



**British Columbia Court of Appeal
Practice Directive (Civil and Criminal)**

Title: Publication Bans, Sealing Orders, and Anonymization Orders

Issued: December 20, 2023

Effective: December 20, 2023

Cite as: *Publication Bans, Sealing Orders, and Anonymization Orders (Civil and Criminal Practice Directive, 20 December 2023)*

For civil and criminal appeals, the Notice of Appeal (civil Form 1) and the Notice of Appeal or Leave to Appeal (criminal Form 1) require parties to advise the Court of Appeal of any publication bans, sealing orders, or anonymization orders in place in the court or tribunal below. When the initiating Form is filed, the appellant must immediately write to the Registrar and provide copies of those orders and an explanation of their effect.

If a publication ban, sealing order, or anonymization order applies in the Court of Appeal, the parties must indicate the existence of those orders on the cover of their appeal record, statement, factum, appeal books, and other books.

Publication bans and anonymization orders issued by the court or tribunal below typically endure in the Court of Appeal. This means there is usually no need to seek a new publication ban or anonymization order specifically for appeal proceedings.

However, when a court or tribunal below initializes or redacts party names in reasons for judgment on a discretionary basis and in the absence of a statutorily imposed publication ban or anonymization order that requires it, the Court of Appeal will not always do the same. In those circumstances, if a party wishes to have reasons for judgment initialized or party names redacted in the Court file they must apply to a justice in chambers for an anonymization order. See section 1.5 of the Court record and courtroom access policy for further information.

Sealing orders only apply to the records of the court or tribunal that issues the sealing order. If a party wishes to have materials filed in the Court of Appeal sealed, they must immediately apply to a justice in chambers for a sealing order when the materials are filed.

On request or where appropriate, the Registrar may require the appellant to file an unredacted Notice of Appeal and temporarily seal all or part of the Court file pending the outcome of an application for a sealing or anonymization order, or to allow the parties to promptly provide copies of such orders.



Chief Justice L.S. Marchand
Court of Appeal for British Columbia

History:

Replaces the Civil Practice Directive titled *Publication Bans and Sealing Orders*, dated 18 July 2022 and the Criminal Practice Note titled *Publication Bans*, dated 24 July, 2012.

Replaces the Civil Practice Directive titled *Publication Bans and Sealing Orders*, dated 4 June 2018.