

*R. v. Bacon, James Kyle*  
CA 44953

Statement on Closing Courtroom

[1] With the agreement of all counsel, the court hearing this appeal directs that the courtroom will be closed to allow the appeal to be conducted *in camera*, as were much of the Supreme Court of British Columbia proceedings that gave rise to this appeal.

[2] The step is not taken lightly. The open court principle is vital to the community's confidence in the administration of justice, and judges and counsel are steeped in its values. The governing standard requires the maximum degree of openness as is compatible with the task at hand: *Vancouver Sun (Re)*, 2004 SCC 43. This standard recognizes that there are rare cases that demand protection of privileged and confidential information to the degree that the courtroom must be closed so as to allow the issues engaged to be adjudicated.

[3] This appeal presents just such a demand. A focus of this appeal will be information that came before the trial court in its *in camera* proceedings. For that reason we have directed that the hearing of this appeal will be conducted *in camera*.