



COURT OF APPEAL

Notice to Public Regarding Access to Court Proceedings During the COVID-19 Pandemic

Dated 29 April 2020

Introduction

On [20 April 2020](#) Chief Justice Bauman directed that, beginning 4 May 2020, the Court of Appeal will hear: (1) all appeals, including those that are not urgent, by video conference using the Zoom platform, and (2) all chambers applications and Registrar's appointments, including those that are not urgent, by teleconference or in writing.

The Court of Appeal is taking the following steps to ensure that accredited media and other members of the public have access to, and can observe, court proceedings during this exceptional time. The Court of Appeal is committed to the open court principle and will be examining additional steps to ensure all members of the media and public can access Court proceedings. The Court asks for patience as it works to fulfill its appellate function and Constitutional functions while adopting new technology and procedures.

Access to Video or Teleconference proceedings

The Court updates its [hearing list](#) daily and matters that are proceeding by video conference or teleconference are noted. To observe a particular proceeding submit a [Request to Attend Video Conference Proceedings](#), or a [Request to Attend Teleconference Proceedings](#) no later than 12 noon the day before the hearing date. Late requests cannot be processed in time to respond with the information you will need to observe the proceeding. This temporary measure is in place because the court needs to manage the number of participants in video and teleconference proceedings to ensure that the quality of the proceedings remains stable and manageable.

The Court's [Policy on the use of electronic devices in courtrooms](#) applies to court proceedings conducted remotely by video or teleconference. This means that members of accredited media may audio record proceedings for the limited purpose of verifying their notes. Any other audio or video recording of the proceeding including screen shots or other photographs is prohibited. Anyone who uses an electronic device in a manner prohibited by the policy is subject to sanction, including prosecution for contempt of court.

Video Conference Proceedings

To avoid issues with bandwidth during video conference proceedings, the number of people permitted to observe will be limited and the court clerk may remove observers if the quality of the video conference is affected. The Court will explore other options for providing access that do not affect the quality of video conference proceedings.

Requests to attend a video conference hearing will be processed on a first come first served basis with space reserved for parties to the proceeding. More than one person may observe the video conference

from a single device, but you must not share the link to join the proceeding directly with anyone else. All requests to attend the proceeding from a separate device must be made to the registry by submitting a [Request to Attend Video Conference Proceedings](#).

In order to maintain appropriate decorum during a videoconference proceeding the judges and the people making submissions to the court will not be able to see or hear people observing the hearing.

Teleconference Proceedings

The number of callers that can be connected through a single teleconference number is limited. Priority will be given to parties to the proceeding and members of accredited media. More than one person may listen to the proceeding from a single phone, however, you are not permitted to share the connection details directly with anyone else. All requests to connect to the proceeding from a separate telephone must be made directly to the registry by submitting a [Request to Attend Teleconference Proceedings](#).

In order to maintain appropriate decorum during a teleconference proceeding you must dial into the teleconference at the set time. The court will not disrupt ongoing proceedings to connect you. Additionally, anyone observing must mute their microphone so as to limit the possibility of disruptions from background noise.

Media Participation in Court Proceedings

In any appeals where the media wishes to make submissions, such as where a publication ban is opposed or challenged, accommodations for participation will be arranged in the same manner as for other parties, detailed in the Court's updated [Notice to the Public dated 20 April 2020](#).

Media Access to Digital Audio Recordings (DARS)

Any requests for access to court audio recordings (post-hearing) by accredited media should be made by completing the usual [access to audio request form](#) and attaching a [remote access to DARS undertaking](#) to the automatically generated email before submitting the request. Requests will be processed by Court Services Branch personnel in the usual manner. If access is granted the requestor will receive an email confirmation and a link to a digital FTP site to remotely access the requested audio recording.

Access to Court Records

The Court will continue processing requests for access to the court record in the usual manner as prescribed under the Court of Appeal's [Record and Courtroom Access Policy](#), although an attempt will be made to provide access remotely (via digital records) rather than in person wherever possible.

Dated 29 April 2020, at Vancouver, British Columbia

By Direction of Robert J. Bauman
Chief Justice of British Columbia

