



PROVINCIAL COURT
OF SASKATCHEWAN

CRIMINAL PRACTICE DIRECTIVE 15

AUDIO/VISUAL RECORDING OR BROADCASTING COURT PROCEEDINGS

Effective: October 1, 2026

Purpose

This Practice Directive outlines the procedure by which members of the media may request to record and/or broadcast court proceedings.

Application

This Practice Directive applies to all Provincial Court proceedings at all locations in Saskatchewan.

Authorization Required

1. Except as authorized, the audio/video recording or broadcasting, in whole or in part, of Court proceedings or ceremonies within courtrooms or of people or events within court houses is prohibited. For the purpose of this Practice Directive, audio/video recording includes still photography.

Scope

2. This Practice Directive describes the general process by which a media organization may seek authorization from the Court to audio/video record and/or broadcast any Court proceeding or ceremony occurring in a courtroom, by any device, machine or system including cameras and audio/video recording equipment.
3. This Practice Directive is subject to any specific order or direction to the contrary by the judge presiding over the Court proceeding or the ceremony.
4. Nothing in this Practice Directive is intended to modify, grant or extend the scope of public access to proceedings that, by law, is required or determined to be confidential.
5. While this Court recognizes the importance of media access to Court proceedings, the fairness and integrity of those proceedings is always a significant consideration. Typically, the following proceedings will not be considered for broadcast:
 - 5.1 Any proceeding in which a party to the proceeding is under the age of 18 years or was at the time of the event that gave rise to the proceedings;
 - 5.2 Family law and child protection proceedings;
 - 5.3 Show cause hearings;
 - 5.4 Proceedings relating to sexual offences;

- 5.5 Proceedings involving trade secrets or business information of a confidential nature;
- 5.6 Matters that would identify or tend to identify a confidential informant, undercover police officer, police investigative technique, police intelligence or other sensitive information;
- 5.7 Preliminary inquiries;
- 5.8 Proceedings in which the public has been excluded by order under the *Criminal Code*;
- 5.9 Proceedings where the safety of a participant may be jeopardized by broadcast;
- 5.10 Pre-hearing/case management conferences; and
- 5.11 Applications for publication bans and applications for broadcast.

Use of Electronic Devices by Media

- 6. In accordance with the Saskatchewan Law Courts policy *Electronic Text-Based Communication from Saskatchewan Courtrooms: Media Protocol* and subject to the direction or order of the presiding judge, authorized media displaying an identification card may use, in silent mode, a mobile phone, small laptop or other similar piece of equipment to perform live text-based communications from Court.

Audio Recording by Media

- 7. In accordance with Saskatchewan Law Courts policy *Electronic and Wireless Devices Policy*, and subject to the direction or order of the presiding judge, authorized media displaying an identification card may audio record Court proceedings for the sole purpose of accurate reporting. The recording must not be broadcast or transmitted or shared by any means.

Ceremonies

- 8. A ceremony occurring in a courtroom may not be recorded by any means except with the permission of the Court. Media organizations may apply for authorization from the Court to audio/video record and/or broadcast a ceremony occurring in a courtroom by filing a written request with the court manager at least two days before the scheduled ceremony.

Application Procedure

An application for authorization to audio/video record or broadcast a Court proceeding may be made by or on behalf of a media organization [the “applicant”] and must be made by Notice of Application in *Form PD-15-1: Notice of Application for Authorization to Audio/Video Record and/or Broadcast Court Proceedings* accompanied by supporting documentation.

- 9. The supporting documentation must include:
 - 9.1 The affidavit evidence that supports the application;
 - 9.2 A blank *Form PD-15-2: Response to Application*;
 - 9.3 Draft order;

- 9.4 Any other material intended to be relied upon to support the application;
- 9.5 A written argument addressing the impact of the authorization sought on;
 - 10.5.1 Fair trial rights
 - 10.5.2 Privacy interests
 - 10.5.3 Witnesses in the proceeding; and
 - 10.5.4 The Court and the administration of justice.
- 9.6 Proof of service.

10. Unless the Court otherwise orders, the Notice of Application and supporting documentation must be served on all parties and filed with the Court not less than

- 10.1 90 days prior to the start of the scheduled Court proceeding sought to be audio/video recorded or broadcast.

11. The Court or presiding judge may require that the Notice of Application and supporting material be served on other persons or entities in order to provide them the opportunity to participate in the application.

Draft Order and Standardized Conditions

12. The applicant's draft order should include the standard conditions set out in *Schedule 1* to this Practice Directive unless the applicant provides reasons in the application as to why the standard conditions should not apply in the circumstances.

Notice to Witnesses

13. Parties or their counsel shall inform any witnesses they intend to call to testify in the Court proceeding of the application as soon as possible after initiating or receiving the Notice of Application and provide them with a copy of the Notice of Application and supporting documentation.

Notice of Objection or Consent by Party or Witnesses

14. A party, witness or other person or entity who has received notice of this application shall file with the Court a completed Form PD-15-2: Response to Application within 30 days of receiving the Notice of Application and supporting material in which they state whether they:

- 14.1 Object to the application;
- 14.2 Consent to the application in accordance with the draft consent order that was attached to the Notice of Application; or
- 14.3 Consent to the application upon certain terms and conditions provided in Form PD-15-2: Response to Application.

Hearing

15. Unless the presiding judge directs that the application be scheduled for a hearing, the application will be decided upon the material filed in support or in opposition to the application.

Should the presiding judge direct that the application be set down to be heard, the court manager will notify the applicant, the parties and any other person or entity that has filed a response to the application in Form PD-15-2: Response to Application, of the date and time when the matter will be heard.

Pooling Agreement

16. A media organization that is permitted to use a camera or other audio/video recording device in a courtroom must, if requested to do so, make arrangements to contemporaneously share the resulting recording or data with any other media organization that agrees to abide by the terms and conditions imposed by the presiding judge respecting the audio/video recording or broadcasting of Court proceedings. The Court will not adjudicate disputes as to compliance with this aspect of this policy; however, an instance of non-compliance may, if brought to the Court's attention, result in the summary suspension or revocation of leave to use a camera or other audio/video recording device in a courtroom.

Compliance with Publication Bans and Other Applicable Legislation

17. The authorization to audio/video record or broadcast a Court proceeding does not relieve anyone from an obligation to comply with the legal requirements of a statutory or Court-ordered publication ban in effect with respect to a proceeding. Further, any order granted does not affect any rights and obligations under *The Privacy Act*, RSS 1978, c P-24.

Physical Criteria for Recording Equipment and Personnel

18. Unless the Court otherwise orders, the following criteria apply to the use of audio/video recording equipment in the courtroom by authorized audio/video media:
 - 18.1 No more than the authorized number of audiovisual recording devices will be allowed in the courtroom;
 - 18.2 The recording device and operating personnel must be in place and ready to proceed in an area designated by the Court at least 10 minutes prior to the scheduled commencement of the hearing;
 - 18.3 Operating personnel in the courtroom must be suitably attired in business dress, and must conduct themselves in a manner in keeping with judicial proceedings;
 - 18.4 The recording device and operating personnel must remain in place while the Court is in session;
 - 18.5 The recording device must be turned off when Court is not in session (e.g., during breaks);
 - 18.6 The recording device must be unobtrusive; and
 - 18.7 All other equipment must be left outside the courtroom and must not impede public access to a courtroom or circulation within the court house.

Specific Restrictions on Recording

19. The following restrictions and prohibitions apply in all proceedings where authorization to record or broadcast has been granted:
 - 19.1 There must be no video recording or broadcasting of:

- 20.1.1 Members of the public in attendance in the courtroom;
 - 20.1.2 Materials on counsel tables, or in counsel's possession, or of any materials used in the examination of a witness that have not been admitted into evidence;
 - 20.1.3 Any conversations between counsel or between counsel and their clients, witnesses or anyone else at any time; or
 - 20.1.4 Subject to the Court's order, any witness, counsel or other participant in the proceedings who objects to being video recorded.
- 19.2 The video recorded, or broadcast image of a person must be tightly framed and must not show less than the person's head and shoulders.

Delay in Broadcasting

20. Unless the presiding judge or registrar otherwise orders, there must be a delay of at least two (2) hours between the conclusion of the morning or the afternoon Court session at which the audio/video recording was made and the time of broadcasting.

Application to Vary

21. An audio/video recording of a Court proceeding may only be used for the purpose(s) authorized and only during the time period specified in the authorization. An application to vary the terms of the authorization (e.g., use or broadcast the recording for any other purpose, amend a condition) must be the subject of a separate application. Further, the Court may revoke, suspend or vary any order granted at any time during the proceedings should the presiding judge deem it necessary to do so.

Storage

22. The authorized media organization must retain and securely store any recordings of the proceedings for a period of at least three years from the conclusion of the proceeding of which the recordings were made [Retention Period].
23. During the Retention Period, the authorized media organization must make the video recording(s) available to the Court upon the direction of the Chief Judge or her/his designate.

Notice to the Public Gallery

24. The court manager will place a notice on the exterior of the door of the courtroom to notify the public that the proceeding is subject to being recorded or transmitted.

Costs

25. A member of the media authorized to use a camera in a courtroom will bear all costs associated with that use, subject to any arrangements the member may make with other members of the media in furtherance of the pooling agreement referred to in s. 17 of this policy.

Forms

Schedule 1: Standard Conditions for Courtroom Recording and Broadcast

Form PD-15-1: Notice of Application for Authorization to Audio/Video Record and/or Broadcast Court Proceedings

Form PD-15-2: Response to Application