



COURT OF APPEAL

THE LAW COURTS
800 SMITHE STREET
VANCOUVER, B.C.
V6Z 2E1

NOTICE TO THE MEDIA RE: PICKTON APPEAL

Scheduled for March 30-April 9, 2009

BC Court of Appeal Courtroom 60

Further to the Court of Appeal notice regarding “Recording of Court Proceedings by Accredited Journalists” (http://www.courts.gov.bc.ca/court_of_appeal/media/ca-recording-policy.htm) accredited media will be allowed to record the proceedings during the hearing of the Pickton appeal on the understanding that they are recording only for the purpose of verifying the accuracy of their story (pursuant to the terms of their accreditation).

Because of the array of publication bans still in effect, members of the media should verify the extent of the publication bans before publishing any story relating to the appeal. A Court Services website has collected some of the specific trial publication bans and can be accessed at <http://www.ag.gov.bc.ca/courts/pickton/index.htm> . The last publication ban that may affect proceedings in the Court of Appeal was made by the trial judge and is repeated below in a transcript extract.

It is anticipated that advisory statements concerning the publication bans will be made by counsel during the course of the hearing.

The ultimate responsibility for compliance with publication bans rests on the journalist, who may require legal advice accordingly.

“Chief Justice Finch”

March 27, 2009

R. v. Pickton

Proceedings before Williams J. and Jury December 6, 2007

Continuation of Publication Bans

THE COURT: Mr. Brooks, before you proceed, there is a matter I have to deal with, and it has to do with the status of the publication bans as they apply to the present proceeding.

On November 7th, in the presence of counsel for a variety of media outlets, the matter of publication ban extending beyond the point of the jury's separation was addressed. At that time I made a ban pursuant to the court's inherent jurisdiction. Effectively that extends the s. 648 ban to actually indefinitely pending a further order of the court.

At the time it was anticipated that there would be an application and a hearing of the matter, and as I understand, in fact, counsel for the media, Mr. Burnett, intends to be before the court shortly. Pending any further order of the court, it must be clear that the ban continues. That ban extends to all proceedings that take place other than in the presence of the jury.

Note: An order for a limited exception to this publication ban was made at a later date. Details of that ban are not currently available.