven dissenting judgments, and concurred in the majority judgment of another justice in twenty-six cases and in the dissenting judgment of another justice in one case without writing a judgment of his own. Further he participated in one *per curiam* decision, concurred with the majority judgment of Beetz J. once, Chouinard J. once, Dickson J. six times, and so on, and concurred with the dissenting judgment of Estey J. once.

Justice	Number of Cases	Judgments	Concurrences	Concurrences with Another Justice												
				Per Curiam[2]	Beetz	Chouinard	Dickson	Estey	Lamer	Laskin	Martland	McIntyre	Pigeon	Pratte	Ritchie	Spence
Beetz	115															
Majority		9	105	2	0	6	13	11	2	19[6]	18	10	11	1	12	0
Dissent		0	1	0	0	0	0	0	0	0	0	0	1	0	0	0
Chouinard	81															
Majority		7	73	3	3	0	7	6	3	15[6]	17	6	5	0	8	0
Dissent		0	1[7]	0	0	0	0	1[7]	0	0	0	0	0	0	0	0
Dickson	132															
Majority		19	106	4	5	7	0	13	3	28[6]	16	14	7	1	8	0
Dissent		4	2	0	0	0	0	1	0	1	0	0	0	0	0	0

Estey	130															
Majority		18[5]	101[5]	5	5	7	16[5]	0	1	23[6]	13	12	7	0	12	0
Dissent		8 [7,9,10]	4	0	0	0	2	0	0	1	0	0	0	0	1	0
Lamer	33															
Majority		3	30	1	1	2	4	0	0	11	7	3	0	0	1	0
Dissent		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Laskin	68															
Majority		34[6]	26	1	1	1	6	3	2	0	2	7	0	0	3	0
Dissent		7	1	0	0	0	0	1	0	0	0	0	0	0	0	0
Martland	114															
Majority		26[4]	85[4]	4	7	3	12	9	2	21	0	10[4]	8	0	9	0
Dissent		2	2	0	0	0	0	0	0	0	0	1	0	0	1	0
McIntyre	125															
Majority		17	100	3	6	3	16	9	1	25[6]	16	0	10	1	10	0
Dissent		2	6	0	0	0	2	1[9]	0	1	0	0	0	0	0	0
Pigeon	72															
Majority		13	56	2	5	4	8	6	0	6	7	9	0	1	8	0
Dissent		2	1	0	0	0	0	1[9]	0	0	0	0	0	0	0	0
Pratte	30[8]															
Majority		2	23	1	2	0	3	2	0	2	0	6	4	0	3	0
Dissent		1	3	0	0	0	0	1[9]	0	0	1	0	1	0	0	0
Ritchie	111															
Majority		17	86[3]	2	6	3	9	7[3]	2	22[3,6]	19	10	7	0	0	0
Dissent		4	4	0	0	0	2	0	0	2	0	0	0	0	0	0
Spence	4															
Majority		0	3	0	0	0	1	0	0	1	0	0	1	0	0	0
Dissent		0	1	0	0	0	0	1	0	0	0	0	0	0	0	0

[1] Both "Original Jurisdiction" and "Appellate" decisions are included in this table. A decision involving one or more appeals (including cross-appeals), motions, or references is considered to be one case for the purposes of this table unless the vote or composition of majority or minority varies among the appeals, motions or references.

Where, in our opinion, a justice indicates approval of another judgment without officially adopting it as his own, no concurrence is entered. Where one judgment is delivered as the opinion of the Court, all other justices sitting on the case are entered as concurring with the author of the opinion.

[2] The Court delivered five *per curiam* decisions in 1980. In *Canadian Pacific Ltd.* v. *Can. Transport Comm'n*, [1980] 1 S.C.R. 319, the Court was composed of Ritchie, Beetz, Estey, McIntyre and Chouinard JJ. In *Re Authority of Parliament in relation to the Upper House*, [1980] 1 S.C.R. 54, the Court was composed of Laskin C.J., Martland, Ritchie, Pigeon, Dickson, Estey, Pratte and McIntyre JJ. In *Gulf Oil Canada* v. *Poulin*, [1980] 1 S.C.R. 669, the Court was composed of Martland, Dickson, Estey, McIntyre and Chouinard JJ. In *Olsen* v. *The Queen*, [1980] 1 S.C.R. 808, the Court was composed of Martland, Pigeon, Dickson, Estey and Chouinard JJ. In *Mastermet Cobalt Mines Ltd.* v. *Canadaka Mines Ltd.*, [1980] 2 S.C.R. 119, the Court was composed of Martland, Dickson, Beetz, Estey and Lamer JJ.

[3] In *R.* v. *McLaughlin*, [1980] 2 S.C.R. 331, Ritchie J. concurred in the majority judgments of both Laskin C.J. and Estey J.

[4] In *Pappajohn* v. *The Queen*, [1980] 1 S.C.R. 120, Martland J. wrote a separate opinion and concurred in the majority judgment of McIntyre J.

[5] In *Solosky* v. *The Queen*, [1980] 1 S.C.R. 821, Estey J. wrote a separate opinion and concurred in the majority judgment of Dickson J.

[6] In *The Queen* v. *Burdick*, [1980] 2 S.C.R. 1056, Laskin C.J. delivered an oral judgment which was concurred in by Ritchie, Dickson, Beetz, Estey, McIntyre and Chouinard JJ.

[7] In *Dauphin Plains Credit Union Ltd.* v. *Xyloid Indus. Ltd.*, [1980] 1 S.C.R. 1182, Estey J. (Chouinard J. concurring) dissented in part.

[8] In *Can. Pioneer Mgt. Ltd.* v. *Lab. Rel. Bd. of Sask.*, [1980] 1 S.C.R. 433, Pratte J. participated in the judgment but was not a party to the reasons. Majority opinions were written by Laskin C.J. and Beetz J.

[9] In *Harper* v. *Harper*, [1980] 1 S.C.R. 2, Estey J. (Pigeon, Pratte and McIntyre JJ. concurring) dissented in part.

[10] In *Douglas Aircraft Co. of Can. Ltd.* v. *McConnell*, [1980] 1 S.C.R. 245, Estey J. dissented in part.