

Publication Bans

R. v. Pickton

Docket: X065319

Registry: New Westminster

The following is a non-exhaustive list of publication bans that were either ordered or are statutorily in effect with respect to the above proceedings. There is a positive obligation on anyone who intends to publish or broadcast information relating to this case to inform themselves of the existence and scope of any publication bans and to ensure compliance with them. The precise terms of a publication ban may not necessarily be set out below. Please contact the New Westminster Criminal Registry if you have any questions or seek additional details regarding any publication bans ordered in these proceedings.

Provincial Court Publication Bans

January 15, 2003:

- Pursuant to section 537(1) and 539 of the ***Criminal Code of Canada***, there is a ban on publication of evidence, including any submissions, representations or rulings respecting evidence or the nature of the evidence taken at the preliminary hearing of Robert William Pickton. This ban extends to any publication in any newspaper, on the Internet, or broadcast by any means.

Supreme Court Publication Bans

June 8, 2005:

- Pursuant to the inherent jurisdiction of the court, there shall be no publication or broadcast by any means, including the Internet, of information that would tend to identify websites or other sources from which prohibited information about these proceedings can be accessed, including, but not limited to, the names and addresses of any such websites and sources.
- Pursuant to s. 648(1) of the *Criminal Code* there is a publication ban in respect of any portion of the trial including but not limited to evidence, submissions of counsel, rulings and instructions of trial judge at which the jury is not present until the jury retires to consider its verdict.

October 24, 2006:

- Pursuant to s. 486.5 of the Criminal Code, there is a ban on publication in any document or broadcast or public transmission in any way of any information that could identify the undercover operators involved in the investigation of the accused.

December 8, 2006:

- Pursuant to the inherent jurisdiction of the Court, there shall no publication or broadcast in any medium, including the Internet, of the identity of any juror or any information that could disclose their identity. This ban remains in effect indefinitely.

June 18, 2007:

- Pursuant to s. 486.5(1) of the *Criminal Code*, there is a publication ban with respect to the publication or broadcast of information that could identify Witness Y, who testified in these proceedings on the afternoon of June 18, 2007, between 2:00 and 2:45.

June 27, 2007:

- Pursuant to its inherent jurisdiction, there is a ban on the publication of any questions asked, answers given or information relating to a criminal matter presently outstanding against Lynn Ellingsen in Abbotsford, British Columbia. This ban shall continue until the conclusion of those proceedings against Ms. Ellingsen.

November 7, 2007:

- The publication restrictions under s. 648 of the *Criminal Code* shall continue in effect pending further order of the Court.

December 6, 2007:

- The publication ban ordered on November 7, 2007 shall continue until further order of the Court.

December 7, 2007:

- Upon the return of the jury with its verdict, the publication ban ordered on November 7, 2007 is lifted with respect to the proceedings that took place in the absence of the jury on December 6, 2007. The publication ban ordered on November 7, 2007 otherwise continues to be in effect.

October 31, 2008:

- With respect to the Media Application which commenced on October 14, 2008 and pursuant to the Court's inherent jurisdiction, there is a ban on publication of
 - the content of all *voir dire*s referred to in documents or in submissions or statements made by counsel or the judge during the Media Application;
 - any information regarding alleged linkages between the photographs discussed during the Media Application and alleged victims referred to in the 20 count indictment which remains pending against the accused; and
 - any statements by defence counsel during the Media Application characterizing the demeanour of the accused depicted on the videotape exhibits referred to during the Media Application