



May 17, 2021

PLEASE QUOTE THIS FILE
NUMBER ON REPLY:
292-30
MAG-2021-11634-23

Sent via email to: X

Dear X:

Re: *Freedom of Information and Protection of Privacy Act (the "Act")*

Requests for Information: MAG-2021-11634-23

This is further to your request received by Information Access Operations (IAO) on April 1, 2021 and forwarded to this office on April 20, 2021 for reply as some of the records you have requested remain under the custody and control of the BC Prosecution Service. Your request is summarized as follows:

Requesting final copies of policies, directions, memorandums issued to Crown prosecutors with respect to bail and pre-trial detention related to COVID-19 pandemic prevention and management. (Date Range for Record Search: From 3/1/2020 To 3/31/2020).

Please be advised the following policies may be of assistance including, but not limited to:

- ALT 1 – Alternative Measures for Adult Offenders

<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/alt-1.pdf>

- BAI 1 – Bail – Adults

<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/bai-1.pdf>

Lori McMorran
Information Access & Privacy Coordinator | Crown Counsel
BC Prosecution Service | Ministry of Attorney General

Box 9276 Stn Prov Govt
Victoria, BC V8W 9J7
Telephone: (250) 387-3840
Fax: (250) 387-0090

- RES 1 – Resolution Discussion

<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/res-1.pdf>

- TRI 1 – Trial Without Jury – Section 469 Offences – Consent of Attorney General

<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/res-1.pdf>

You may also wish to refer to the following for relevant links concerning past and current COVID-19 related notice, directions and information:

<https://www.provincialcourt.bc.ca/COVID19> - In addition to the court notices, this link includes an additional link to multiple helpful news articles, seminars and learning opportunities regarding legal matters during COVID19.

https://www.bccourts.ca/supreme_court/ - The Supreme Court home page which includes links to all COVID-19 notices and announcements.

https://www.bccourts.ca/Court_of_Appeal/ - The Court of Appeal home page which includes links to all COVID-19 notices and announcements.

Any BC Prosecution Service (BCPS) records, such as inter-office memoranda, have been excepted from disclosure in their entirety pursuant to s. 15 (1)(g) (records relating to the exercise of prosecutorial discretion) of the Act. Other sections which also apply to the records withheld are s. 14 (legal advice); s. 16 (1)(b) (disclosure which would reveal information received in confidence from another government or organization); s. 17(1)(c) (disclosure harmful to the financial or economic interests of a public body) and s. 22 (disclosure harmful to third party personal privacy) of the Act. If you wish to review these sections, please do so at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

If you are not satisfied with how your request has been processed by the BCPS, the matter can be reviewed by the Information and Privacy Commissioner. A request for review must be received by the Commissioner within 30 days and should be delivered to:

Information and Privacy Commissioner
P.O. Box 9038, Stn Prov Govt
Victoria, BC V8W 9A4
Telephone (250) 387-5629

If you request a review, please provide the Commissioner's office with:

1. the request number assigned to your request (MAG-2021-11634-23);
2. a copy of this letter; and
3. a copy of your original request for information.

Yours truly,

A handwritten signature in blue ink, appearing to read "Lori McMorran", with a long horizontal flourish extending to the right.

Lori McMorran
Information Access and Privacy Coordinator | Crown Counsel
BC Prosecution Service | Ministry of Attorney General