



2022 Annual Report

Court of Appeal for British Columbia

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MESSAGE FROM CHIEF JUSTICE BAUMAN



Improving access to justice has been a critical concern and a foundational principle in this Court’s work for many years. A recent report of the Justice For All Task Force identifies evidence-based reform and innovation as critical “levers” that can move this work forward. In the past year, the Court of Appeal completed several projects that I think apply these “levers”.

The new *Court of Appeal Act* and *Rules* took effect on July 18, 2022. The legislation includes a new set of court Forms and is accompanied by a streamlined collection of practice directives. The project represents many years of dedicated work by members of the Court’s Rules Committee, judicial staff, and Court Services Branch staff. It incorporates the feedback received through three periods of public consultation and aims to improve the accessibility of appeal processes and procedure for all court users. The completion of this project is a significant accomplishment that will serve litigants well in future years.

In connection with the new Act and Rules, the Justice Education Society’s [Court of Appeal self-help site](#) was overhauled this summer. The self-help site is an excellent resource for self-represented litigants and includes guidebooks and process maps that walk through the appeals process in both civil and criminal matters. A long-standing partnership between the Court and the Justice Education Society makes it possible to offer this site to the public.

In November 2022, the Court announced its intention to return to broadcasting appeals publicly by Zoom. This decision supports the open courts principle and is a tangible example of the Court’s commitment to improving access to its proceedings, particularly for those living in remote communities or who face other barriers to attending court in person.

Each of these projects was informed by public surveys and consultations and a desire to better serve court users. An ongoing commitment to earn the extraordinary trust placed in the Court consistently drives the work of each of the judges I am honoured to serve with.

On April 20, 2022, the Court welcomed the appointment of Justice Karen Horsman. Justice Horsman was first appointed to the Supreme Court in 2018. Before becoming a judge, she served in the Ministry of Attorney General’s civil litigation and constitutional and administrative law groups practicing in a wide range of areas. Known as a dedicated mentor, Justice Horsman also co-edited *Government Liability: Law and Practice* and taught as an adjunct professor at the Allard School of Law.

The Court also welcomed the appointment of Justice Ronald Skolrood on October 24, 2022. Justice Skolrood was appointed to the Supreme Court in 2013 and previously practiced in

An ongoing commitment to earn the extraordinary trust placed in the Court consistently drives the work of each of the judges I am honoured to serve with.

civil and commercial litigation at Lawson Lundell for more than 25 years. During that time, he made many contributions to the legal community including six years as a member, then Chair, of the BC Legal Institute's Board of Directors. His wealth of experience as a trial judge and in practice leave him exceptionally prepared to tackle his new role in the Court of Appeal.

As is often the case, these welcomes are paired with notable goodbyes. Justice Richard Goepel retired on August 23, 2022. Justice Goepel was appointed to the Court of Appeal in 2013 after he had served the Supreme Court as a trial judge for 12 years. He was called to the bar in 1974, and articulated and practiced with Sutton Braidwood. In 1984, he co-founded Watson Goepel LLP, where he has recently returned as senior counsel. Known for clear and precise legal analysis, humility, and a sense of humour, the Court wishes Justice Goepel well in his retirement.

I also wish to acknowledge the Honourable John Douglas Lambert who passed away on July 31, 2022. An extraordinary jurist, he was appointed to this Court in July 1978 and continued in his position until 2005 when he reached age 75. He wrote prolifically and mentored generously. His jurisprudential contributions will support the administration of justice in British Columbia for generations to come.

Finally, I will retire from the office of Chief Justice of British Columbia and Chief Justice of the Court of Appeal of Yukon in the fall of 2023. I have been so honoured to hold these roles for most of 10 years and I cherish the opportunities I have had to serve this Court and the public.

REGISTRAR'S REPORT

THE COURT'S ACTIVITY



2022 saw a moderate decrease in the number of appeals filed, after a strong rebound in 2021. The decrease was mainly due to criminal appeals, where filings dropped from 171 to 128. Though new civil appeals increased from 678 to 684, the drop in criminal filings resulted in an overall four per cent decrease in new appeals in 2022.

This year, the Court delivered written reserve judgments in 277 appeals (216 civil and 61 criminal) and pronounced judgment with oral reasons in a further 76 appeals (51 civil and 25 criminal). In chambers, the Court gave reserve judgments in 26 civil motions and 8 criminal motions. Detailed statistics for criminal and civil caseloads for the last 13 years can be found [in the three appendices](#) at the end of this annual report.

2022 also saw the Court's continuing adaption to new courtroom technology arising out of the COVID-19 pandemic. Following the Court's return to a "hybrid" model of attendance for appeals and chambers in the summer of 2021, virtual appearances have increased in chambers, but there is less willingness to appear remotely for appeals. The Court expected this result, which are reflective of the Court's public survey results, conducted in 2021.

Of the 948 chambers hearings conducted in 2022, 43 per cent (404) proceeded in person, 37 per cent (348) were heard in a hybrid fashion, 15 per cent (147) were heard by video conference only, and a further five per cent (49) of chambers hearings were heard by teleconference. For appeals, 68 per cent (294) of the 434 appeal hearings proceeded in person, with 21 per cent (90) conducted by video conference and a further 11 per cent (50) heard in a hybrid fashion, with some parties in person and some appearing remotely.

In 2022, the Court began to examine whether an online service can be used to book chambers hearings efficiently, building on the success of the online booking for appeals project. Other improvements to scheduling continue, including booking chambers hearings in particular timeslots to avoid lengthy attendances by counsel in chambers, another item that ranked highly in the Court's public surveys.

The Court's public surveys also showed a strong support for the Court's decision to broadcast its proceedings using the Zoom platform during the COVID-19 pandemic. In early 2023, the Court recommenced broadcasting its appeals, with limited exceptions.

Chief amongst all changes arising from the pandemic, however, is the Court's transition to an operation that is becoming more "electronic by default." In two short years, the Court has

The initial impacts of the new Act and Rules have been generally positive, with Court users and Registry staff anecdotally reporting greater ease in locating information and processing filings.

moved to a model that received most of its evidence electronically to one where only appeal records, factums, and condensed books are being filed in paper by counsel.

As highlighted in the records and information management report below, this means changes for the way that the Court works in the areas of document and information management. As electronic records become more entrenched, virtual appearances and electronic filing are opening new opportunities for the Court to operate more efficiently and resiliently. However, a more permanent transition to these new operational norms requires investment in new Court systems, many of which are over a decade old.

SITTINGS OF THE COURT

To hear an appeal, the Court sits a minimum of three justices, known as a “division.” In 2022, the Court sat 87 divisions in Vancouver, one more than 2021. In addition to its Vancouver sittings, the Court sat for four weeks in Victoria and once in Kelowna in 2022. All justices of the Court are also members of the Yukon Court of Appeal, along with justices of Yukon, the Northwest Territories, and Nunavut. The Yukon Court of Appeal sat for one week in the fall of 2022.

PROCEEDINGS IN CHAMBERS

Motions brought prior to the hearing of an appeal are referred to as “chambers” or “interlocutory” motions. The Court continued to monitor its chambers motions, which were on an upward trend until 2019, when the steady increase subsided. In 2022, the number of motions brought before a single justice in chambers decreased back to 960, closer to a historical average. Given these numbers have now stabilized, the Court will likely discontinue its close monitoring of the issue in future annual reports.

CIVIL ACT AND RULES REFORM PROJECT

On July 18, 2022, the government brought the new *Court of Appeal Act*, S.B.C. 2021, c.6 and *Court of Appeal Rules*, B.C. Reg. 120/2022 into force. A series of minor amendments and corrections were then made by a subsequent regulation in September 2022 (B.C. Reg. 187/2022). The initial impacts of the new *Act* and *Rules* have been generally positive, with Court users and Registry staff anecdotally reporting greater ease in locating information and processing filings. An understanding of the full impact of the change will take time to manifest, so the Court will report on this subject in greater detail in 2023.

PANDEMIC-RELATED ENHANCEMENTS

The COVID-19 pandemic exposed areas within the Court’s administration that require improvement, particularly to preserve technological gains made during the pandemic. These needs include:

With the introduction of criminal e-Filing in 2021, the Court continues to see dramatic increases in electronic filing.

- **Staffing Issues:** The Court has staffing needs, including in areas related to project management, data management, and media and public relations. In 2022, the Registrar undertook a review of the judicial positions in the Court Registry, while government reviewed the positions on the Court Services side. Necessary changes and enhancements will be made in 2023.
- **Infrastructure:** In 2022, the Court continued to work with government on a project that will involve a major retrofit of one of its courtrooms. It is expected that work will begin on this project in 2023 or 2024.
- **Enhancements to e-Filing:** The existing e-Filing system provided through Court Services Online (CSO) continues to serve the Court well during the pandemic. With the introduction of criminal e-Filing in 2021, the Court continues to see dramatic increases in electronic filing. The Court is hopeful, with the introduction of new civil rules and forms in 2022, that government will continue its efforts to improve the accessibility and functionality of court forms in the coming years.

EXTRA-JUDICIAL APPOINTMENTS AND ACTIVITIES

In addition to their workload in hearing cases and issuing judgments, every justice is involved in activities in the legal profession, the judiciary, local communities, the Province, and Canada.

Justices also attend continuing education seminars, for lawyers and for justices, in Canada and abroad, as participants and speakers. In 2022, justices of the Court participated in activities with the following bodies:



In consultation with the Registrar, the Records Officer identifies risks and priorities for the Court of Appeal's records and information management program.

RECORDS AND INFORMATION MANAGEMENT

The Court of Appeal supports a records and information management program based on sound policies and best practices from the records and information management field. Appeal court records are legislated to be permanently preserved by the British Columbia Archives (paper records) and Government Records Service (digital records) according to Court Information Schedules established under the Information Management Act. The [Court Information Schedule](#) for the Court of Appeal was updated and approved by the Chief Justice and Attorney General in March 2019.

The Court of Appeal records and information management (RIM) program is developed, delivered, and maintained by the Supervisor and Appellate Court Records Officer. The position is also responsible for the supervision of the Records Analyst. The Document Management Clerk team, supervised by the Office Manager, assists with back up coverage.

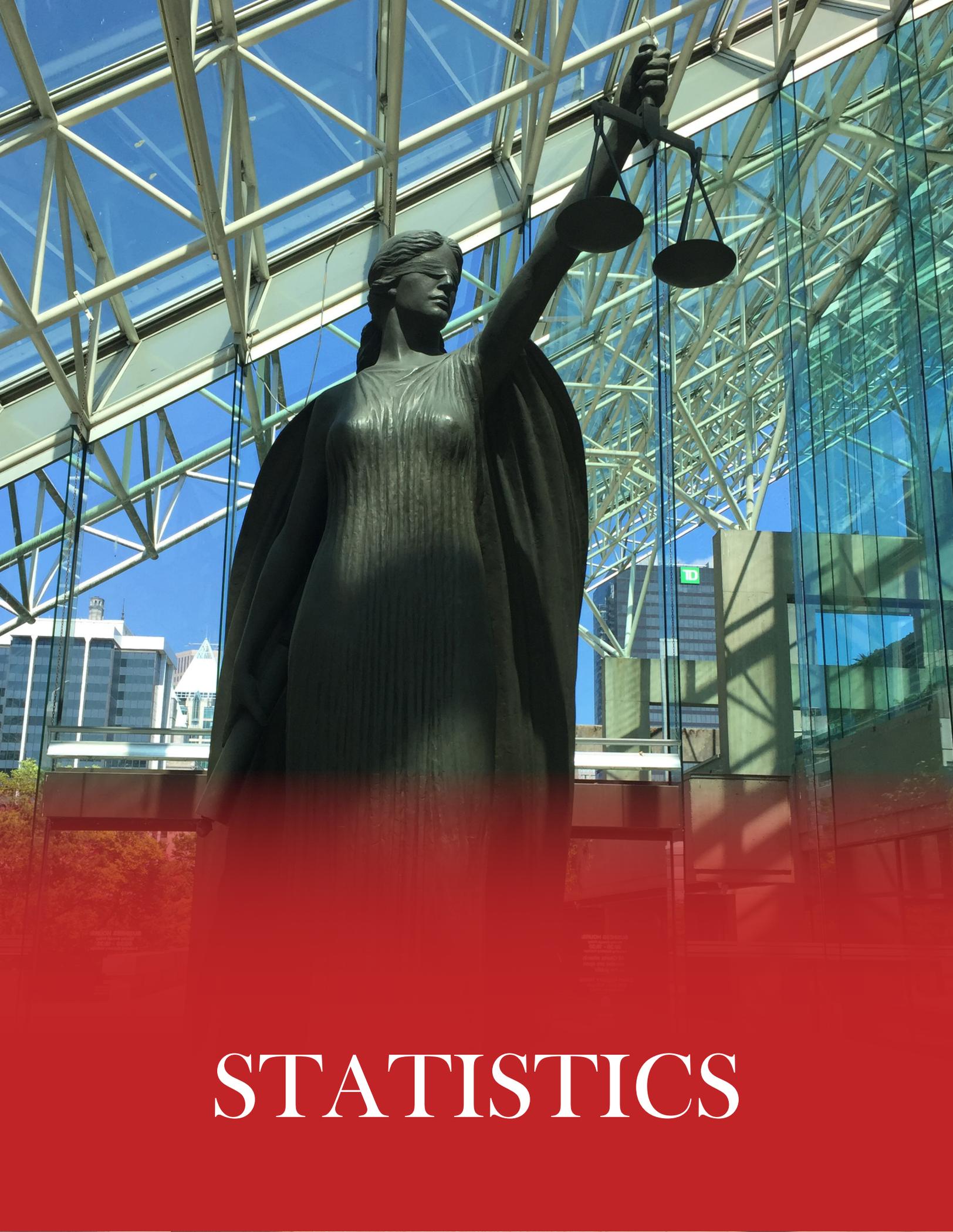
In consultation with the Registrar, the Records Officer identifies risks and priorities for the Court of Appeal's records and information management program. The Records Analyst manages the daily receipt, processing, organization, delivery, storage and disposition of Court of Appeal "books" (e.g., appeal books, appeal records, factums, and transcripts) throughout the hearing process. Court Services Branch staff in the Court of Appeal Registry manage filing of all court records and take care of administrative records for an appeal (e.g., initiating records, notices, application records, chambers materials, etc.). Document Management Clerks manage the daily organization and distribution of files and court records, mail, couriered packages, and photocopying for both the Court of Appeal and the Supreme Court in Vancouver.

The pandemic impacted priorities but nevertheless inspired the Court and Court Services Branch to develop and modernize tools to help manage digital records. This led to the Court adopting new improved policies and procedures under the revised *Act* and *Rules* to serve the citizens of British Columbia effective July 18, 2022. Here are some of the highlights of 2022:

- COVID Notices: Table of Concordance and timeline created and published for the public, all corresponding notices are organized and preserved for future reference by Records Officer.
- Revised *Court of Appeal Rules*: By working with the Registrar, Legal Counsel, Judicial and Court Services Branch staff and with feedback from the legal profession, the Records Officer completed:
 - New completion instructions published for factums, the appeal record, the appeal book, the book of authorities (streamed for paper and electronic filing), the condensed book of authorities and the condensed book of evidence (paper filing only).
 - New completion instructions published for applications to Leave to Appeal and/or Stay of Proceedings/Execution, Security of Costs, Vary or Cancel an Order and Leave to Intervene (streamed for paper and electronic filing).

In 2022, approximately 184 access requests were processed (many for multiple court records) for factums, appeal books, appeal records and other records related to appeal hearings for the public and legal profession.

- Word templates updated (or created) and published for cover pages, written arguments, affidavits, all factums including cross appeals.
- Technical instructions updated and published: e-Filing checklists for systems and software requirements, combining documents using a PDF tool to create appeal books, appeal records, books of authorities, and application books, including specific instructions for each step when creating an eBook created by the Web Support and Business Information Analyst.
- Forms were updated with PDF fillable or Word options by Court Services Branch and the Web Support and Business Information Analyst.
- The Records Officer supported the Records Analyst and Registry staff with permanent changes in policies and procedures for the implementation of the revised *Act* and *Rules*, specifically involving the filing and processing of electronic and paper court records by organizing information sessions and communications.
- Criminal: Word templates for statements and paper and electronic checklists updated to align with civil procedures and published.
- Criminal: Word templates for factums and paper and electronic checklists drafted.
- In 2022, approximately 184 access requests were processed (many for multiple court records) for factums, appeal books, appeal records and other records related to appeal hearings for the public and legal profession.
- Consulted (in progress) on a Memorandum of Understanding between BC Archives, Government Records Service (CIRMO) and Court Services Branch to build partnerships, and identify roles and responsibilities to ensure permanent, enduring access to stable, reliable, and authentic paper and electronic court records.



STATISTICS

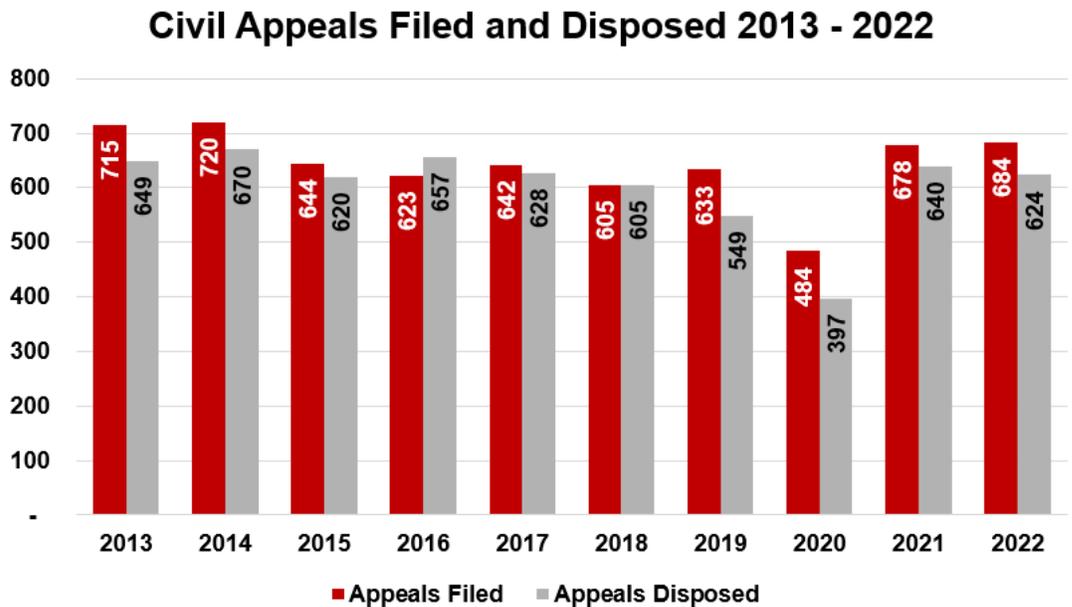
STATISTICS

In 2022, the Court disposed of 624 civil appeals, or 91 per cent of the 684 appeals filed.

The charts below give a detailed account of the Court’s activity in 2022. The three appendices at the end of this report provide a detailed historical account of criminal and civil statistics over the last 13 years.

CIVIL APPEALS FILED AND DISPOSED

The chart below shows the number of civil appeals filed and disposed from 2013 to 2022. In 2022, the number of civil appeals filed increased slightly from 678 in 2021 to 684. The Court measures the number of civil appeals disposed of as a percentage of the total number of civil appeals filed in a given year. In 2022, the Court disposed of 624 civil appeals, or 91 per cent of the 684 appeals filed. An appeal that is “disposed” or “disposed of” means that it has been dismissed, allowed, or abandoned and is no longer on the Court’s docket. Though not a complete measure of the Court’s workload, the purpose of this chart is to show how the Court is keeping up with the appeals filed by looking at filings as “inputs” and disposed appeals as “outputs” in a given year.

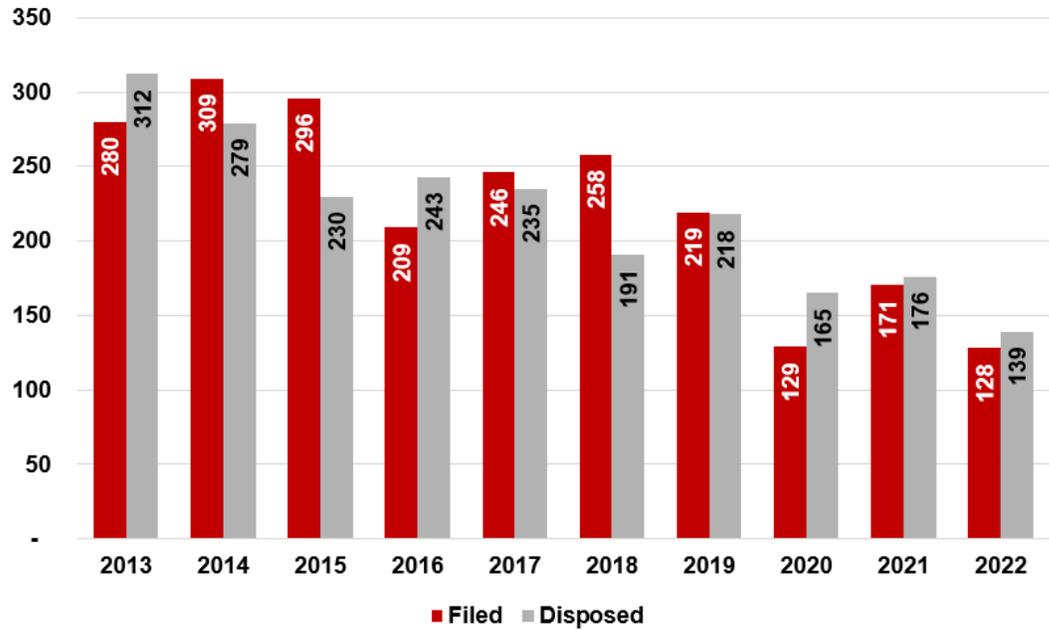


CRIMINAL APPEALS FILED AND DISPOSED

In 2022, there were 128 criminal appeals filed, down from 171 filed in 2021. The Court disposed of 139 criminal appeals, or 109 per cent of the 128 criminal appeals filed.

With 763 appeals disposed of and 812 appeals filed, 94 per cent of appeals were disposed of as a percentage of new filings.

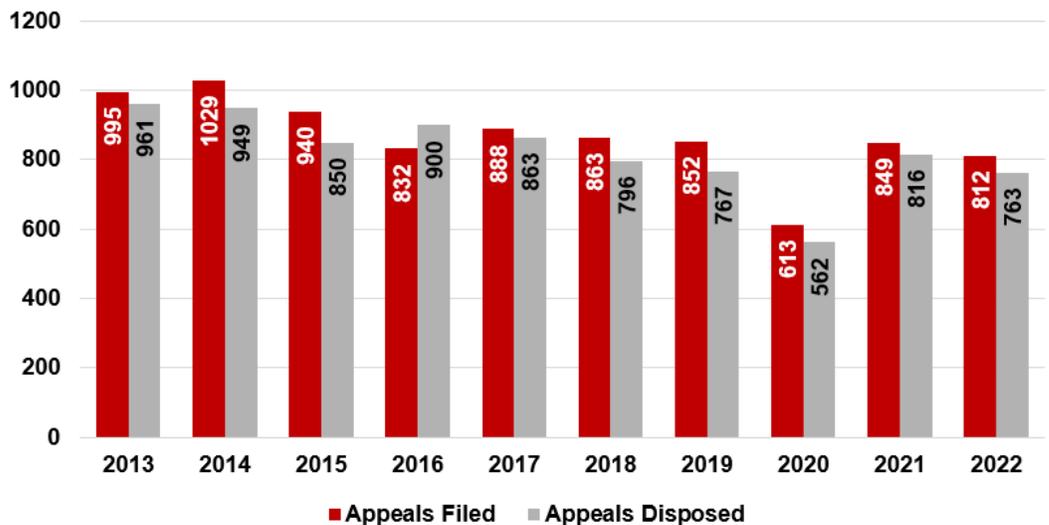
Criminal Appeals Filed and Disposed 2013 - 2022



TOTAL APPEALS FILED AND DISPOSED

For a more complete picture of total activity, the chart below combines the civil and criminal filings and dispositions. With 763 appeals disposed of and 812 appeals filed, 94 per cent of appeals were disposed of as a percentage of new filings.

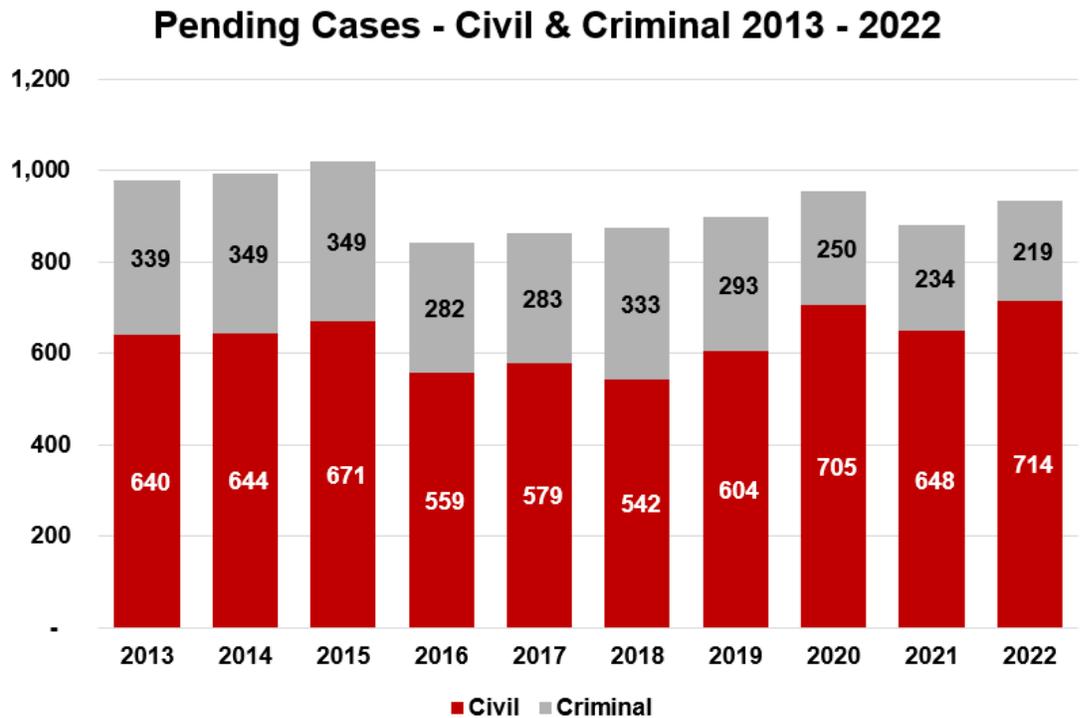
Total Appeals Filed and Disposed 2013 - 2022



The Court heard a total of 53 leave to appeal applications in 2022, granting 26, or 49 per cent.

PENDING CASES BY YEAR

As appeals are filed and disposed of by the Court, the total number of outstanding cases on the Court’s docket changes accordingly. Measured as of January 1 each year, this statistic is known as the number of “pending cases.” As part of a data-quality audit, the Court is working to improve the quality of this historical data. From 2008 to 2016, however, the measurements may be accurate plus or minus 10 per cent. Data from 2017 to 2022 is accurate plus or minus three per cent. It should be noted that there is some fluctuation in the pending case numbers, given that inactive cases are not counted as pending on the Court’s docket but may be reactivated in a subsequent year.



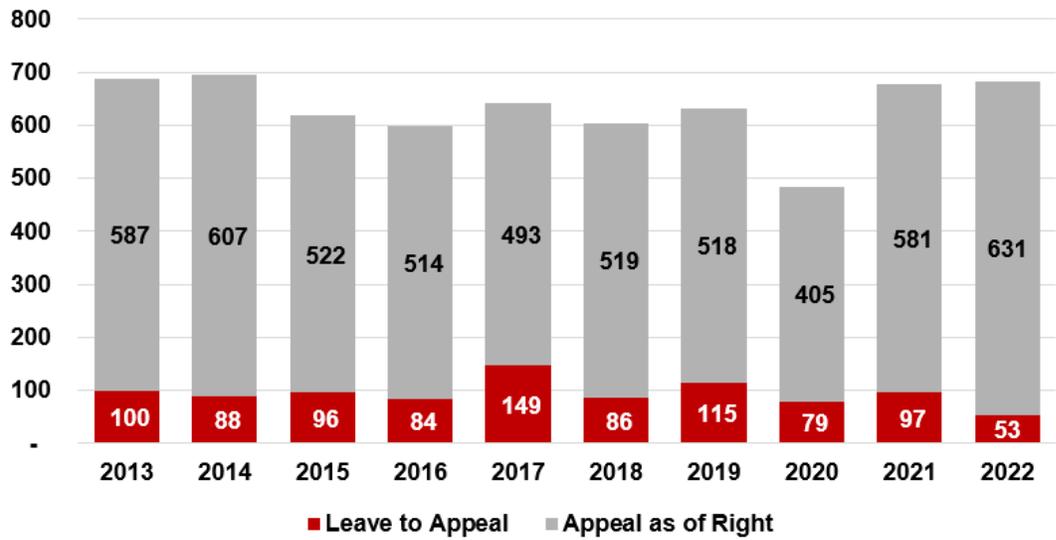
CIVIL APPEALS BY LEAVE VS. BY RIGHT

In 2022, a total of 684 civil appeals were filed. Of those filed in 2022, eight per cent (53 of 684) were applications for leave to appeal. Before appealing certain types of orders, litigants must get permission, or “leave,” to bring an appeal to the Court. The Court heard a total of 53 leave to appeal applications in 2022, granting 26, or 49 per cent.

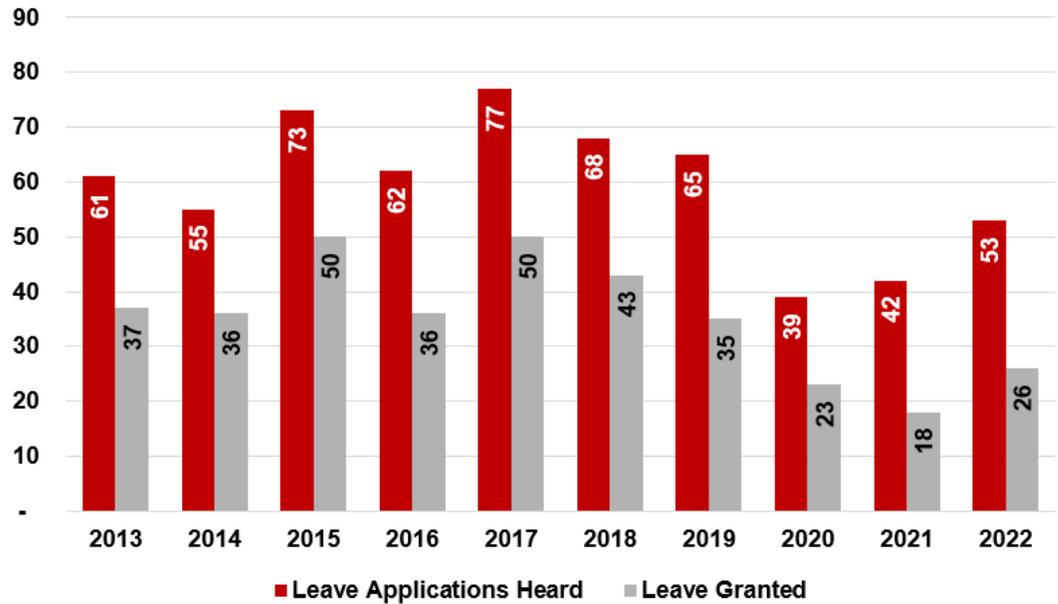
The first chart below shows appeals filed as of right versus those filed seeking leave. The second chart shows the number of applications for leave to appeal heard versus the number of those applications that were granted.

In 2022, there were 47 sentence appeals filed and 52 conviction appeals filed.

Civil Filed as of Right vs. Filed Seeking Leave 2013 - 2022



Civil Leave to Appeal Applications Heard vs. Granted 2013 - 2022

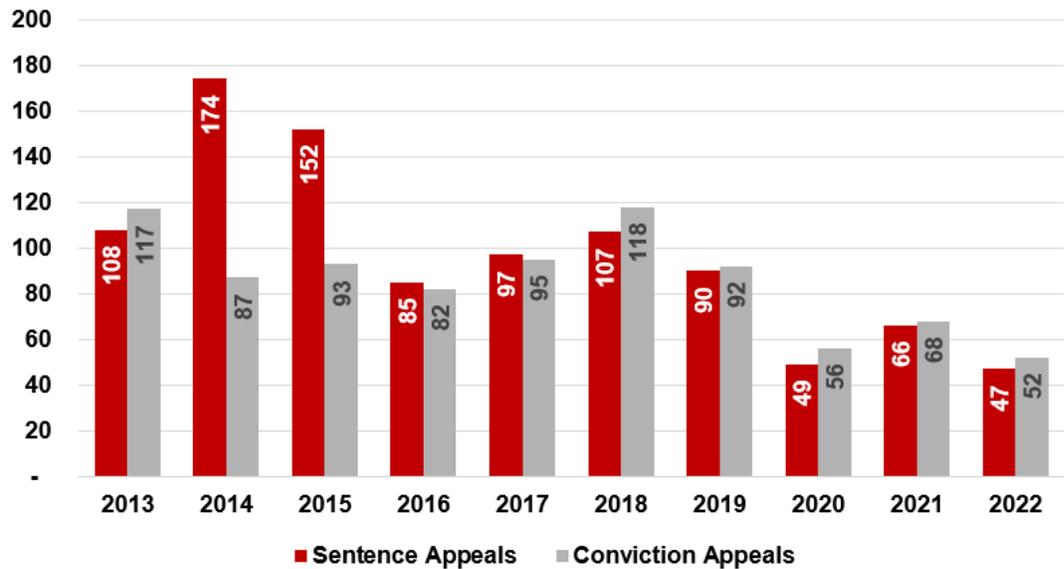


TYPES OF CRIMINAL APPEALS FILED

In criminal matters, appeals from convictions and acquittals take up most of the Court’s hearing time. Sentence appeals and summary conviction appeals require less time. The chart below gives a comparison of criminal appeals filed between 2013 and 2022. In 2022, there were 47 sentence appeals filed and 52 conviction appeals filed. There were 29 acquittal, summary conviction, and other appeals filed.

In 2022, approximately 62 per cent of civil appeals were from chambers matters and summary trials.

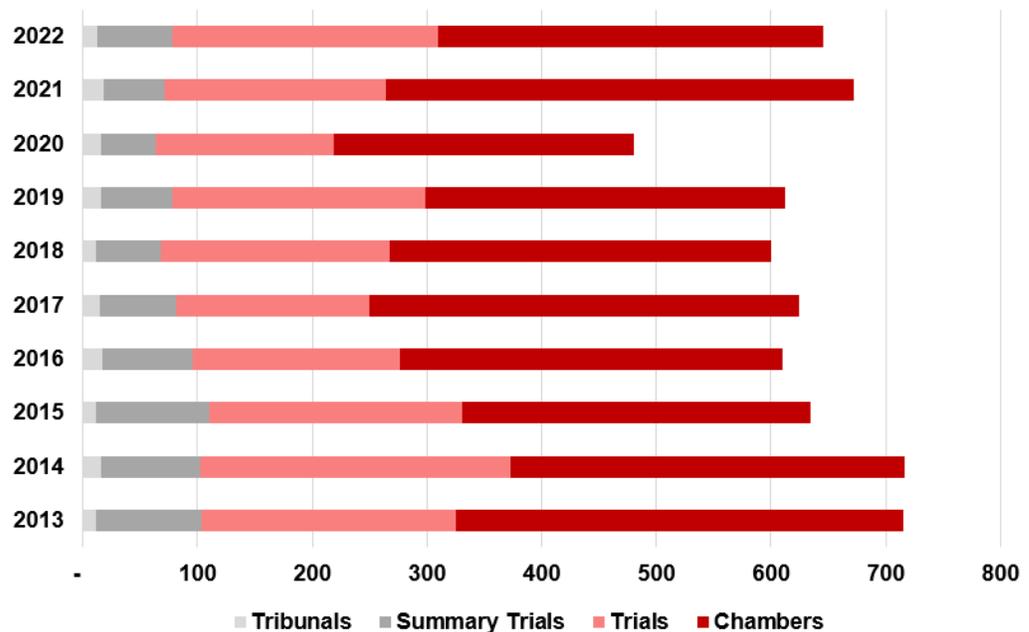
Criminal Appeal Filings 2013 - 2022



ORIGIN OF CIVIL APPEALS

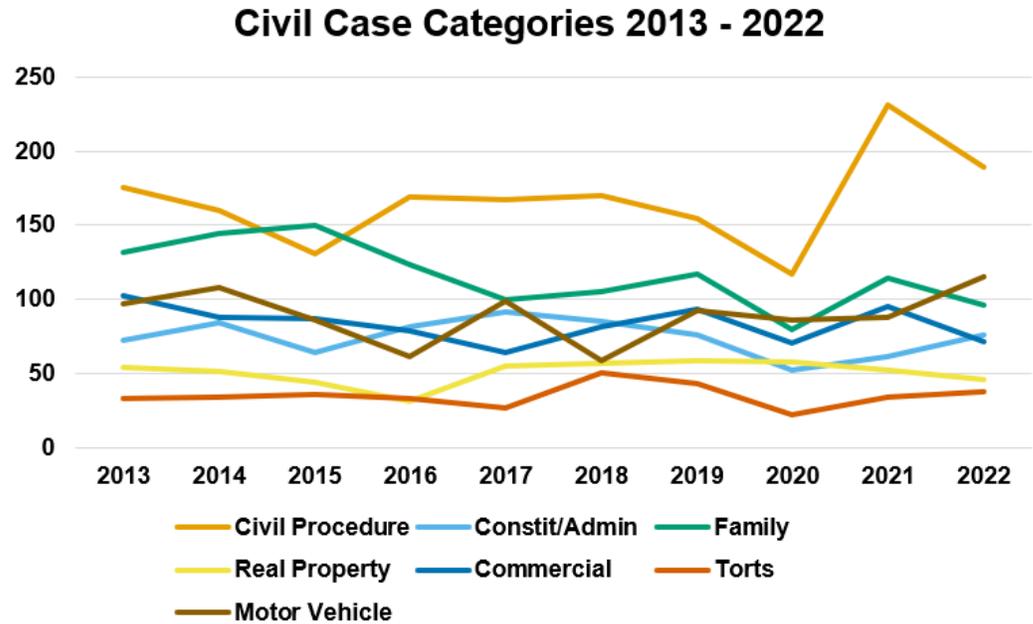
In most cases, the Court is able to determine the type of proceeding giving rise to an appeal. As in years past, figures show there were more appeals from Supreme Court of British Columbia chambers matters and summary trials combined than appeals from trials in that court. The chart below shows the types of appeals according to the underlying proceeding. In 2022, approximately 62 per cent of civil appeals were from chambers matters and summary trials.

Origin of Civil Appeals 2013 - 2022



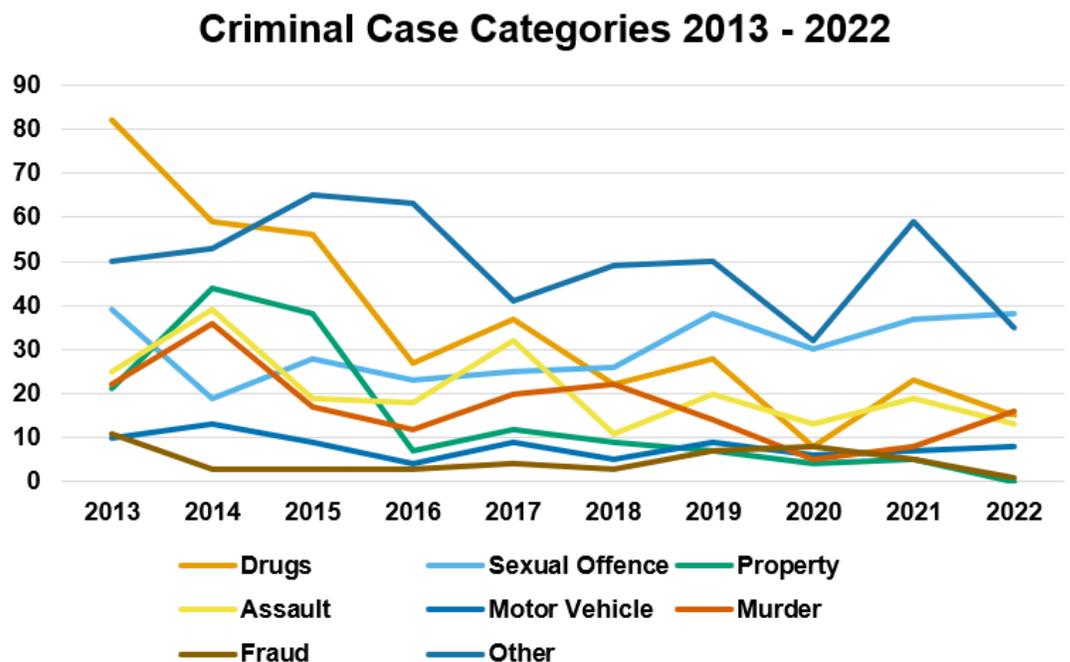
CIVIL CASE CATEGORIES

When a civil appeal is filed with the Court, litigants indicate the subject of the appeal in the document initiating their appeal. The chart below shows the top seven categories of appeals filed between 2013 and 2022 by number of appeals.



CRIMINAL CASE CATEGORIES

The Court also tracks the subject of the various criminal appeals. The chart below shows the top eight categories of appeals filed between 2013 and 2022 by number of appeals. “Other” covers various offences, such as arson and mischief as well as extradition and habeas corpus appeals.



In 2022, the proportion of civil appeals allowed was 48 per cent of the total civil appeals heard (131 allowed, 141 dismissed). For criminal appeals, 29 per cent were allowed (23 allowed, 55 dismissed).

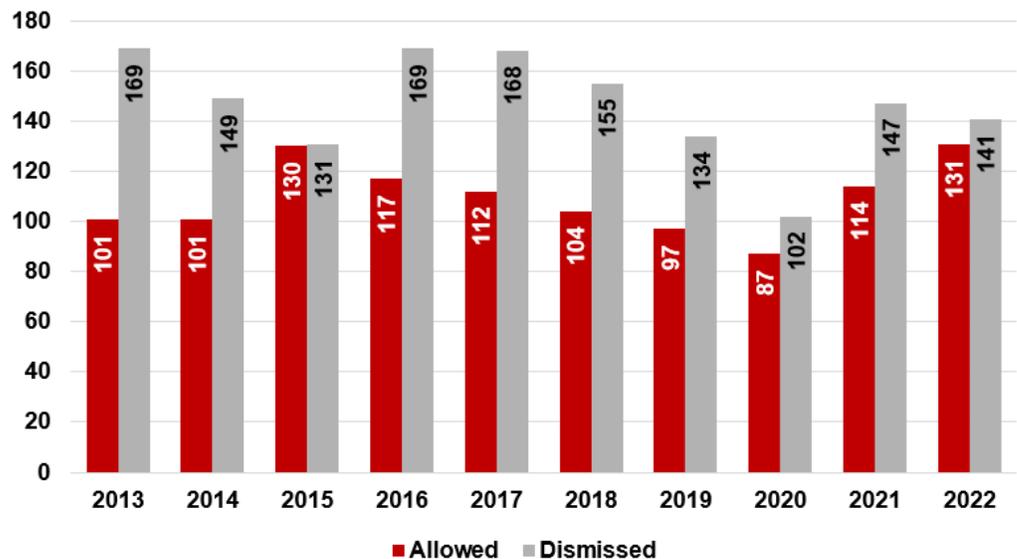
APPEALS ALLOWED AND DISMISSED

An appeal is “allowed” when the Court overturns or varies the order under appeal from the lower court or tribunal. In 2022, the proportion of civil appeals allowed was 48 per cent of the total civil appeals heard (131 allowed, 141 dismissed). For criminal appeals, 29 per cent were allowed (23 allowed, 55 dismissed).

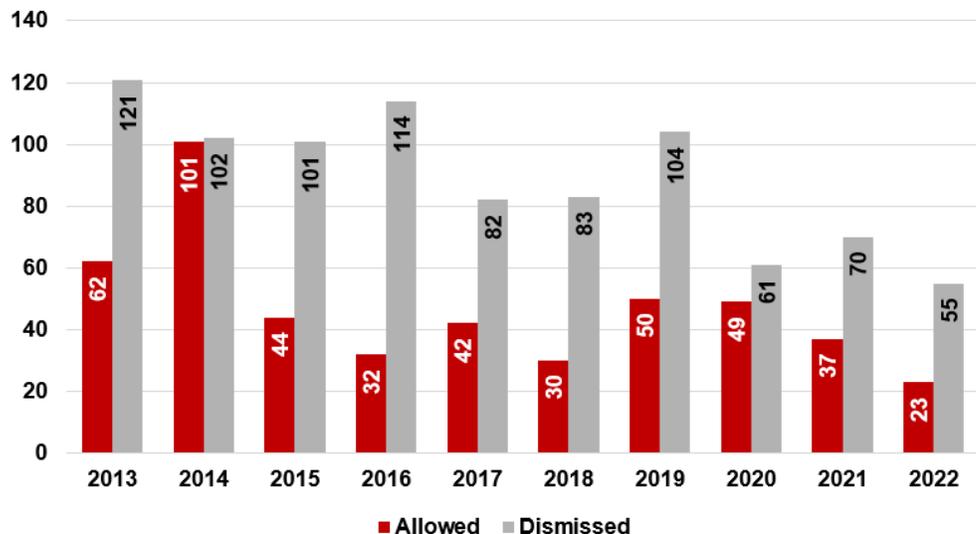
The “allowed” statistics include appeals partially allowed by any variations in the order under appeal. The number of appeals allowed in part is not insignificant. In 2022, there were 58 civil appeals allowed in part, or 44 per cent of the 131 allowed. There were three criminal appeals allowed in part, or 13 per cent of the 23 allowed.

The charts below show the number of civil and criminal appeals allowed and dismissed.

Civil Appeals Allowed/Dismissed 2013 - 2022



Criminal Appeals Allowed/Dismissed 2013 - 2022



In 2022, out of 684 civil appeals and applications for leave to appeal filed, 152 appeals (22 per cent) were appeals or applications for leave to appeal involving at least one self-represented litigant.

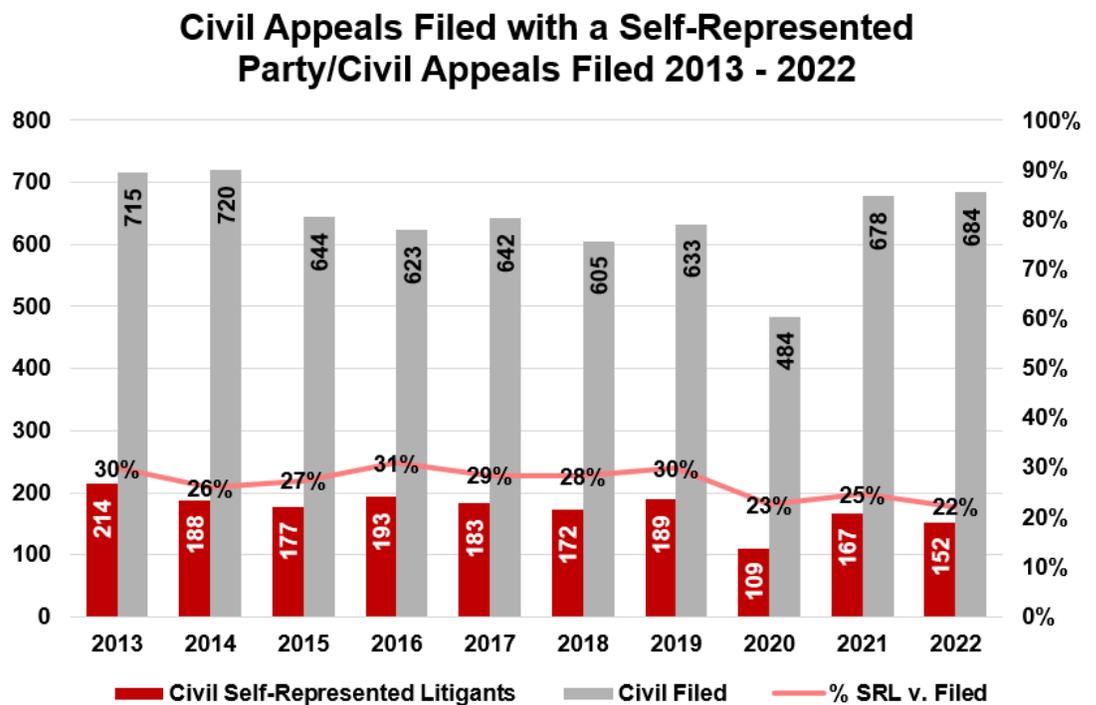
SELF-REPRESENTED LITIGANTS

The charts below compare the number of civil appeals where at least one party was self-represented in a new appeal filed between 2013 and 2022 with the total number of civil appeals filed in those years.

In 2022, out of 684 civil appeals and applications for leave to appeal filed, 152 appeals (22 per cent) were appeals or applications for leave to appeal involving at least one self-represented litigant. This is a decrease from 2021, where the figure was 25 per cent.

Of the appeals filed in 2022 involving at least one self-represented litigant, 88 per cent involved self-represented appellants and 12 per cent involved self-represented respondents. Of 272 civil appeals disposed of by the Court in 2022, 54 cases (20 per cent) involved at least one self-represented litigant. This is an increase from 2021, where the figure was 47 of 261 (18 per cent).

The graph below illustrates the trend with respect to appeals filed between 2013 and 2022:



In 2022, out of 96 family appeals or applications for leave to appeal filed, 49 appeals (51 per cent) were appeals or applications for leave to appeal involving at least one self-represented litigant. This is an increase from 2021, where the figure was 36 out of 114 (32 per cent).

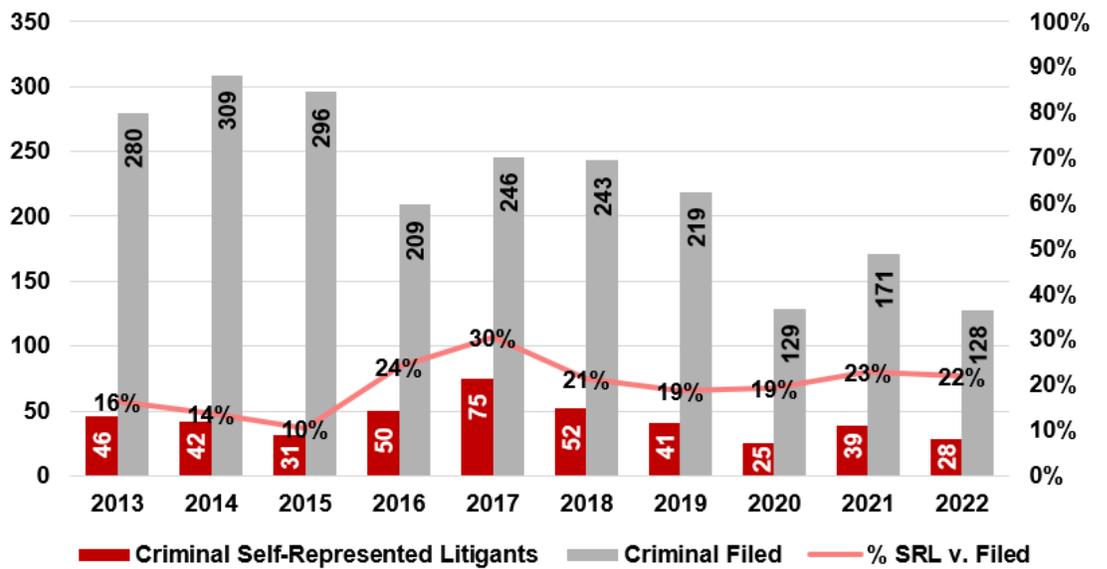
Out of the 49 family appeals filed involving self-represented litigants, 88 per cent involved self-represented appellants and 12 per cent involved self-represented respondents. Of the 35 family appeals disposed of by the Court in 2022, eight cases (23 per cent) involved at least one self-represented litigant. This is a slight decrease from 2021, where the figure was eight of 34 (24 per cent).

Out of the 28 criminal appeals filed by self-represented litigants, all 28 involved self-represented appellants.

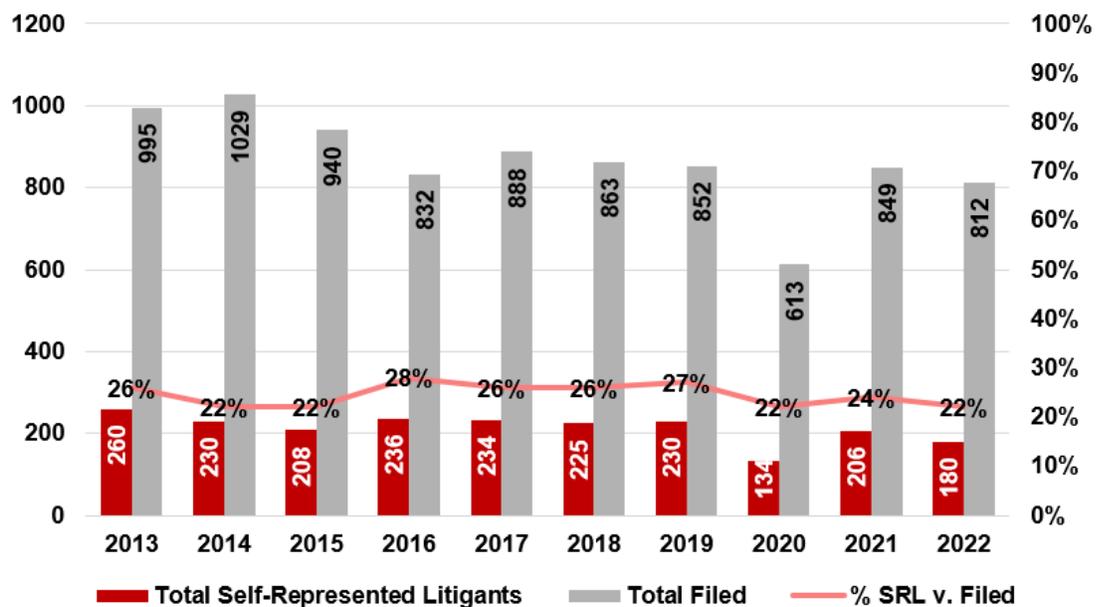
Turning to criminal appeals, out of 128 appeals or applications for leave to appeal filed, 28 appeals (22 per cent) were appeals or applications for leave to appeal involving a self-represented litigant. This percentage is slightly lower than 2021, where the figure was 23 per cent.

Out of the 28 criminal appeals filed by self-represented litigants, all 28 involved self-represented appellants. Of the 78 criminal appeals or applications for leave to appeal disposed of by the Court in 2022, 14 (13 per cent) involved a self-represented litigant. This is higher than in 2021, where the figure was 10 per cent.

Criminal Appeals Filed with a Self-Represented Party/Criminal Appeals Filed 2013 - 2022



Total Appeals Filed with Self-Represented Litigants/Total Appeals Filed 2013 - 2022

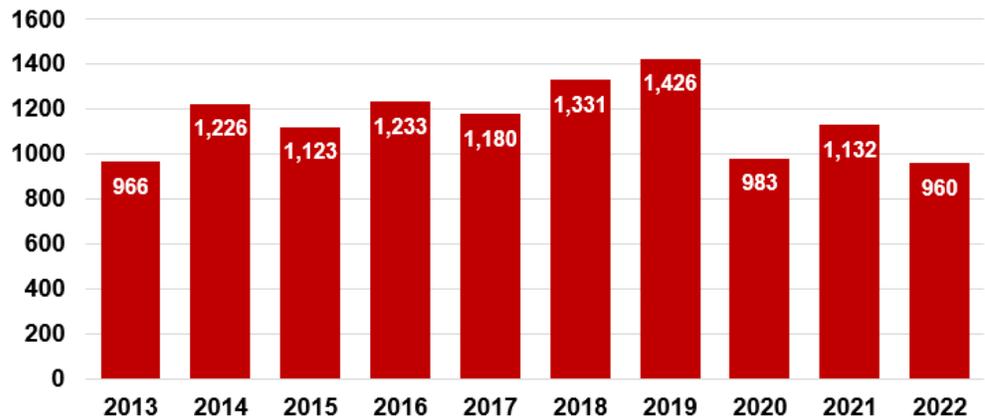


In 2022, there were four family law appeals and 39 civil appeals case managed by a justice or the Registrar.

CHAMBERS AND CASE MANAGEMENT

The term “chambers motions” describes motions brought by litigants before a single justice seeking various forms of relief before an appeal is heard. The Court counts each individual motion brought by a litigant, even if multiple motions are brought during the same court hearing. The chart below shows the number of chambers motions brought in both civil and criminal appeals in a given year.

**Chambers Motions Civil and Criminal
2013 - 2022**

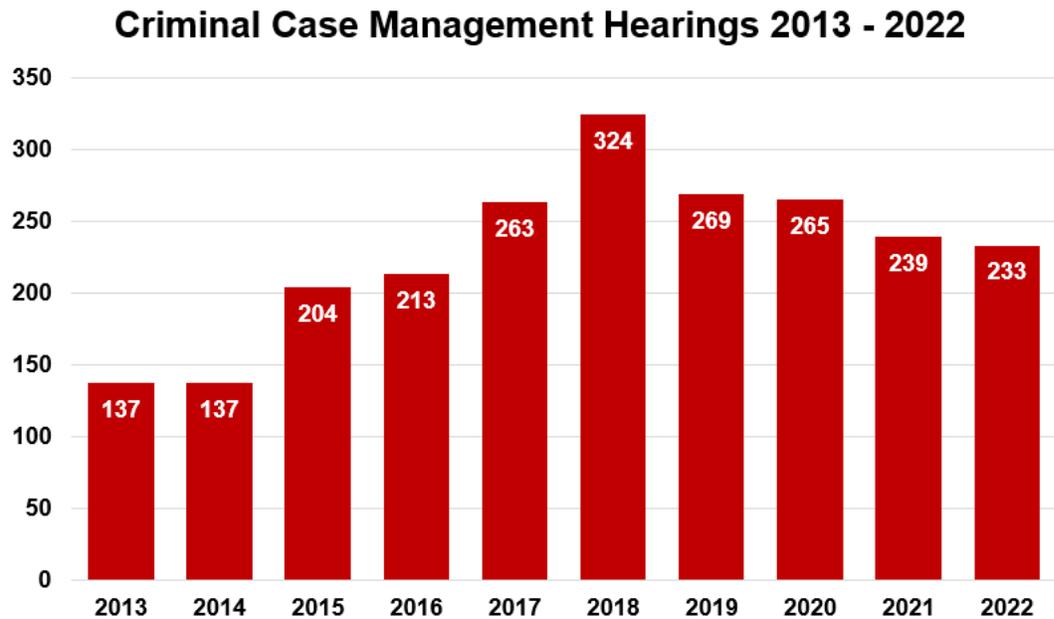


Part of the work in chambers includes the case management of appeals, which are captured in the statistic above. The Court applies a form of focused case management, only seeking to manage appeals where deadlines are missed or where the parties request the Court’s assistance.

In 2022, there were four family law appeals and 39 civil appeals case managed by a justice or the Registrar.

On the criminal side, case management is done more frequently pursuant to [Criminal Conviction/Acquittal Appeals Timeline \(Criminal Practice Directive, 13 January 2014\)](#). The chart below plots the number of criminal case management hearings year-over-year. These statistics include criminal case management conducted by the Registrar, reported on the following page.

In 2022, the Registrar conducted 100 hearings, a decrease from 2021.



VIRTUAL AND HYBRID APPEARANCES

In 2022, the Court conducted appeal and chambers hearings in person, by video conference, a hybrid of remote/in person, and by teleconference (for chambers only). Appeal hearings were overwhelmingly heard in person, with 294 (216 civil and 78 criminal) of the total 434 appeal hearings proceeding with all parties present in court. There were a further 90 appeal hearings (63 civil, 27 criminal) heard by video conference, and 50 (31 civil, 19 criminal) that proceeded in a hybrid fashion, with some parties in person and others attending remotely.

As with appeals, the most frequent manner of appearance for chambers hearings in 2022 was in-person attendance, with 404 (311 civil, 93 criminal) of the 948 hearings conducted with parties present in chambers. An additional 348 (216 civil, 132 criminal) chambers hearings were heard in a hybrid fashion, with some parties appearing in person and some attending by remote means. There were 147 (111 civil, 36 criminal) chambers hearings conducted by video conference only, and an additional 49 (two civil, 47 criminal) chambers hearings were heard by phone.

REGISTRAR'S HEARINGS

In 2022, the Registrar conducted 100 hearings, a decrease from 2021.

With respect to civil matters, there were 41 hearings out of 53 scheduled. Within those hearings, 23 court orders were settled, 33 bills of cost were assessed (one bill of special costs was assessed), four sets of books were settled, and six case management conferences were held in respect of electronic appeals or other civil matters. With respect to criminal matters, the Registrar heard 59 case management hearings.

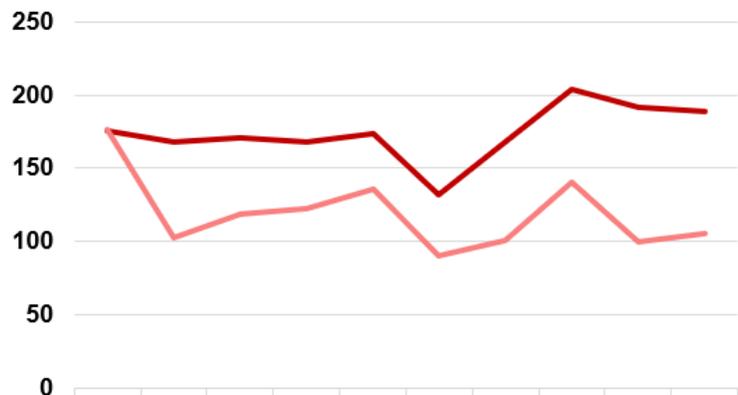
The term “filing to perfection” measures the time in days from the filing of the initiating document to the time an appeal is ready to be scheduled for hearing.

In 2022, there were no registrar’s decisions reviewed by a justice in chambers.

TIME LAPSE STATISTICS: FILING TO HEARING

The four charts below represent two timeframes showing the mean amount of time for an appeal to progress through the Court from start to finish. The term “filing to perfection” measures the time in days from the filing of the initiating document to the time an appeal is ready to be scheduled for hearing. The term “perfection to hearing” measures the time in days from when an appeal is ready to be scheduled until it is heard. The Court’s available dates fluctuate, but generally, the parties may obtain a date for hearing the appeal within three months of a request. With certain limited exceptions, the parties choose the date on which they want the appeal to be heard.

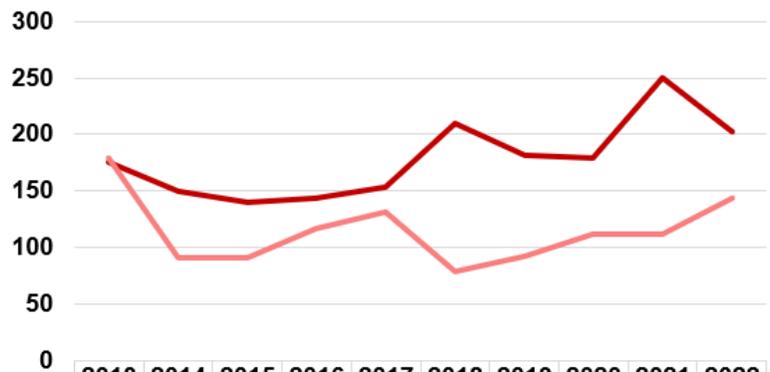
Civil 2013 - 2022



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Filing to Perfection	175	168	171	168	174	132	168	204	192	189
Perfection to Hearing	176	103	119	122	136	90	101	140	100	105

— Filing to Perfection — Perfection to Hearing

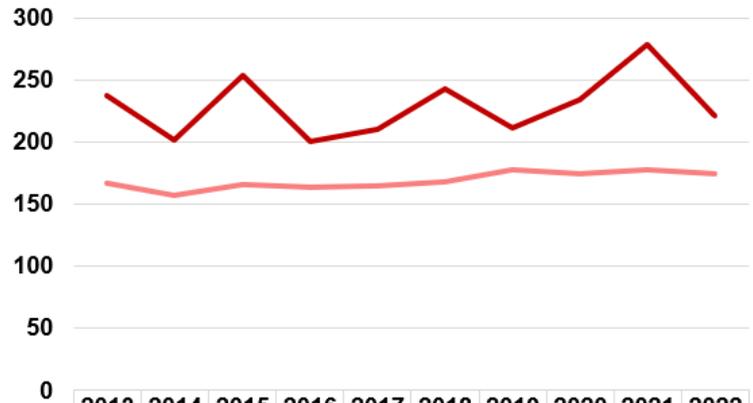
Family 2013 - 2022



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Filing to Perfection	175	150	140	144	153	210	182	179	250	202
Perfection to Hearing	179	91	91	117	131	78	92	112	112	143

— Filing to Perfection — Perfection to Hearing

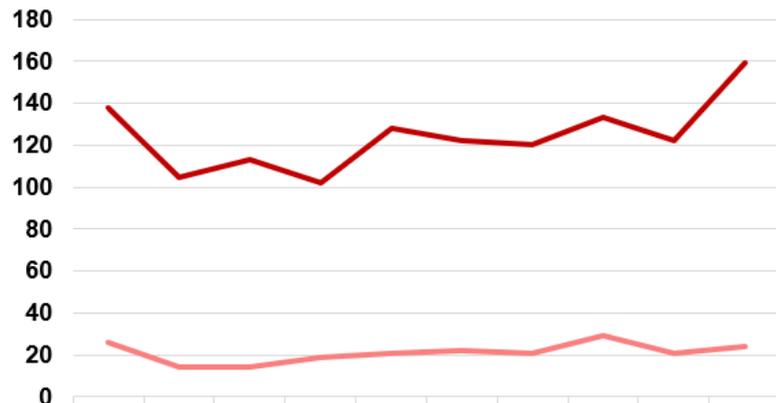
Conviction 2013 - 2022



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Filing to Perfection	237	202	254	200	210	243	211	234	279	221
Perfection to Hearing	167	157	166	164	165	168	178	175	178	174

Filing to Perfection **Perfection to Hearing**

Sentence 2013 - 2022



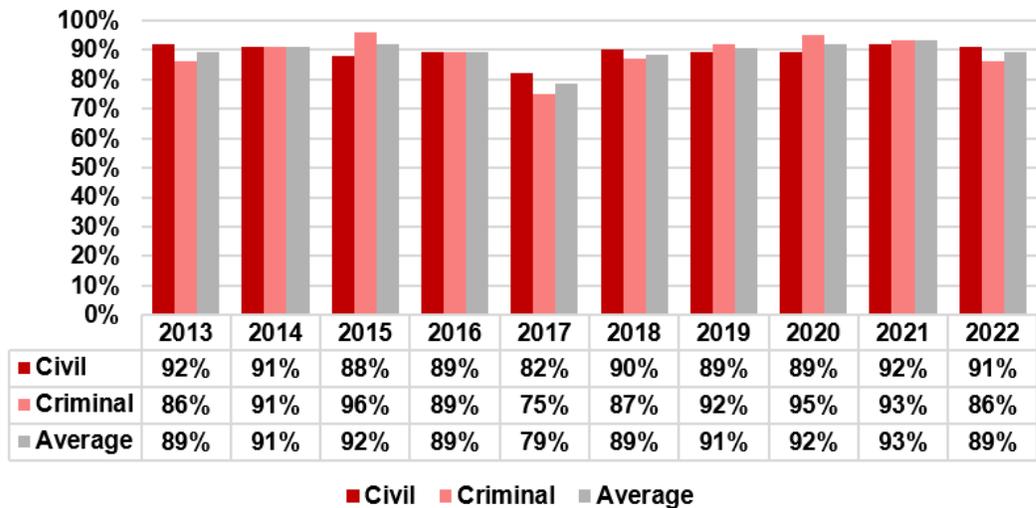
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Filing to Perfection	138	105	113	102	128	122	120	133	122	159
Perfection to Hearing	26	14	14	19	21	22	21	29	21	24

Filing to Perfection **Perfection to Hearing**

TIME LAPSE STATISTICS: HEARING TO JUDGMENT

The Canadian Judicial Council provides a six-month guideline for the release of reserve judgments. The chart below represents the percentage of Court of Appeal reserve judgments released within that six month period, sorted by civil, criminal, and total reserve judgments. For the purpose of this statistic, the Court counts only its reserved written judgments, as reserved oral judgments are usually delivered very shortly from the date they are reserved.

Percentage of Reserve Judgments Released within Six-Month Guideline 2013 - 2022



In 2022, seven per cent of leave applications from British Columbia to the Supreme Court of Canada were successful (four of 57 considered).

APPEALS TO THE SUPREME COURT OF CANADA

Statistics from the Supreme Court of Canada show that the Court of Appeal is the Court of last resort for most British Columbians. In most cases, litigants must seek permission/leave from the Supreme Court of Canada to appeal a case from the British Columbia Court of Appeal.

In 2022, seven per cent of leave applications from British Columbia to the Supreme Court of Canada were successful (four of 57 considered). Of the 127 appeals heard by the Supreme Court of Canada from British Columbia between 2011 and 2022 (inclusive), 67 were dismissed, and 52 were allowed.

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022*
B.C. Leave Applications Submitted	76	71	76	81	64	76	65	71	77	42	52	57
Granted	11	14	8	9	10	12	9	6	8	4	7	4
Dismissed	60	54	62	71	51	60	55	64	68	37	45	46
Reserved	0	0	0	0	0	0	0	0	0	0	0	7
Discontinued	2	0	0	0	1	2	1	0	0	0	0	0
Extension of time - dismissed	2	2	2	1	1	1	0	1	0	1	0	0
Quashed	0	0	0	0	0	0	0	0	0	0	0	0
Remanded	1	1	4	0	1	1	0	0	1	0	0	0
Percentage from B.C.	14%	13%	14%	16%	13%	13%	13%	15%	14%	9%	12%	13%
B.C. Appeals Heard	13	14	12	8	10	17	12	8	8	6	12	7
Allowed	4	6	5	6	3	9	5	5	5	1	2	1
Dismissed	9	8	7	2	7	8	7	3	3	4	6	3
Reserved	0	0	0	0	0	0	0	0	0	0	4	3
Percentage from B.C.	19%	18%	16%	10%	16%	27%	18%	12%	12%	16%	21%	13%

*As of January 26, 2023

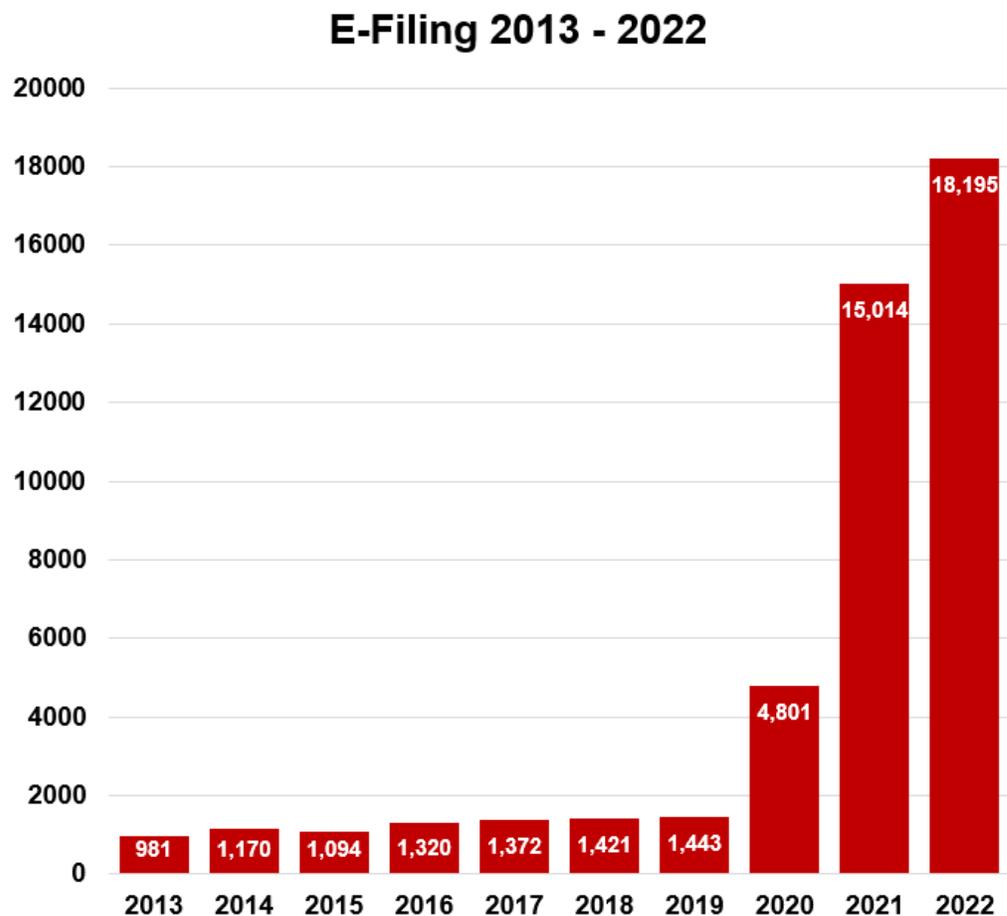
In 2022, there were 17,373 civil e-Filings and 822 criminal e-Filings for a total of 18,195.

ELECTRONIC FILING

WebCATS, the web-based Court of Appeal tracking system, is the Court’s electronic case management system. WebCATS has been available to the public through [Court Services Online](#) (CSO) since 2005, allowing the public to search civil and criminal indices for free and to view individual files for a nominal fee.

Court of Appeal e-Filing was officially implemented in October 2012. Due to the COVID-19 pandemic and mandatory civil electronic filing, there has been an increase in the number of e-Filed documents again in 2022, rising by more than 20 per cent from 2021 and over a twelve-fold increase since 2019.

In 2022, there were 17,373 civil e-Filings and 822 criminal e-Filings for a total of 18,195. The most commonly e-Filed documents were Notices of Appearance with 1,199 filings, followed by affidavits with 1,058 filings, and consent orders with 857 filings. Twenty Notice of Appeal filings were created with a new tool that automatically draws data from the Supreme Court to populate the Notice of Appeal form.





COMMITTEE REPORTS

PLANNING, PRIORITIES, AND ACCESS TO JUSTICE COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman (Chair)
The Honourable Madam Justice Bennett
The Honourable Mr. Justice Harris
The Honourable Madam Justice Fenlon
The Honourable Madam Justice DeWitt-Van Oosten
The Honourable Justice Marchand
Timothy Outerbridge, Registrar
Heidi McBride, Executive Director and Senior Counsel
Sally Rudolf, Legal Counsel
Shirley Smiley, Legal Counsel

The mandate of the Planning, Priorities, and Access to Justice Committee is to consider matters of general importance to the operation of the Court, including court reform, new policies, initiatives, and changes to court administration. The Committee functions as the Court's Executive Committee.

The following matters were considered in 2022:

ACCESS TO JUSTICE BC

The Chief Justice reported to the Court in 2022 on the work of Access to Justice BC. Access to Justice BC (A2JBC) is a network of justice system stakeholders committed to improving access to justice for British Columbians. It seeks to align network members in their efforts and to support collaborative, innovative, user-centered, and evidence-based initiatives. While A2JBC does not itself run projects, it provides support to initiatives and encourages justice system institutions and professionals to adopt the “Triple Aim” methodology, which will focus projects on three objectives: improved user experience, improved population outcomes, and improved costs. Updates on A2JBC initiatives can be found on the A2JBC website and the Chief Justice's blog at [accessjusticebc.ca](https://www.accessjusticebc.ca). In 2019, the Triple Aim was signed and endorsed by more than 50 organizations in British Columbia.

In 2022, A2JBC continued the development of its Family Law Justice Strategy, aimed at transforming family law in response to data gathered on Adverse Childhood Experiences. In the coming years, A2JBC will lead a multi-sector Transform the Family Justice System (TFJS) Collaborative, but its work in 2022 focused on taking the necessary preparatory steps to make sure the TFJS Collaborative is successful and sustainable.

The results of these reports were the Court's sustained adoption of virtual appearances for chambers and Court as well as the broadcasting of appeals by Zoom, which took effect in early 2023.

COVID-19 POLICIES

As the pandemic slowly began to recede in 2022, the Committee began to examine changes to Court policies, such as electronic filing and digital appearances in Chambers and Court. These priorities were identified in the Court's COVID-19 public survey, which identified the broadcasting of proceedings and virtual appearances as items that attracted particular attention of the public. The results of these reports were the Court's sustained adoption of virtual appearances for chambers and Court as well as the broadcasting of appeals by Zoom, which took effect in early 2023.

INDIGENOUS RECONCILIATION

In 2022, the Court continued its work on reconciliation and struck an internal working group to examine what steps, if any, the Court might consider given its unique constitutional role.

CANADIAN JUDICIAL COUNCIL COURT INFORMATION PROJECT

The Court is participating in a pilot project on providing bulk access to court information, specifically court judgments, via CanLII's platform. The data recipients would be under an agreement on the use of the data.

SELF-HELP WEBSITE

The Court's [self-help website](#) is a partnership between the Court of Appeal and the Justice Education Society. In 2022, the self-help website had 10,214 visitors and 36,582 page views. The Court is grateful for the relationship it has formed with the Justice Education Society and for all of its work to maintain this important resource.

ACCESS PRO BONO SELF-REPRESENTED LITIGANTS PROGRAM

In 2020, the Court marked the beginning of a new program addressing the needs of self-represented litigants in civil appeals in partnership with [Access Pro Bono](#). Access Pro Bono is an organization through which *pro bono* lawyers provide free legal advice and representation to low- and modest-income individuals on a wide range of legal issues.

In 2022, Access Pro Bono referral counsel received 62 inquiries from self-represented litigants in response to 181 offers of *pro bono* assistance handed out at the Registry when an appeal was commenced (148 to appellants and 33 to respondents). 22 of those litigants received services from *pro bono* lawyers, including 14 litigants who received *pro bono*

The services of these lawyers who act in an advisory capacity, pro bono capacity, or with greatly reduced fees is a valuable service to the Court and the public for which the Court expresses its sincere appreciation.

representation services before the Court of Appeal, and two received referrals to lawyers with significantly reduced fees, so called “low bono” services.

The lawyers who volunteered their time to take appeals involving self-represented litigants in 2022 were:

Brent Anderson	Jessica Lithwick	Jordan Schultz
Trevor Bant	Kathryn McGoldrick	Jeremy Shragge
Gordon Behan	Peter Mennie	Maria Sokolova
Alex Bjornson	Amy Mortimore	Matt Stainsby
Jake Cabbot	Nathan Muirhead	Kayla Strong
Alison Colpitts	Farid Muttalib	Garry Thomas
Heather Doi	Matt Nied	Eileen Vanderburgh
Malcolm Funt	Caitlin Ohama-Darcus	Jasmeet Wahid
Sean Gallagher	Maya Ollek	Stacey Waterman
Stephanie Hamilton	James Parker	Nathan Wells
Emily Hansen	Dagmara Pawa	David Yu
Susan Humphrey	Tom Posyniak	Nerissa Yan
Amanda James	Julia Riddle	
Paul LeBlanc	Logan Rogers	

As part of the new program, a list of mentorship counsel was created to give less experienced lawyers advice and assistance on the conduct of appeals taken through the new program. The Court would like to thank the following lawyers for their help mentoring their colleagues in the Court:

barb findlay, K.C.	Richard Lindsay, K.C.
The Honourable Edward Chiasson, K.C.	The Honourable Kenneth Mackenzie, K.C.
Vincent Critchley	Richard Margetts, K.C.
The Honourable Thomas Cromwell, K.C.	Joe McArthur
Tim Delaney	Jacqueline McQueen, K.C.
John Dives, K.C.	The Honourable Kathryn Neilson, K.C.
Patrick Foy, K.C.	The Honourable Robert Sewell, K.C.
The Honourable Nicole Garson, K.C.	William Storey
Andrew Gay, K.C.	The Honourable Kenneth Smith, K.C.
Randy Kaardal, K.C.	Martin Taylor, K.C.

Finally, the Court would like to thank the members of the legal community who provided training sessions to counsel on the conduct of an appeal.

The services of these lawyers who act in an advisory capacity, *pro bono* capacity, or with greatly reduced fees is a valuable service to the Court and the public for which the Court expresses its sincere appreciation.

RULES AND PRACTICE COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman

The Honourable Mr. Justice Goepel (Chair to August 2022)

The Honourable Mr. Justice Groberman

The Honourable Mr. Justice Willcock (as of November 2022)

The Honourable Mr. Justice Fitch

The Honourable Madam Justice Fisher (Chair as of November 2022)

The Honourable Mr. Justice Abrioux

The Honourable Madam Justice Horsman (as of November 2022)

Timothy Outerbridge, Registrar

Tasneem Karbani, Legal Counsel

Sally Rudolf, Legal Counsel

Shirley Smiley, Legal Counsel

The mandate of the Court of Appeal Rules and Practice Committee is to review, enhance, and simplify the practice and procedure of the Court. The Committee meets regularly throughout the year to discuss proposals by the justices of the Court, the Registrar, lawyers, and the public for amendments to the [Court of Appeal Act](#) (the “Act”), the [Court of Appeal Rules](#), and the [Court of Appeal Criminal Appeal Rules](#), 1986 (together, the “Rules”). The Committee consults with members of the bar and other organizations, such as the Canadian Bar Association, when there is a proposal that would significantly change the Court’s practice and procedure.

The following matters were considered in 2022:

CIVIL APPEAL ACT AND RULE REFORM PROJECT

Most of the Committee’s activities in the first half of 2022 involved final changes to the new *Court of Appeal Act* and *Court of Appeal Rules*. On July 18, 2022 the new *Act* and *Rules* came into force. In late 2022, the Committee considered several clarifying amendments to the *Rules* that will be tabled in 2023. Minor amendments were made in September.

CRIMINAL ADVISORY COMMITTEE

Although a meeting of the Court’s Criminal Advisory Committee did not take place in 2022, the Rules Committee continued to develop a plan for the amendment of the *Court of Appeal Criminal Appeal Rules*. In particular, it was observed that the process for making an

In 2022, the Court rescinded all of its COVID-19 Notices as courthouse restrictions were ended.

amendment to the criminal rules under s. 482 of the *Criminal Code* only requires that the rules be “published or otherwise made available to the public”. The requirement to publish in the Canada Gazette was repealed in 2019. Since that time, the Ontario Courts have amended their rules and simply published the amendments to their court websites.

NOTICES AND PRACTICE DIRECTIVES ISSUED OR UPDATED

There is a [table of concordance](#) for COVID-19 Notices which details the history of Notices and announcements issued since March 2020 as the Court modified its operations in response to the COVID-19 pandemic. In 2022, the Court rescinded all of its COVID-19 Notices as courthouse restrictions were ended.

With the introduction of the new *Court of Appeal Act* and *Court of Appeal Rules*, many of the Court’s old Practice Directives and Notes were rescinded. A [table of concordance](#) for civil and criminal Practice Directives and Notes may be found on the Court’s website. Excluding those that were simply re-introduced along with the new *Act* and *Rules*, the following Practice Directives were brought into force in 2022:

[*Declarations of Invalidity in Court Orders \(Civil & Criminal Practice Directive, July 18, 2022\)*](#)

This practice directive was clarified so as to apply to criminal as well as civil proceedings.

[*Registrar’s Filing Directive*](#)

This practice directive was introduced on July 18, 2022 and updated on November 21, 2022. It replaced previous COVID-19 Notices giving filing directions in civil and criminal appeals.

[*Remote Appearances \(Civil & Criminal Practice Directive, July 18, 2022\)*](#)

This practice directive replaced previous COVID-19 Notices that gave directions on how to appear virtually in Court and Chambers.

[*Style of Proceedings \(Civil and Criminal Practice Directive, September 9, 2022\)*](#)

This practice directive was issued to give parties additional guidance on how to create a style of proceedings in the Court of Appeal, reflecting both changes arising from the new *Act* and *Rules* as well as the death of the Sovereign and the need to substitute “Rex” for “Regina” in criminal matters.

[*Appearing before the Court \(Civil & Criminal Practice Directive, October 20, 2022\)*](#)

Minor amendments were made to this Practice Directive in October of 2022.

[*Case Compilation & Presentation Software \(Civil & Criminal Practice Directive, July 18, 2022\)*](#)

This practice directive was introduced to allow the Court to continue to experiment and evaluate options for compiling and presenting appeals electronically.

TECHNOLOGY COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman (*ex officio*)
The Honourable Mr. Justice Groberman
The Honourable Madam Justice Bennett
The Honourable Mr. Justice Hunter
The Honourable Justice Griffin (Chair)
The Honourable Mr. Justice Butler
Timothy Outerbridge, Registrar
Heidi McBride, Executive Director and Senior Counsel
Sally Rudolf, Legal Counsel
Shirley Smiley, Legal Counsel
Christine Gergich, Appellate Court Records Officer
Ryan Wirth, Manager of Information Technology

The Court of Appeal Technology Committee supervises projects meant to enhance the use of technology in the Court of Appeal. The following matters were considered 2022:

ELECTRONIC FILING PROJECT

Since 2014, the Court Services Branch has been facilitating a project that will follow a user-experience design model for the development of future electronic filing. As reported in 2019 and 2020, the Court has now launched its new Notice of Appeal e-Filing project, which populates the Notice of Appeal form by drawing on data from the Supreme Court of British Columbia in civil cases. In 2022, 20 appeals were filed using this method (considering a period where it was not available as the application was updated for the new Act and Rules), which is hoped will decrease data entry errors and rejections.

As discussed in last year's report, the Court Services Branch has accelerated the use of "smart" forms, expanding their use beyond the two forms described above and hopes to launch a Court of Appeal "application" that will provide this service for all of the Court of Appeal's new forms under its new *Act* and *Rules*.

ONLINE BOOKING OF APPEALS

As reported in 2021, the online booking of appeals service was launched in April of that year. Parties may now book civil and criminal appeals online, so long as those appeals are set for a day or less of hearing time. In 2022, a total of 124 hearings were booked using this service.

With limited exceptions, most Court of Appeal hearings will be live broadcast beginning in early 2023.

ADOPTION OF E-FILING AND VIRTUAL APPEARANCES

The receipt of electronic materials continues to shift requirements for counsel and the Court. Accordingly, adjustments have been required to the way the Court hears appeals and how justices are equipped and trained to work electronically.

In last year's annual report, the Court reported on a number of detailed surveys that examined the impact of the changes on the Court and the public. Based on those survey results, the Court decided to continue to offer virtual hearings as the pandemic slowly receded. Given there was also strong support for the broadcasting of appeals using the Zoom platform, a proposal was brought to the Court in the Spring to more permanently implement the live broadcasting of appeals. With limited exceptions, most Court of Appeal hearings will be live broadcast beginning in early 2023.

As reported in 2021, the Court continues to examine options for the storage of its electronic appeal records, under its new records retention schedules under the *Information Management Act*. This included ongoing discussions with the Court Services Branch and the Government Records Service concerning how both physical and electronic records will be stored and the negotiation of a Memorandum of Understanding to ensure the Court's records are properly managed.

COURTROOM UPDATES

The Court has requested that government begin to update some of the Court's facilities to ensure the infrastructure is able to support the rapid changes in the way the Court does its business. In particular, the aging state of Courtroom 60, the Court's flagship courtroom, has been identified as a place to begin those changes. In 2022, the Committee reviewed the recently renovated Courtroom in Abbotsford and proposed a number of potential updates to Courtroom 60. The matter is now with government, who will hopefully begin those updates as soon as possible.

COURTS TECHNOLOGY BOARD

The Courts Technology Board is designed to foster and strengthen the sharing of technology initiatives, innovation, and information between the judiciary, the Court Services Branch, and the Ministry of Justice, as well as to identify and plan how to address various technological needs.

The Board met four times in 2022—in February, March, April and December—to discuss ongoing projects, such as:

In 2022, there were several major releases and discrete enhancements made to WebCATS by the information technology team, many in response to the new Act and Rules.

- The modernization of various justice system applications;
- The stabilization of court infrastructure as the Court moves beyond COVID-19;
- Various improvements to the use of electronic warrants in the trial courts;
- The development of various virtual hearing and document management solutions in response to COVID-19, such as the development of virtual recorders and virtual bail proceedings focused on the trial Courts;
- Various upgrades to court and courtroom infrastructure, including network cabling, WiFi, screens, televisions, and other systems to support virtual hearings; and,
- Online booking and scheduling in both the trial Courts and Court of Appeal.

ENHANCEMENTS TO WEBCATS

As discussed above, WebCATS is the Court of Appeal’s electronic case management system. Every year, a number of improvements are made in response to user feedback to ensure the system meets the demands of the Court, the Registry, and the public. In 2022, there were several major releases and discrete enhancements made to WebCATS by the information technology team, many in response to the new *Act* and *Rules*. The following enhancements were the most significant:

- New prompts were created as s.25 of the *Act* because Rule 50(1)(b) to track when appellant’s factum and lower court order are filed;
- New initiating documents were changed as the Notice of Application for Leave to Appeal no longer exists;
- Changes to the way historical records were indexed and updated;
- Updates to the style of proceedings to reflect the new “appellant first” style under the new Rules;
- Enhancements were made to better track when a new Family case is filed. A prompt was created to check if case is ‘CMC Candidate’ a certain amount of time after an appeal is filed;
- A notification process was designed to alert the lower court prior to judgment being released. This functionality will pre-populate an email to be sent to the lower court judge;
- Updates to online booking to coincide with rule changes regarding certificate of readiness;
- Updates to e-Filed document types list to coordinate with CEIS/CSO team for e-Filing online, especially for documents under the new *Act* and *Rules*;
- Changes to accommodate the proposed broadcasting of appeals and to better integrate Zoom functionality; and,
- General fixes after Chrome and Edge compliance from previous year.

EDUCATION COMMITTEE

MEMBERS

The Honourable Madam Justice Stromberg-Stein (2016 – 2022)

The Honourable Mr. Justice Willcock (2016 – 2022; former Chair)

The Honourable Madam Justice Fenlon (2016 – 2022)

The Honourable Mr. Justice Patrice Abrioux (Chair)

The Honourable Madam Justice DeWitt-Van Oosten

The Honourable Mr. Justice Grauer (as of November 2022)

The Honourable Justice Marchand (as of November 2022)

Sally Rudolf, Legal Counsel

Shirley Smiley, Legal Counsel

Tasneem Karbani, Legal Counsel

The Education Committee is responsible for presenting education programs for the judges of the court in furtherance of the objectives identified in the Canadian Judicial Council Professional Development Policies and Guidelines. The Judicial Council has recognized that judicial education demands a three-dimensional approach encompassing: (a) substantive content; (b) skills development; and (c) social context awareness. The policy recognizes that individual judges are accountable for their own ongoing professional development. Members of the Court have attended a wide range of educational programs offered by the National Judicial Institute, the Canadian Institute for the Administration of Justice, the Federation of Law Societies, the Continuing Legal Education Society of British Columbia, the Canadian Bar Association, and university law faculties.

Members of the Committee and Justices of the Court of Appeal serve as Directors of the Canadian Institute for the Administration of Justice and the Justice Education Society and as instructors and speakers at their programmes and the programs of the National Judicial Institute. Members of the Court have also served on the editorial boards and as contributors to the publications of the Continuing Legal Education Society of British Columbia and as instructors at CLE courses. They also assist law faculties with their mooted programs and participate as judges at B.C and national mooted competitions.

The Education Committee seeks to assist the court by identifying and organizing educational opportunities. The Committee annually reviews and edits the Court's manuals of appellate practice and procedures with the manuals undergoing significant updates in 2022 as a result of the coming into force the new *Court of Appeal Act and Rules*. This report is not an account of the various educational programs in which members of the Court have participated but is an outline of the Committee's work.

In 2022, the Committee organized the following educational programs:

January 12, 2022 The Métis Nation; a brief history of Louis Riel's People
Jean Teillet (Senior Counsel, Pape Salter Teillet; author of *The North-West is Our Mother*)

March 17, 2022 Overview of the new *Court of Appeal Act* and *Court of Appeal Rules*
Registrar Timothy R. Outerbridge

April 13, 2022 Algorithmic Decision-Making Discretion in the Automated Administrative State
Sancho McCann, law clerk to the Chief Justice of British Columbia

May 13, 2022 Court of Appeal Practice and Procedure
Panel discussion led by Justices Newbury, Saunders, Frankel, Tysoe, and Goepel

May 18 2022 Language and Terminology in cases with Indigenous Issues and Parties
Professor Lorna Fadden (Simon Fraser University)

September 14, 2022 Current Problems of Proof in Sexual Assault
Professor Lisa Dufraimont (Osgoode Hall Law School)

October 12, 2022 Online Resources Overview
Court of Appeal legal counsel Sally Rudolf and Tasneem Karbani

November 4, 2022 Judicial Wellness
Dr. Mark Fenske (University of Guelph)

December 6, 2022 Reconciliation
Chief Robert Joseph and Karen Joseph

December 7, 2022 Sentencing Topics – Trends in Parole Ineligibility Periods
Professor Debra Parkes (Allard School of Law)

JOINT COURTS TECHNOLOGY COMMITTEE

MEMBERS

The Honourable Mr. Justice Hunter
The Honourable Mr. Justice Masuhara (Chair)
The Honourable Justice Myers
The Honourable Justice Adair
The Honourable Justice Branch
The Honourable Madam Justice Fitzpatrick
The Honourable Justice Punnnett
Master Nielsen
Timothy Outerbridge, Registrar, Court of Appeal
Heidi McBride, Executive Director and Senior Counsel
Brenda Belak, Legal Counsel
Ryan Wirth, Manager, Information Technology
Cindy Friesen, Director, Supreme Court Scheduling

The Committee's mandate is to review developments in technology and their impacts on the work of the Court of Appeal and the Supreme Court.

WORK OF THE COMMITTEE

In 2022, much of the Committee's work involved expanding electronic document management and online booking. The Committee was also involved in supporting the move to a new VOIP phone system for the judiciary and judicial staff, as the technology used by the existing phones has become obsolete and the new system provides high quality audio that is easily incorporated into the Courts' infrastructure.

In collaboration with the Court Services Branch, the Supreme Court launched its Masters Chambers Pilot project at seven registries on Vancouver Island and the Sunshine Coast in August. The Pilot permits counsel and parties to submit chambers application records electronically for Masters chambers hearings of 30 minutes or less. After the first phase has been evaluated, the Pilot will be expanded to other types of locations.

Following the trend from previous years, electronic filing continues rise at the Court of Appeal, and the Court is considering options for managing its physical and electronic records. The Court also announced its plan to return to broadcasting appeal hearings, following strong public support, by Zoom in early 2023.

Following the trend from previous years, electronic filing continues rise at the Court of Appeal, and the Court is considering options for managing its physical and electronic records.

At both the Court of Appeal and Supreme Court, online booking of hearings is increasing, with Supreme Court adding case planning conferences, judicial case conferences, and trial managements. The Committee supports more online booking of hearings and conferences in the future.

The Committee is grateful to Brenda Belak for her support of its work.

JUDICIAL ACCESS POLICY WORKING COMMITTEE

MEMBERS

Shirley Smiley, Legal Counsel, Court of Appeal (Chair from September 2022)

Leah Pence, Legal Counsel, Supreme Court

Daniel Kozera, Legal Officer, Provincial Court (Chair until September 2022)

Grant Marchand, Manager, Judicial Resource Analysis & Management Information Systems, Provincial Court

Dan Chiddell, Director Strategic Information & Business Applications, Ministry of Justice - Court Services Branch

Stephanie Delacretaz, Assistant Director, Strategic Information & Business Applications, Ministry of Justice – Court Services Branch

Erin Turner, Acting Director, Policy, Legislation and Planning, Ministry of Attorney General – Court Services Branch

Robert Richardson, Secretariat and Senior Policy Analyst

MANDATE OF THE COMMITTEE

The Chief Justices and Chief Judge of British Columbia’s courts have responsibility for the supervision and control of court records and judicial administration records. The Judicial Access Policy Working Committee (APWC) is a joint committee consisting of representatives from all three courts and Court Services Branch (CSB) employees. The Committee develops draft policies and interacts with the various court committees, seeking guidance and approval for draft policies relating to access to court records, particularly those in electronic format. The Chief Justices and Chief Judge give approval before a policy is adopted. In addition to policy work, the Committee reviews access applications for those seeking bulk access to court record information.

The APWC is not a decision-making body, but rather a review and discussion forum for judicial representatives and CSB senior staff involved in policy, legislation, data custodianship, statistics, and court systems management. Final decisions on access applications made to the APWC for access to court records or court record information are made by the judiciary and communicated to the applicant through the APWC.

In 2022, the work of the Committee included the following:

In 2022, the Committee updated its terms of reference (which guide its mandate, process, and operations), and the application form for access to court record information.

ACCESS APPLICATIONS

In 2022, the Committee received, considered, and made recommendations in respect of seven applications for access to court record information from a variety of government, public, non-profit, and private agencies and departments in order to fulfill their statutory mandates, improve the efficiency of their operations, or to support the legal research and analysis services provided. The Three Courts Policy on Bulk and Electronic Access to Court Records, approved in September 2021, guided consideration of these requests. The policy describes protocols for administering bulk access to court records and electronic information that is not available at the registry counter. Formal access agreements were created for applications approved by the judiciary.

POLICY WORK

In 2022, the Committee updated its terms of reference (which guide its mandate, process, and operations), and the application form for access to court record information. The Committee also reviewed and commented on proposed legislative amendments related to court record management, the Canadian Judicial Council's model policies for the [classification of court information](#) and the [retention of court information](#), and various CSB policies related to access to court information or court proceedings.

The Committee completed all interviews by video conference, regardless of place of residence, having found that this process ensures a more consistent and equitable interview experience.

LAW CLERK COMMITTEE

MEMBERS

The Honourable Justice Newbury
The Honourable Justice Fitch (Chair)
The Honourable Justice Fisher
The Honourable Justice Butler
Sally Rudolf, Legal Counsel
Shirley Smiley, Legal Counsel

The Law Clerk Committee supervises and provides policy support related to the Court of Appeal’s judicial law clerk program. Legal counsel manage and supervise law clerks day-to-day and provide outreach, hiring, and training support. One of the Committee’s main tasks is to interview candidates for selection as judicial law clerks following a first round of interviews conducted by legal counsel for the Court of Appeal and the Supreme Court.

In January 2022, the judicial law clerk program received 140 applications for 33 law clerk positions at both courts for the 2023–2024 term (12 at the Court of Appeal and 21 at the Supreme Court). The majority of applicants attended law school in British Columbia at Allard Hall, the University of Victoria, or Thompson Rivers University. Applications were also received from students trained across Canada and internationally. In February, legal counsel completed first interviews with 40 students. In early March, judicial members of the Law Clerks Committee interviewed 24 shortlisted applicants, and selected 12 law clerks (from UBC, UVic, TRU, USask, Osgoode, U of Ottawa, and U of T). The Committee completed all interviews by video conference, regardless of place of residence, having found that this process ensures a more consistent and equitable interview experience.

In the fall of 2022, judicial law clerk program applicants could view up-to-date recruitment information online, including an informational video. In October and November, the Court provided in-person information sessions for law students at Allard Hall, UVic, and TRU. The Court also facilitated or participated in online information sessions for law students who identify as Indigenous, 2SLGBTQIA+, Asian, and Black.

The Committee thanks legal counsel Sally Rudolf, Shirley Smiley, and Brenda Belak, as well as Kristine Dhamrait and Queen Lee, for their assistance and administrative support.

*...over the coming year,
the library will continue
focusing on its curation
and development of its
electronic resources.*

LIBRARY COMMITTEE

MEMBERS

Madam Justice Bennett (until end of October 2022)

Mr. Justice Skolrood (as of November 2022)

Madam Justice Ker (Chair)

Mr. Justice Edelman

Heidi McBride, Executive Director and Senior Legal Counsel

Diane Lemieux, Head Librarian (until April 2022)

Sylvia Ranspach, Head Librarian (as of October 2022)

2022 saw many significant changes to the Judges' Library. After 23 years of invaluable service, Head Librarian Diane Lemieux retired in April. On her last day, Ms. Lemieux sent an email to everyone that included this apt observation from Albert Einstein:

“The only thing that you absolutely have to know is the location of the library.”

While a search was conducted for a new Head Librarian, Library Technician Connie Kang stepped in to fill the void. Following a competition for the posting, the successful candidate was announced, and Sylvia Ranspach began as Head Librarian in October. Under her leadership, a comprehensive review of the collection is underway as well as an update of materials to assist in researching various subject matters and improvements to the accessibility of materials.

As with many aspects of the Courts' operations, 2022 underscored the importance of technology and digital literacy as the use of electronic resources expanded. This will continue going forward, due both to the demand for access to these resources and the increasing cost of paper resources. In keeping with this trend, over the coming year, the library will continue focusing on its curation and development of its electronic resources.

Finally, the Committee membership changed slightly at the end of the year. Justice Bennett stepped down as the Court of Appeal representative at the end of October, with Justice Skolrood rejoining the Library Committee as the Court of Appeal representative at the beginning of November.

The Committee would like to acknowledge and thank the library staff for the exemplary service they provide, particularly in these ever changing and fiscally challenging times.



MEMBERS OF THE COURT

MEMBERS OF THE COURT OF APPEAL

CHIEF JUSTICE OF BRITISH COLUMBIA

Chief Justice Robert James Bauman

- June 20, 1996 (Supreme Court)
- February 20, 2008 (Court of Appeal)
- September 9, 2009 (Chief Justice Supreme Court)
- June 16, 2013 (Chief Justice of British Columbia)

JUSTICES OF THE COURT OF APPEAL

Madam Justice Mary V. Newbury

- July 9, 1991 (Supreme Court)
- September 26, 1995 (Court of Appeal)
- January 1, 2019 (Supernumerary)

Madam Justice Mary E. Saunders

- December 23, 1991 (Supreme Court)
- July 1, 1999 (Court of Appeal)
- January 1, 2022 (Supernumerary)

Mr. Justice S. David Frankel

- March 2, 2007 (Supreme Court)
- May 10, 2007 (Court of Appeal)
- April 1, 2019 (Supernumerary)

Mr. Justice Harvey M. Groberman

- December 14, 2001 (Supreme Court)
- May 8, 2008 (Court of Appeal)
- February 1, 2021 (Supernumerary)

Madam Justice Elizabeth A. Bennett

- August 27, 1997 (Supreme Court)
- May 14, 2009 (Court of Appeal)
- February 1, 2017 (Supernumerary)

Madam Justice Anne W. MacKenzie

- July 5, 1990 (Provincial Court)
- June 20, 1996 (Supreme Court)
- April 23, 2010 (Associate Chief Justice Supreme Court)
- December 31, 2011 (Court of Appeal)
- November 30, 2014 (Supernumerary)

Mr. Justice David C. Harris

- March 19, 2010 (Supreme Court)
- April 5, 2012 (Court of Appeal)

Madam Justice Sunni Stromberg-Stein

- December 4, 1989 (Provincial Court)
- February 16, 1996 (Supreme Court)
- June 6, 2013 (Court of Appeal)
- September 1, 2014 (Supernumerary)

Mr. Justice Peter M. Willcock

- June 19, 2009 (Supreme Court)
- June 6, 2013 (Court of Appeal)

Mr. Justice Richard B.T. Goepel

- September 27, 2001 (Supreme Court)
- November 7, 2013 (Court of Appeal)
- September 30, 2016 (Supernumerary)
- August 23, 2022 (Retired)

Madam Justice Lauri Ann Fenlon

- January 31, 2008 (Supreme Court)
- June 19, 2015 (Court of Appeal)

Justice Gail M. Dickson

- December 15, 2006 (Supreme Court)
- July 28, 2015 (Court of Appeal)
- December 1, 2022 (Supernumerary)

Mr. Justice Gregory J. Fitch

- October 20, 2011 (Supreme Court)
- September 1, 2015 (Court of Appeal)

Mr. Justice John J.L. Hunter

- April 12, 2017 (Court of Appeal)

Madam Justice Barbara L. Fisher

- November 26, 2004 (Supreme Court)
- September 15, 2017 (Court of Appeal)
- January 2, 2020 (Supernumerary)

Justice Susan A. Griffin

- February 20, 2008 (Supreme Court)
- February 7, 2018 (Court of Appeal)

Mr. Justice G. Bruce Butler

- March 30, 2007 (Supreme Court)
- August 29, 2018 (Court of Appeal)
- April 1, 2022 (Supernumerary)

Mr. Justice Patrice Abrioux

- September 30, 2011 (Supreme Court)
- March 7, 2019 (Court of Appeal)

Madam Justice M. Joyce DeWitt-Van Oosten

- October 20, 2016 (Supreme Court)
- May 6, 2019 (Court of Appeal)

Mr. Justice J. Christopher Grauer

- April 11, 2008 (Supreme Court)
- December 20, 2019 (Court of Appeal)

Mr. Justice Peter G. Voith

- January 22, 2009 (Supreme Court)
- September 9, 2020 (Court of Appeal)

Justice Leonard Marchand

- September 3, 2013 (Provincial Court)
- June 21, 2017 (Supreme Court)
- March 24, 2021 (Court of Appeal)

Madam Justice Karen Horsman

- August 31, 2018 (Supreme Court)
- April 20, 2022 (Court of Appeal)

Justice Ronald A. Skolrood

- June 7, 2013 (Supreme Court)
- October 24, 2022 (Court of Appeal)

CHANGES TO THE COURT'S COMPLEMENT

Over the course of her career, Justice Horsman has dedicated significant time to legal education.

The Court began 2022 with a full complement of justices. Three vacancies were created in 2022 with the election to supernumerary status of Madam Justice Saunders, Justice Dickson, and Mr. Justice Butler. Two vacancies were filled during the year by the appointments of Madam Justice Horsman and Justice Skolrood.

APPOINTMENTS

The Honourable Madam Justice Karen Horsman

The Honourable Madam Justice Karen Horsman was appointed a justice of the Court of Appeal for British Columbia and the Court of Appeal for Yukon on April 20, 2022. She was previously appointed to the Supreme Court of British Columbia on August 31, 2018.

Justice Horsman grew up in Vancouver, British Columbia. She first obtained a Bachelor of Arts (Honours) at Carleton University, Ottawa, and then returned to Vancouver to earn her L.L.B. from the University of British Columbia in 1992. She was called to the Bar of British Columbia in 1994.

Justice Horsman clerked at the British Columbia Supreme Court, and then completed her articles with the British Columbia Ministry of Attorney General. She remained with the Ministry as legal counsel until 1995, when she left to start her own practice and worked as a sole practitioner for a period. She then returned to the Ministry of Attorney General, initially practicing in general civil litigation and subsequently in the constitutional and administrative law group.

Over the course of her career, Justice Horsman has dedicated significant time to legal education. She has been a frequent volunteer contributor to Continuing Legal Education seminars, covering topics such as government liability in negligence, misfeasance in public office, class action procedure, appellate advocacy, constitutional litigation, and mentoring in the legal profession. She also co-taught a course on issues of public law as an adjunct professor at the Allard School of Law from 2009 to 2018. She is a co-editor and contributing author of the textbook *Government Liability: Law and Practice*, which was first published in 2007.

Justice Horsman frequently appeared at all levels of court in British Columbia as well as the Supreme Court of Canada. In 2011, she received the Justice Edwards Memorial Award for exemplary service in the Ministry of Attorney General. She was appointed Queen's Counsel in 2014. As a lawyer, she was involved in numerous precedent-setting legal cases relating to Crown policy and liability. At all stages of her career, Justice Horsman has been appreciated

Justice Skolrood has had a reputation throughout his career for being dedicated to mentorship, and was named Lawson Lundell's first "Mentor of the Year".

by her colleagues for her keen intellect and ability to bring clarity to complex legal issues as well as for her warmth and commitment to mentorship.

The Honourable Justice Ronald Skolrood

The Honourable Justice Ronald Skolrood was appointed a justice of the Court of Appeal for British Columbia and the Court of Appeal for Yukon on October 24, 2022. He was previously appointed to the Supreme Court of British Columbia on June 7, 2013.

Justice Skolrood was born in Vancouver, British Columbia, but grew up in Lethbridge, Alberta. He attended the University of Lethbridge, where his father was a professor and founding member of the Faculty of Education, and received his B.A. in 1983. Justice Skolrood obtained his LL.B. from the University of Victoria in 1986 and went on to clerk for Justice William McIntyre at the Supreme Court of Canada from 1986 to 1987. He later obtained his LL.M. at the University of Cambridge in 1989. Justice Skolrood was admitted to the Bar of British Columbia in 1988 and to the Bar of the Northwest Territories in 2010. He was appointed King's Counsel in 2012.

Justice Skolrood practised civil and commercial litigation, specifically developing an expertise in pension and benefits litigation at Lawson Lundell LLP from 1987 until he was appointed to the Supreme Court in 2013. He also worked in public law and constitutional and administrative law. Justice Skolrood has had a reputation throughout his career for being dedicated to mentorship, and was named Lawson Lundell's first "Mentor of the Year". Justice Skolrood has made significant contributions to the profession, serving as President of the Vancouver Bar Association, Chair of the B.C. Law Institute, and Chair of the Canadian Bar Association's constitutional section at various points in his career.

Justice Goepel is known to have influenced and mentored many a junior litigator and law clerk on fairness and an appreciation for the law.

RETIREMENTS

The Honourable Mr. Justice Richard B.T. Goepel

The Honourable Mr. Justice Richard B.T. Goepel retired from the Court of Appeal for British Columbia and the Court of Appeal of Yukon on August 23, 2022. He served as a justice of the Court of Appeal for over eight and a half years, having been appointed in 2014 after serving 12 years on the Supreme Court of British Columbia.

Justice Goepel was born in Vancouver, a fifth generation Vancouverite. He obtained his undergraduate degree from the University of British Columbia, and then after an adventurous winter in Europe with a friend in an MGB, he obtained his law degree from the same institution in 1973. He articulated with Sutton Braidwood before his call to the Bar of British Columbia in 1974. In his nine years at Sutton Braidwood, he developed an expertise in all aspects of civil litigation before co-founding the law firm of Watson Goepel LLP, where he specialised in insurance law. In 2001, he was appointed to the Supreme Court of British Columbia.

Justice Goepel is known to have influenced and mentored many a junior litigator and law clerk on fairness and an appreciation for the law. His colleagues in practice and on the bench often comment on his encyclopedic memory and his ability to simplify even the most complex of legal problems.

In his free time, Justice Goepel is an avid runner and a voracious reader. As a tradition, he chronicles his successes in the annual Sun Run that he first completed in 2007 to the Court and courthouse staff. Even through pain, his stories demonstrate his sense of humour and his tireless dedication and perseverance to always succeed at achieving his goals. Justice Goepel's time on the Court has been marked by his humble but wise view of the law, his reputation for mentorship, and tireless work ethic. The Court wishes him many years of a happy restful retirement with his wife, Justice Jeannie Watchuk, his children Ryan, Sara, Tim, and Carly, his step-son Mike, and his nine grandchildren.

Justice Lambert was treasured for his honesty and frankness, his brilliance in expression, and his unwavering courtesy to counsel, litigants, and judges whose decisions he reviewed.

IN MEMORIAM

The Honourable Mr. Justice John Douglas Lambert

Justice J. Douglas Lambert died peacefully on July 31, 2022 at the age of 92. As a jurist, he was well-known for his clarity of thought and his significant impact on Aboriginal law in Canada.

Child of a mining engineer and a school teacher, Justice Lambert was born on June 30, 1930 in Ardrossan, a stormy port town on the coastline of Scotland, not far from the place where, shortly thereafter, an infamous ginger beer was consumed by the plaintiff in *Donoghue v. Stevenson*. After studying at Trinity College Glenalmond, Justice Lambert attended St. Andrew's University where he learned chemistry, physics, and mathematics, before moving to Canada to develop explosives. In Canada he changed his calling, studying at Queens and then completing a law degree at the University of British Columbia.

Justice Lambert spent his early practice at the Department of Justice and the newly-created BC Hydro and Power Authority. He also relocated for a time to Barbados to help develop its first income tax legislation. On his return, Justice Lambert joined Davis and Company where he practiced banking, corporate, and securities law, and became a renowned appellate lawyer. After some years, he moved on to the BC Law Reform Commission and, later, became its Chair.

Justice Lambert's colleagues always saw him as a "consummate legal craftsman deserving of a larger bench". He was appointed to the Court of Appeal in July 1978, where he served for 27 years. He was recognized as a prodigious and widely respected judge. In particular, his decisions made a sweeping impact on the development of Aboriginal law in Canada. Following his retirement from the bench, Justice Lambert practiced Aboriginal and Indigenous law for over a decade, assisting both the Tsilhqot'in and Esquimalt Nations in their land claims.

Justice Lambert was treasured for his honesty and frankness, his brilliance in expression, and his unwavering courtesy to counsel, litigants, and judges whose decisions he reviewed. He made tremendous contributions to the profession on and off the bench, and was a cherished mentor to his former law clerks.

He is survived by his children, James, Shaena, and John, and their spouses, many grandchildren, and extended family in Scotland, Canada, and the United States. He was predeceased by his beloved wife, Barbara, and his brother, Owen.

STAFF OF THE COURT OF APPEAL

CHANGES TO STAFFING COMPLEMENT

The Court of Appeal Registry welcomed a new acting manager in 2022, Michael Chu. Mr. Chu first joined the Court Services Branch in 2018 as a court clerk at the Court of Appeal.

The Court also welcomed a new legal counsel, Tasneem Karbani, in March. Ms. Karbani joins the Court of Appeal after spending four years with the Department of Justice's BC Regional Office, where her practice included civil litigation, administrative law, and immigration law.

STAFF & POSITIONS

Timothy Outerbridge	Registrar
Sally Rudolf	Legal Counsel
Shirley Smiley	Legal Counsel
Linda Rainaldi	Legal Counsel
Tasneem Karbani	Legal Counsel
Maria Littlejohn	Associate Registrar
Michael Chu	Acting Registry Manager
Torri Enderton	Deputy Registrar
Kristine Dhamrait	Senior Executive Assistant
Teresa Smith	Judicial Coordinator to Chief Justice Bauman
Christine Gergich	Supervisor and Appellate Court Records Officer

Judicial Law Clerks

Rachel Abrahams	Gabrielle Matheson	Shailaja Nadarajah
Manula Adhihetty	Michael McDonald	Leila Nasr
Sebastian Cooper	Kelty McKerracher	Lauren Scott
Hannah Goddard-Rebstein	Samrah Mian	Kelsey Wong

Judicial Staff

Miryam Burns	Lee-Ann Jacobson	Harmesh Shahi
Isis Chan	Nicole Munro	Jocelyn Ward
Tina Cheung	Lana Pardue	Wayne Ziants
Lori Gerbig	Jane Raggatt	

Registry Staff

Ann Bulloch	Taira Johnson	Veronica Nguyen
Rebecca Chappell	Shelly Lin	Anna Puscar
Eunice Choi	Robert Loy	Merrill Sandell
Michael Chu	Alexandra Lucas	Moira Syring
Jason Conybeer	Gillian McCowan	Tawnya Watson
Lori Derby	Abigail Mitro	
Steve Evans	Andrea Morrison	

Superior Courts Document Management Clerks

Eunice Choi	Nav Dosanjh	Aaron Wong
Elle Collman	Daniel Kuster	

Judicial Administration

Heidi McBride	Senior Counsel and Executive Director
Tracy Norman	Manager, Human Resources
Caroline Nguyen	Manager, Finance
Ryan Wirth	Manager, Information Technology
Cheryl Steele	Finance and Administration Clerk
Michelle Sam	Human Resources Recruitment Coordinator
Andrea Mueller	Office Manager
Charles Manuel	Human Resources Coordinator
Diane Lemieux	Judges' Librarian (to April 2022)
Sylvia Ranspach	Judges' Librarian
Connie Kang	Library Technician
Cynthia Dale	Website Support & Business Information Analyst
Samantha Servis	Manager, Judicial Support Services
Diana Foxall	Communications Coordinator

Information Technology Services

Lawrence Ho	Service Delivery Manager
David Chow	Infrastructure Project Analyst
Billy Huang	Infrastructure Project Analyst
William Huang	Helpdesk Operations Analyst
Leo Brito	Helpdesk Technician
Guilherme Gianjope	Helpdesk Technician
Karl Innes	Helpdesk Technician
Mike Larm	Helpdesk Technician
Ami Osame	Helpdesk Technician
Wayland Szeto	Helpdesk Technician
Lorne Lovett	Senior Business Analyst/Project Manager
Joanne Chong	Business Analyst
Jojo Ho	Software Developer

APPENDIX 1 - CIVIL STATISTICS

2010-2022

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
APPEALS FILED:													
Notice of Appeal	519	480	497	587	607	522	514	484	513	515	400	580	595
Leave to Appeal	131	114	122	100	88	96	84	149	86	115	79	97	89
Notice of Appeal & Leave	55	55	44	28	25	26	25	9	6	3	5	1	- ¹
TOTAL FILED	705	649	663	715	720	644	623	642	605	633	484	678	684
COURT DISPOSITIONS:													
Appeals Allowed	130	116	119	101	101	130	117	112	104	97	87	114	131
Appeals Allowed %	45%	42%	49%	37%	40%	50%	41%	40%	40%	42%	46%	44%	48%
Appeals Dismissed	159	159	125	169	149	131	169	168	155	134	102	147	141
Appeals Dismissed %	55%	58%	51%	63%	60%	50%	59%	60%	60%	58%	54%	56%	52%
TOTAL COURT DISPOSITIONS	289	275	244	270	250	261	286	280	259	231	189	261	272
Appeals Concluded in Chambers or Abandoned	419	436	414	379	420	359	371	348	346	318	208	379	352
TOTAL DISPOSITIONS	708	711	658	649	670	620	657	628	605	549	397	640	624
Dispositions as % of Filings	100%	110%	100%	91%	93%	96%	106%	98%	100%	87%	82%	94%	91%
Judgments Reserved (Court)	233	241	176	201	199	209	226	169	186	171	145	200	255
Judgments Reserved (Chambers)	62	83	80	70	52	70	104	37	32	61	51	65	67
Appeals with 5 Justices	1	3	2	2	3	3	4	4	1	1	1	1	6
Court Motions: Reviews	25	28	19	18	16	26	17	19	22	12	13	19	11
Granted	3	8	3	1	2	1	1	2	2	2	3	0	0
Refused	22	20	16	17	14	25	16	17	20	10	10	19	11
Chambers Motions	503	537	533	536	788	639	719	597	676	846	517	697	641
LEAVE TO APPEAL:													
Granted	47	51	37	37	36	50	36	50	43	35	23	36 ²	26
Refused	30	55	34	24	19	23	26	27	25	30	16	24	27
Total	77	106	71	61	55	73	62	77	68	65	39	60³	53

¹ In 2022, it became impossible to file both a Notice of Appeal and Leave to Appeal together.

² The 2021 data was corrected to add 18 cases listed under "Directions Given" into the "Granted" category, for a total of 36.

³ The 2021 data was corrected as indicated in the above footnote, resulting in an increase to the total from 42 to 60.

APPENDIX 2 - CRIMINAL STATISTICS

2010-2022

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
APPEALS FILED:													
Sentence	114	109	119	108	174	152	85	97	107	90	49	69	47
Conviction	99	112	116	117	87	93	82	95	118	92	56	71	52
Summary Conviction	16	24	14	9	18	10	11	11	10	11	12	7	10
Acquittal & Other	28	39	40	46	30	41	31	43	23	26	12	24	19
TOTAL FILED	257	284	289	280	309	296	209	246	258	219	129	171	128
COURT DISPOSITIONS:													
Appeals Allowed	52	41	35	62	101	44	32	42	30	50	49	38	23
Appeals Allowed %	28%	31%	21%	34%	49%	44%	22%	34%	26%	32%	45%	35%	29%
Appeals Dismissed	137	91	129	121	102	101	114	82	83	104	61	70	55
Appeals Dismissed %	72%	69%	79%	66%	51%	56%	78%	66%	74%	68%	55%	65%	71%
TOTAL	189	132	164	183	203	145	146	124	113	154	110	108	78
Summary Dismissals Abandonments in Court/Chambers	121	99	123	129	76	85	97	111	78	64	55	68	61
TOTAL DISPOSITIONS	310	231	287	312	279	230	243	235	191	218	165	176	139
Dispositions as % of Filings	121%	82%	99%	111%	90%	78%	116%	96%	74%	100%	128%	103%	109%
Judgments Reserved (Court)	88	82	102	97	84	106	78	53	76	87	58	75	62
Judgments Reserved (Chambers)	13	22	28	25	4	8	8	4	7	13	7	7	6
Appeals with 5 Justices	1	1	2	0	0	0	0	2	1	0	1	0	0
Chambers Motions	272	210	295	430	438	484	514	583	655	580	466	435	319

APPENDIX 3 - COMBINED STATISTICS 2010-2022

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
APPEALS FILED:	962	933	952	995	1029	940	832	888	863	852	613	849	812
COURT DISPOSITIONS:	478	407	408	453	453	406	432	404	372	385	299	369	350
Appeals Allowed	182	157	154	163	202	174	149	154	134	147	136	152	154
Appeals Allowed %	38%	39%	38%	36%	45%	43%	35%	38%	36%	38%	45%	41%	44%
Appeals Dismissed	296	250	254	290	251	232	283	250	238	238	163	217	196
Appeals Dismissed %	62%	61%	62%	64%	55%	57%	65%	62%	64%	62%	55%	59%	56%
TOTAL	478	407	408	453	453	406	432	404	372	385	299	369	350
Appeals Concluded in Chambers or Abandoned	540	535	537	508	496	444	468	459	424	382	263	447	413
TOTAL DISPOSITIONS	1018	942	945	961	949	850	900	863	796	767	562	816	763
Dispositions as % of Filings	106%	101%	99%	97%	92%	90%	108%	97%	92%	90%	92%	96%	94%
Judgments Reserved	396	426	386	393	339	393*	416*	263*	301*	332	261	347*	390
Appeals with 5 Justices	2	4	4	2	3	3	4	6	2	1	2	0	6
Chambers Motions	775	747	828	966	1226	1123	1233	1180	1331	1426	983	1132	960

*Data corrected to include Judgments Reserved (Chambers)

Court of Appeal for British Columbia
400-800 Hornby Street
Vancouver, BC
V6Z 2C5