Court of Appeal for British Columbia

Supreme Court of British Columbia

Provincial Court of British Columbia

POLICY ON USE OF ELECTRONIC DEVICES IN COURTROOMS

EFFECTIVE DATE: September 17, 2012

(amended October 1, 2014)

Purpose and Scope

This policy sets out the permitted and prohibited use of electronic devices in courtrooms of the Court of Appeal, the Supreme Court and the Provincial Court of British Columbia.

Definitions

1. In this policy, the following definitions apply:
   a. "accredited media" means media personnel who are accredited pursuant to the Courts' *Media Accreditation Policy.*
   b. "courtroom" means a room in which a hearing takes place before a judicial officer.
   c. "electronic device" means any device capable of transmitting and/or recording data or audio, including smartphones, cellular phones, computers, laptops, tablets, notebooks, personal digital assistants, or other similar devices;
   d. "judicial officer" means a Justice or division of the Court of Appeal, Justice of the Supreme Court, Provincial Court Judge, Master, Judicial Justice, Judicial Case Manager, Registrar or Justice of the Peace.

Prohibitions on the Use of Electronic Devices

2. Except as permitted under this policy, the use of electronic devices in courtrooms to transmit and receive text is prohibited.

3. In addition, an electronic device may not be used in a courtroom:
   a. in a manner that interferes with the court sound system or other technology;
   b. in manner that interferes with courtroom decorum, is inconsistent with the court functions, or otherwise impedes the administration of justice;
   c. in a manner that generates sound or requires speaking into the device;
   d. to take photographs or video images;
   e. to record or digitally transcribe the proceedings except as permitted by this policy.

Permitted Use of Electronic Devices in the Court of Appeal

4. In a courtroom of the Court of Appeal, any person may use an electronic device to transmit or receive text in a discreet manner that does not interfere with the proceedings.

Permitted Use of Electronic Devices in the Supreme Court and the Provincial Court

5. In courtrooms of the Supreme Court and of the Provincial Court

    a. accredited media; and
    b. lawyers who are members of the Law Society of British Columbia,

    may use electronic devices to transmit and receive text in a discreet manner that does not interfere with the proceedings.

Permitted Audio Recording by Accredited Media in All Courts

6. In courtrooms of the Court of Appeal, the Supreme Court and the Provincial Court, accredited media may use electronic devices to audio record a proceeding for the sole purpose of verifying their notes and for no other purpose subject to the following restrictions:

    a. electronic recording devices may only be used when a proceeding is in session;
    b. electronic recording devices must be turned off when a proceeding is adjourned; and
    c. electronic recording devices must not be left unattended in the courtroom at any time.

Discretion of Judicial Officers

7. Nothing in this policy affects the authority of the presiding judicial officer(s) to determine what, if any, use can be made of electronic devices in a courtroom.

Publication Bans, Sealing Orders, Restrictions on Publication

8. Nothing in this policy alters the effect of a publication ban, sealing order or other restriction imposed by statute or the court, limiting the publication of information.

9. Anyone using an electronic device to transmit information from a courtroom has the responsibility to identify and comply with any publication bans, sealing orders, or other restrictions that have been imposed either by statute or by court order.

Penalties

10. A person using an electronic device in a manner prohibited by this policy may be subject to one or more of the following sanctions:

    a) a direction to turn off the electronic device;

    b) a direction to leave the courtroom;

    c) a direction to forfeit the media accreditation card to the sheriff;

    d) citation, and prosecution for contempt of court;

    e) prosecution for any violation of a publication ban, sealing order, or other restriction on publication; or

    f) any other order of the court.

For more information about this policy please contact:

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