



NOVA SCOTIA COURT *of* APPEAL

Annual Report

2025



The Law Courts, 5th Floor, 1815 Upper Water St., Halifax, NS, B3J 1S7
www.courts.ns.ca

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Message from the Hon. Michael J. Wood, Chief Justice of Nova Scotia

I'm pleased to release the Nova Scotia Court of Appeal's 2025 Annual Report.

This report, now in its fourth year, has become an important way in which our Court shares information with the public about our work, caseloads, and timelines. It enhances the transparency and public accountability of the Court.

Public engagement and education continue to be priorities for the Nova Scotia Court of Appeal. Over the last year, judges of the Court have hosted journalism students to learn about the open court principle, taken part in a March Break internship for African Nova Scotian, Black, Indigenous, and Mi'kmaq high school students, and delivered remarks to a variety of different public and legal audiences. These are just a few examples to highlight our judges' belief that

communication and engagement is vital to expanding public understanding of the Court's work. It also helps to build confidence in the neutrality and independence of the judicial branch of government.

One area of particular focus in 2025 has been continued progress in establishing a new electronic filing and document management system. I want to thank the various user groups – court and courthouse staff, lawyers, and our own judges – who have given so much of their time and knowledge to assist those who are building this new system.

This project would not be possible without direct user input and feedback. Their enthusiastic engagement, along with the planning and technical expertise of colleagues at the Department of Justice and Department Cyber Security and Digital Solutions, has provided momentum for this important project. Implementation of this system will be a big leap forward in the digitization of our justice system and I look forward to the positive impact it will have.

This annual report highlights important statistics concerning our caseload, the volume of which remains consistent. I'm pleased to say that we continue to be successful in resolving cases efficiently, with no significant delays and no backlog of cases.

You may notice a few changes to how certain information in this report is presented. Each year, we look at new and better ways to illustrate the work of the Court through statistics, and I expect this to be a continued evolution, always with an eye to providing more robust information. We welcome feedback from readers and encourage anyone to get in touch with ideas on ways we can enhance this annual reporting.

To conclude, I would like to thank everyone on our team – judicial assistants, court clerks, law clerks, staff in the Executive Office of the Judiciary, and management at the Department of Justice – for all they do to keep our Court running efficiently and effectively. Everything we accomplish year-in, year-out is thanks to their hard work and dedication.

A handwritten signature in black ink, appearing to read 'M. J. Wood', written in a cursive style.

The Hon. Michael J. Wood, Chief Justice of Nova Scotia

Introduction to the Court

The Nova Scotia Court of Appeal is the province's highest court. Through its judgments, the Court of Appeal clarifies and develops the law in Nova Scotia. The Court sits primarily at the Law Courts building in Halifax.

The Role of the Court of Appeal

The Court of Appeal hears appeals in civil, criminal, and family matters from the Nova Scotia Supreme Court, and in criminal matters from the Provincial Court and the Youth Justice Court. It also hears appeals of decisions by tribunals, such as the Workers' Compensation Appeal Tribunal, the Nova Scotia Utility and Review Board, and the Nova Scotia Human Rights Commission.

The Court of Appeal does not re-try cases. It reviews the record of the trial or hearing to ensure the lower court or tribunal made no errors of law. The Court has the authority to dismiss the appeal, thereby confirming the decision of the lower court or tribunal; to allow the appeal and order a new trial or hearing; or to allow the appeal but change the order of the lower court or tribunal. It is generally the court of last resort, except in the very few cases that are appealed to the Supreme Court of Canada.

Judges of the Court of Appeal

The Court of Appeal has a Chief Justice, the Hon. Michael J. Wood, who is also the Chief Justice of Nova Scotia, and seven other full-time judges. As of Dec. 31, 2025, those judges were:

- ▶ Justice David P.S. Farrar
- ▶ Justice Peter M.S. Bryson
- ▶ Justice Cindy A. Bourgeois
- ▶ Justice Elizabeth Van den Eynden
- ▶ Justice Anne S. Derrick
- ▶ Justice Carole A. Beaton
- ▶ Justice Robin C.M. Gogan

The Court of Appeal may also include supernumerary judges, who sit part-time. In 2025, there were two supernumerary judges on the Court of Appeal:

- ▶ Justice Joel E. Fichaud
- ▶ Justice J. Edward (Ted) Scanlan



Back Row, from left: Justice Carole A. Beaton, Justice Elizabeth Van den Eynden, Justice Cindy A. Bourgeois, Justice Anne S. Derrick, Justice Robin C.M. Gogan. Middle Row, from left: Justice Peter M.S. Bryson, Justice Joel E. Fichaud (supernumerary), Chief Justice Michael J. Wood, Justice David P.S. Farrar, Justice J. Edward (Ted) Scanlan (supernumerary). Front: Caroline McInnes, Registrar, Nova Scotia Court of Appeal.

Judges of the Court of Appeal do not sit on any other Court in Nova Scotia, and they have no previous involvement with the cases that come before them.

Judicial Independence

Canada is both a constitutional monarchy and a representative democracy. Governance of Canada and its provinces within this democratic system includes three independent, but interrelated branches – legislative, executive, and judicial.

The judiciary is represented by the courts and has the function of resolving conflicts related to laws by interpreting laws and enforcing the principle of the rule of law. It consists of courts of federal and provincial jurisdiction and is completely independent of the legislative and executive branches.

This judicial independence is a key pillar of our country's justice system. It means that judges can make decisions based on fact and law; free to interpret and apply the law without influence from outside forces or the other branches of government. The judiciary must be, and appear to be, impartial and not subject to influence by outside factors or persons. Cases must be decided based upon the evidence and applicable laws.

Judicial independence exists for the benefit of all citizens. It means Canadians can be confident that their case will be heard fairly, by a neutral judge or panel of judges. Section 11(d) of the Canadian Constitution guarantees that a person charged with a crime has the right to a fair and public hearing by an independent and impartial tribunal.

It is vital that individual judges, and the Court as an institution, be, and be seen to be, free to decide each case on its own merits. Everyone working in the justice system plays a role in respecting and defending this independence.

Canada has a long tradition of judicial independence. Whether a court decision is popular or not, it is fundamental to our democracy that Canadians have faith in the impartiality and fairness of the court system.



A judicial robe and tabs hang in Courtroom 502 at the Law Courts in Halifax. This courtroom is where the Nova Scotia Court of Appeal primarily sits.

Judicial Education: A Two-Way Street

The Justices of the Court of Appeal, like all judges in Canada, are fortunate to receive ongoing judicial education through organizations such as the National Judicial Institute (NJI) and the Canadian Institute for the Administration of Justice (CIAJ). The **Report to Canadians on Judicial Education 2025**, available on the Canadian Judicial Council’s website, outlines all courses and seminars offered to federally appointed judges in 2025.

Judges, including the judges of the Court of Appeal, also contribute to judicial education seminars attended by local judges and appellate and trial judges from courts in other parts of Canada. In 2025, judges of the Court chaired conferences and presented at seminars organized by the NJI and CIAJ and served on planning committees for judicial education programs. They also participated in educational initiatives that included sharing judicial experience and technical assistance in Armenia and delivering seminars on judicial writing to international judges.



Judges of the Court of Appeal frequently engage with lawyers through educational programs organized by the Nova Scotia Barristers’ Society, the Canadian Bar Association – Nova Scotia Branch, and provincial associations for defence counsel and Crown prosecutors. In 2025, judges of the Court presented to students from Dalhousie University’s Schulich School of Law, the University of King’s College School of Journalism, and local high school students.

The judges of the Nova Scotia Court of Appeal are committed to lifelong learning, ensuring they continue to receive timely and relevant learning opportunities, while also sharing their own expertise and experience.

Did you know?

The Chief Justice of the Court of Appeal is also the Chief Justice of Nova Scotia and serves as Nova Scotia’s Administrator when the Lieutenant Governor is unavailable?

In the past year, the Chief Justice, as Provincial Administrator, has participated in various events including honouring lost fishers, presenting cultural awards, swearing in new Cabinet Ministers, administering the oaths of office to Halifax Regional Council, and formally closing a Legislative session and giving Royal Assent to bills passed during that session.

Annual Court Statistics

Number of Appeals Filed

In 2025, there were 141 appeals filed (95 civil and 46 criminal). This total is consistent with previous years.

The number of criminal appeals remains within a consistent range over the past several years (see *Chart 1*). While the number of civil appeals has increased slightly in 2025 (see *Chart 2*), there has been a general downward trend in these matters over the last twenty years.

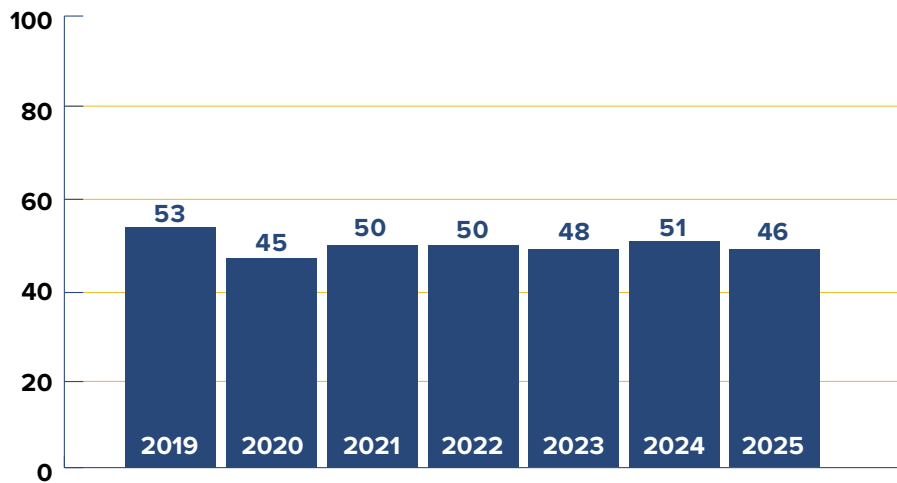


Chart 1: Criminal Appeals Filed in Nova Scotia 2019-2025

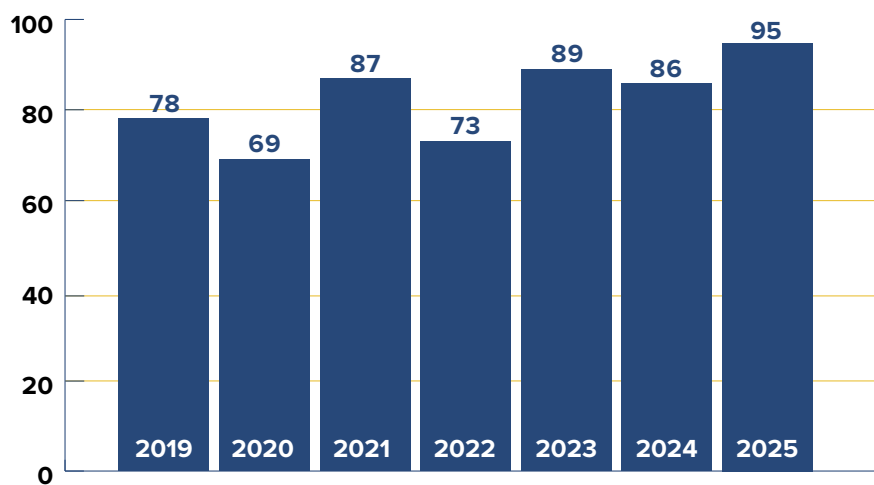


Chart 2: Civil Appeals Filed in Nova Scotia 2019-2025

Number of Appeals Disposed of by Judgment

Appeals disposed of by judgment are those in which a panel of judges have issued a final decision, either orally or in writing. There were 75 appeals disposed of by judgment in 2025. This is a decrease over 2024, when 81 appeals disposed of by judgment, but remains within the expected range.

Timeline for Judgment

As shown in the tables below, the timeline from filing of the Notice of Appeal to disposition by judgment remains consistent with previous years. There continued to be few, if any, scheduling delays in 2025 for appeal hearings. As with past years, any delays typically occur early in the process, between filing and “perfection” (when all required documents have been filed by the appellant and the matter is ready for hearing).

The length of time between “perfection” and hearing of the appeal and from hearing to judgment – that is, time periods that are primarily within the Court’s control – were almost exclusively in the 0-6 months category.

NOTICE OF APPEAL TO PERFECTION (CIVIL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	20	15	3
2022	25	14	0
2023	21	24	4
2024	29	19	1
2025	30	21	2

PERFECTION TO HEARING (CIVIL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	36	2	0
2022	36	3	0
2023	47	2	0
2024	49	0	0
2025	52	1	0

HEARING TO JUDGMENT (CIVIL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	35	2	1
2022	36	3	0
2023	49	0	0
2024	49	0	0
2025	52	1	0

NOTICE OF APPEAL TO PERFECTION (CRIMINAL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	10	15	10
2022	6	13	8
2023	5	15	9
2024	5	15	12
2025	6	10	6

PERFECTION TO HEARING (CRIMINAL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	31	3	1
2022	25	2	0
2023	29	0	0
2024	31	1	0
2025	22	0	0

HEARING TO JUDGMENT (CRIMINAL APPEALS)			
Year	0-6 mos	6-12 mos	12+ mos
2021	33	2	0
2022	15	4	0
2023	29	0	0
2024	32	0	0
2025	22	0	0

There were 62 appeals where the panel reserved decision and subsequently issued a formal judgment. All but one judgment was released within 6 months of the hearing with the average reserve time being 1.5 months.

NOTE: The Court has changed the way the information above is collected and presented. While this differs in presentation from past annual reports, this new format provides additional information about timelines.

Number of Appeals and Motions Heard

In 2025, panels of judges presided over 74 appeal hearings and 12 standalone motion hearings, most of which were applications for leave to appeal Workers' Compensation Appeal Tribunal (WCAT) decisions. The Court held three hearings related to a Reference pursuant to the *Constitutional Questions Act* filed by the Attorney General of Nova Scotia about the Chignecto Isthmus.

During the same period, the total number of motions heard by single Chambers judges was 405. This was a reduction from 475 in 2024 and the all-time high of 670 in 2023. This decrease reflects, in part, new policies implemented by the Court partway through 2024. These changes relate to how certain appeals, in particular criminal appeals brought by prisoners who do not have legal counsel, move through the appeal process. These have reduced unnecessary delays and generally improved the efficiency of the Court's chambers practices.

Of those motions heard by single Chambers judges, the number disposed of by order was estimated to be 95.

In 2025, the Registrar estimated about 60% of the court time was dedicated to civil, including family law, appeals, and motions (see *Chart 3*) and roughly 40% to criminal appeals and motions (see *Chart 4*). The Court typically hears more civil than criminal appeals however, for motions the situation is reversed and these are more criminal hearings.

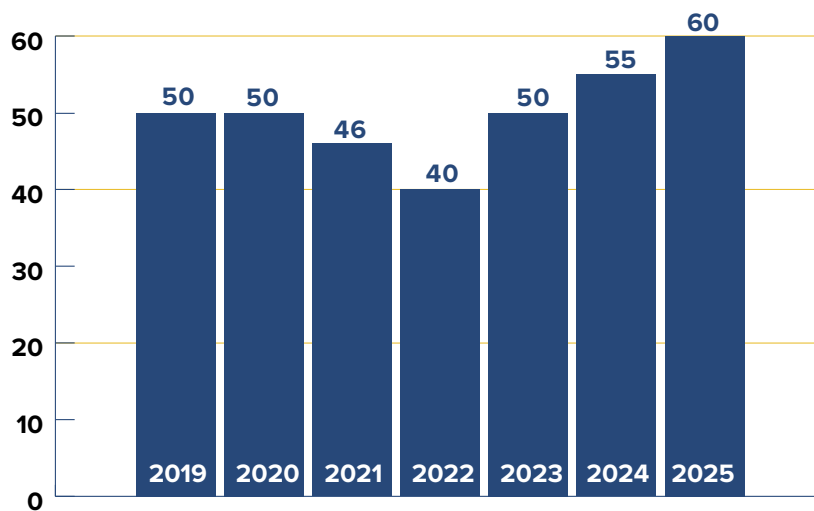


Chart 3: Percentage of Court Time Dedicated to Civil Appeals and Motions

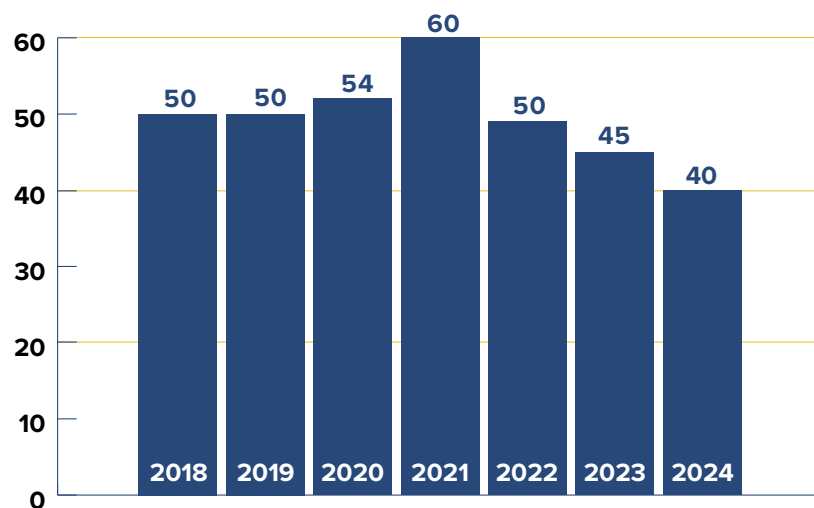


Chart 4: Percentage of Court Time Dedicated to Criminal Appeals and Motions

Self-Represented Litigants

Of the 87 appeal hearings and motions to a panel in 2025, 37 (about 43%) involved at least one party who had no lawyer and represented themselves in court. For motions to a chambers judge, 240 of 405 hearings (about 60%) involved at least one party who represented themselves in court.

FREE LEGAL CLINIC

The Nova Scotia Courts run free legal clinics at some courthouses around the province. These clinics provide services for people representing themselves in court who need assistance with their civil law matters and family law appeals (excluding child protection).

Eligible clients can receive one hour of free legal advice from a volunteer lawyer, either in person or by telephone. More information is available on the [Courts of Nova Scotia website](#).

Webcasting

Live webcasts of court proceedings help educate the public about the legal system, enable judges to reach audiences beyond the people physically in the courtroom, increase transparency, and help boost confidence in the judiciary and the Courts. Webcasts also improve access to justice, allowing interested parties to attend hearings virtually, removing the need for travel from areas outside of Halifax.

In 2025, the Court of Appeal livestreamed two criminal appeals and two appeals related to a Reference pursuant to the *Constitutional Questions Act*:

- ▶ **March 11 & May 20 & 21: CA-525464** – IN THE MATTER OF Sections 3 and 4 of the Constitutional Questions Act, RSNS 1989, c 89; AND IN THE MATTER OF a Reference by the Governor in Council concerning the constitutional responsibility for infrastructure which protects the interprovincial transportation, trade and communication links across the Chignecto Isthmus, as set out in Order in Council 2023-202 dated July 19, 2023.
- ▶ **May 13: CAC-536312** – His Majesty the King v. Dante Cromwell
- ▶ **Oct. 10: CAC-523366** – William Michael Sandeson v. His Majesty the King

All webcast proceedings are archived on the [Courts of Nova Scotia website](#).

Staff of the Nova Scotia Court of Appeal

- ▶ Caroline McInnes, Registrar
- ▶ Jessica Smith, Deputy Registrar (to September 2025)
- ▶ Alanah Wallace, Court Clerk (Deputy Registrar as of November 2025)
- ▶ Cherri Brown, Chambers Clerk
- ▶ Alicia Anderson, Executive Assistant to the Chief Justice
- ▶ Janet DeMone, Judicial Assistant
- ▶ Sharon MacLeod, Judicial Assistant
- ▶ Bridget Curran, Judicial Assistant

Clerkship Program

The Court of Appeal employs four law clerks, including an articulated clerk from the Indigenous Blacks & Mi'kmaq Initiative at Dalhousie University's Schulich School of Law.

Under the supervision of the judges, the law clerks provide legal assistance on appeals and other matters. Through this program, the Court's clerks are exposed to a wide variety of legal and procedural issues. In addition, they will have the opportunity to observe some of the best advocacy in the province.

In 2024-25, the law clerks at the Court of Appeal included George Philp, Jack Bennet, Ryley Alp, and Nicholas Cook.

The Court's current law clerks are Elizabeth Marr, Hogan Ingram, Rachel Nirenberg, and Lorenze Cromwell.



Justice Robin C.M. Gogan collaborates with law clerk Ryley Alp.



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