

The Government of Saskatchewan

Appellant (CACV3075)
(Defendant)

And

Christ the Teacher Roman Catholic Separate School Division No. 212

Appellant (CACV3076)
(Defendant)

And

Good Spirit School Division No. 204

Respondent (CACV3075 and CACV3076)
(Plaintiff)

ORDER RESPECTING LIVE BROADCAST OF PROCEEDINGS

[1] UPON RECEIPT OF AN APPLICATION by the Canadian Broadcasting Corporation [CBC], acting on behalf of a consortium of media organisations, for leave to (a) place cameras in the courtroom to livestream, broadcast and record the hearing in this appeal; (b) use the feed from the Court's audio system for the purposes of the livestream, broadcast and recording; and (c) use a dedicated access point on the Court's local area network [LAN] to connect a transmitter to the internet;

[2] AND HAVING GIVEN NOTICE thereof and of the Court's policy on the use of cameras in its courtrooms to the parties and the intervenors in this appeal;

[3] LEAVE IS HEREBY GRANTED to the CBC to place cameras in the courtroom to livestream, broadcast and record the hearing in this appeal and to use the feed from the Court's audio system for that purpose, subject to the following terms:

- (a) Members of the media must not record or transmit the following:
 - (i) private dialogue between or among members of the presiding panel of the Court in any way that might allow the content of the dialogue to be understood or deciphered by anyone;
 - (ii) private dialogue between or among legal counsel or between or among legal counsel and their clients in any way that might allow the content of the dialogue to be understood or deciphered by anyone; and
 - (iii) any document or other record, whether hardcopy or electronic, that is located or visible on the dais, the clerk's desk or a counsel table in any way that might allow the text thereof to be magnified, read, understood or discerned by anyone.
- (b) The CBC may use a LAN access point, which will be provided by the Court, solely to transmit the livestream of the hearing of this appeal. Any other use of or access to the LAN or its servers is strictly prohibited.
- (c) This order and the leave granted hereunder is subject to the following general conditions and restrictions:
 - (i) in consultation with the registrar and subject to her discretion, the CBC may place up to four cameras in Courtroom 7;
 - (ii) in consultation with the Court's senior information technologist, the CBC may address means to improve the feed from the Court's audio system, the implementation of which shall be subject to the approval of the Court;

- (iii) all cameras and other equipment must be in place in Courtroom 7 before 4:30 p.m. on 11 March 2019 and, once placed, no equipment may be removed or repositioned without leave of the Court acting through the registrar;
 - (iv) the registrar shall designate a space in Courtroom 7 for CBC personnel to operate a video switch, transmitter and any other equipment required for the livestream, broadcast and recording of the appeal;
 - (v) in consultation with the Court's senior information technologist, the CBC will assist with the display of a livestream of the appeal hearing in Courtroom 5 for members of the bar, the media and the public there in attendance;
 - (vi) all required CBC personnel and equipment must be in place in Courtroom 7 and ready at least 20 minutes prior to the scheduled commencement of each day's proceeding;
 - (vii) all cameras must be operated remotely and positioned in a way that does not distract the presiding panel or counsel or otherwise interfere with the proceeding or the court process; and
 - (viii) no camera may be used from, and no CBC personnel may have access to, the dais or the area behind it.
- (d) Nothing in this order abrogates from the overriding authority of the Court to maintain decorum in the courtroom or from the primary duty of the Court to ensure the proceedings in this appeal are conducted in a manner consistent with the proper administration of justice.

- (e) Nothing in this order restricts the Court from imposing, at any time, further conditions or restrictions on the use of cameras or other equipment in the courtroom during the hearing of this appeal.
- (f) The registrar will place a notice on the exterior of the door of Courtroom 7 to notify the public that the proceeding therein is subject to being recorded and transmitted.

DATED at the City of Regina, in the Province of Saskatchewan, this 7th day of March, 2019.

“Jackson J.A.”

Jackson J.A.

“Caldwell J.A.”

Caldwell J.A.

“Caldwell J.A.”

for Ottenbreit J.A. per authorization

“Whitmore J.A.”

Whitmore J.A.

“Schwann J.A.”

Schwann J.A.