

## IN THE TERRITORIAL COURT OF YUKON

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AMENDED PRACTICE DIRECTION #9

*Restriction on Publication*

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### PREPARATION OF TRANSCRIPTS WHERE THERE IS A RESTRICTION ON PUBLICATION

**This practice direction applies in the following circumstances;**

1. Publication of information that could disclose the identity of the complainant or witness has been prohibited by court order pursuant to sections 486.4 and 486.5 of the *Criminal Code*.
2. Publication of information that could disclose the identity of the accused has been prohibited by court order pursuant to section 486.5(2) of the *Criminal Code*.
3. Publication of identifying information is prohibited by sections 110(1) and 111(1) of the *Youth Criminal Justice Act*.
4. Publication of the name of a child, the child's parent or identifying information about the child is prohibited by section 173(2) of the *Children's Act* or section 162(2) of the *Child and Family Services Act*.
5. Publication of evidence taken or information given at show cause hearing has been prohibited by court order pursuant to section 517(1) of the *Criminal Code*.
6. Publication of evidence taken at preliminary inquiry has been prohibited by court order pursuant to section 539(1) of the *Criminal Code*.

With respect to items #3 and #4, **ALL** transcripts relating to young offender files and wardship files shall include the appropriate endorsement on the cover page above the style of cause.

In those instances where the Court makes a specific order with respect to a ban on publication, the appropriate endorsement (i.e.: items #1, #2, #5 and #6) shall be included on the cover page above the style of cause.

For items #5 and #6, the ban on publication terminates by operation of law once the accused is either discharged following a preliminary inquiry or once the trial is ended. Accordingly, no endorsement is required with respect to transcripts of trial and sentencing decisions.

In any instance where the Court has made an Order banning publication of the name of a complainant, witness, accused, etc., that person's name shall only appear in the form of initials.

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Chief Judge Ruddy  
Territorial Court of Yukon

Dated: June 16 2010