



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

MEMORANDUM

TO: All Police Agencies in British Columbia

CC: Administrative Judicial Justice G. Hayes
Ms. J. Manton, Assistant Deputy Minister, CSB
Ms. E. Turner, A/Director - Policy, Legislation & Planning Unit, CSB

FROM: Chief Judge Gillespie

DATE: February 09, 2021 (April 15, 2021 clarification in red – adds s. 5 re unsealing)

RE: Effective February 16, 2021 - Updated Directions re Judicial Authorizations at Justice Centre

This Memorandum, and the directions set out herein, replace my memorandum and directions dated [April 14, 2020](#) (updated May 11, 2020).

I. Background

Prior to Provincial Court registries resuming the acceptance of all filings, in-person or remote, starting in July, 2020, the Provincial Government retained the services of a private consultant to assist in identifying the necessary steps to modify courthouses and courtrooms to mitigate the risk of transmission of COVID-19. The Ministry of Attorney General's [webpage](#) describes the safety measures implemented in all courthouses, as recommended by the private consultant and further to the safety and exposure control plans developed following the guidance of the Public Health Officer, WorkSafeBC, and Public Service Agency. These safety measures include:

- Enhanced inspection, cleaning and disinfecting of all public spaces. All touchpoints are disinfected after use, including public seating areas, witness stands and desks
- Installation of plexiglass barriers
- Hand wash stations and hand sanitizers
- Increased signage to promote physical distancing
- Masks must be worn inside courthouses, including entrances, lobbies, waiting areas, registries, hallways, stairs, restrooms and elevators
- Information and health screening by Sheriffs for people attending the courthouse

Towards the end of last year, the private consultant completed their assessment of the Justice Centre, and the recommended health and safety protocols have now been implemented.

II. Directions

1. Effective February 16, 2021, I am directing the resumption of:
 - a. the operation of the [Practice Direction regarding Daytime Search Warrant Applications](#) (CRIM 03), which sets out a process for daytime face to face applications in the Province;
 - b. in-person applications for judicial authorizations, other than judge-only warrants, at the Justice Centre; and
 - c. in-person applications for judge-only warrants at the courthouses.
2. Affidavits in support of in-person applications for **all** judicial authorizations must be properly sworn or affirmed **before** attending at the Justice Centre or the applicable courthouse to submit your application to the Court.

In-Person Applications for Judicial Authorizations at Justice Centre

3. For in-person applications for judicial authorizations, other than judge-only warrants, at the Justice Centre:
 - a. Contact the Justice Centre (604-660-3263) to make an appointment, and you will be subject to a verbal health pre-screening process that includes answering specific questions regarding health and travel.
 - b. Arrive at the Justice Centre at your appointment time with your pre-sworn/affirmed application.
 - c. A face mask or face covering that covers your nose and mouth must be worn.
 - d. Only one affiant will be permitted to enter the Justice Centre at a time.
 - e. Affiants will be asked to provide their contact information, and the Justice Centre will contact the affiant after their application has been reviewed and advise the affiant when they may return to the Justice Centre for pick-up.

In-Person Applications for Judge-Only Warrants at Courthouses

4. For in-person applications for judge-only warrants at the courthouses:
 - a. With the exception of the requirement that all affidavits in support of in-person applications be properly sworn or affirmed before attending at the courthouse to submit your application to the Court, the local practice in place at the applicable court location prior to March 2020 will resume. Please contact the applicable [Judicial Case Manager](#) if further clarification or confirmation is required.
 - b. Review and familiarize yourself with the health and safety [protocols](#) currently in place at all courthouses.

Applications for Unsealing Orders

5. Applications for unsealing orders should be made at the court location where the judicial authorization is filed.