



## Provincial Court of British Columbia

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To achieve high standards of professional and personal conduct, judges engage in on-going education. The education is designed to keep them up-to-date on new advancements in the law while ensuring they are sensitive to the social and cultural context of the communities in which they work, including the history, experience and circumstances of Canada's Indigenous peoples.

The Provincial Court provides new judges and judicial justices intensive training programs when they are first appointed and ongoing education throughout their judicial careers.

### **Training for newly appointed judges and judicial justices**

Once appointed, all Provincial Court judges receive:

- Orientation and mentoring
- A one-week education program on the law
- A one-week education program on other judicial skills
- Training on sexual assault cases

Topics covered include judicial ethics, substantive law, evidence and procedure, judgment writing, and diversity and social context issues. All of the Court's internal education resources are archived and available to judges to access at any time.

Judicial justices also receive training at the Office of the Chief Judge and through shadowing experienced colleagues and on-going mentoring.

### **Orientation**

Before taking their oath of office, new judges meet with the Chief Judge and the Court's legal

counsel and staff at the Office of the Chief Judge to receive information and resources necessary for their new position. Among other resources, the Court provides an online library and online access to the National Judicial Institute (NJI), an organization providing educational programs and resources to Canadian judges. New judges begin to educate themselves by reading articles on judicial ethics and conduct as well as the law they will need to apply.

[National Judicial Institute](#)

## **Judge-shadowing and mentoring**

Few lawyers have practiced extensively in all areas of the Court's jurisdiction. With this in mind, judges are given the opportunity to observe proceedings involving the subject areas in which they have less experience in courthouses around the province. They continue to study the law and judicial ethics, sit in the courtroom, shadow experienced judges who act as mentors, and learn practical aspects of their new responsibilities. During this period, they are gradually given courtroom assignments.

Spending time in different courthouses and learning from different judges introduces new judges to a variety of styles and practices they can choose from and incorporate in their own work. After this observation period, judges begin to work in the region to which they have been assigned. One of their fellow judges will serve as a designated mentor for the judge's first year. While there is a long history of mentoring relationships in the Court, this formal mentoring program began in March 2020. These relationships often extend beyond the first year as colleagues will offer assistance and support throughout their judicial careers.

## **Education Program for new judges**

Each spring, judges appointed during the preceding year attend a six-day education program for new judges organized by the Canadian Association of Provincial Court Judges (CAPCJ) for provincial, territorial and military judges from across the country. With a primary focus on substantive criminal law, including sexual assault trials, social context, and the *Canadian Charter of Rights*, this intensive program offers judicial and academic speakers with national reputations for their expertise to share their knowledge and experience and provides judges with the opportunity to learn about practices and procedures in other parts of Canada.

## **Judicial Skills Program**

Each fall, the recently appointed judges attend a six-day judicial skills seminar presented by the NJI and CAPCJ. The program includes sessions on judicial ethics, the delivery of written and oral judgments, self-represented litigants, communication skills, managing the courtroom, and mediation in family and civil cases.

## **Training on sexual assault cases**

The Court has created training on conducting sexual offence trials that all new Provincial Court

judges take.

## **Twice-yearly Provincial Court programs**

The Provincial Court requires judges to attend two-and-a-half-day education programs twice a year. These programs are planned and organized by the Education Committee of the Court.

The Provincial Court has been an innovator in judicial education in Canada. The Court began using adult education techniques in the 1980s and Education Committee members continue to follow the adult education literature and employ progressive new approaches to ensure education programs are interactive, engaging and effective.

Accountable to Judicial Council, the Education Committee provides programs that are relevant and responsive to changes in law and circumstances affecting judicial practice. It invites expert presenters from across Canada or beyond to share their knowledge and experience with judges.

### [Judicial Council](#)

#### **Education topics**

Topics include current legal issues and changes in the law, but also broader factors related to the human problems judges deal with, the challenges faced by vulnerable groups in society and themes reflecting the diversity of the people in the province. This social context education provides judges with the skills necessary to ensure stereotypes and myths do not influence their decisions. Subjects relevant to areas of particular public concern like sexual assault trials, trauma informed practice, intimate partner violence, mental health issues and decisions affecting children are presented regularly.

In the late 1980s judges of this Court pioneered social context education for judges in Canada with gender equality and diversity programs offered to judges of the western provinces. Since then the Court has incorporated social context education as an aspect of all its education programs.

All judges attend the twice-yearly programs unless they have been otherwise assigned by the Chief Judge. Getting together with judges from across the province to discuss their work is an additional benefit of the bi-annual education programs, as judges share insights and learn from one another throughout their time together.

Judicial justices attend similar twice-yearly training programs on topics related to their work.

Find information about speakers and topics for each year's programs in the Court's Annual Reports.

For example, the Fall Judges Education Conference in December 2021 covered the topic of "violence, trauma and the court" and included sessions on family violence, intergenerational trauma in Indigenous communities and trauma and violence in the 2SLGBTQ+ community.

The Spring Judges Education Conference in May 2022 focused on sexual assault trials and included multiple sessions on this topic including ones on the *actus reus* (action or conduct of the accused) and *mens rea* (mental state of the accused) of sexual assault and avoiding myths and stereotypes. This followed the Spring Judges Education Conference in April 2017, also on sexual assault trials.

At that conference, the keynote address by Manitoba Court of Appeal Justice Freda Steel provided an understanding and compassionate overview of how judges deal with and decide difficult sexual assault cases. The balance of the conference took the judges through problems and challenges that typically arise in this type of trial. The conference endnote was provided by former National Hockey League player and survivor of sexual abuse, Sheldon Kennedy, who offered insights into factors affecting victims' vulnerability and disclosure.

[Reports and court data](#)

## **Continuing education**

Whether as a result of new legislation enacted by the Canadian Parliament or BC Legislature or due to new decisions by appeal courts, the law is constantly changing. Our society and cultures also continue to change. To keep up with all this change, judges must continue learning throughout their careers.

In addition to the twice-yearly Provincial Court programs, judges are responsible for their own additional professional development, but the Court provides resources and educational opportunities to help them stay current. See "external education programs" below.

## **Other programs delivered by the Court**

A variety of additional programs are presented for smaller groups of judges and judicial justices to fulfil a variety of education needs. They include the following.

### **Criminal Law Boot Camp**

Designed for the Court's recently appointed judges, this intensive three and a half day program includes detailed examination of criminal law and practice through a combination of written material, presentations, videos and exercises.

## **Family Law Boot Camp**

This course adopts a similar approach to the Criminal Law Boot Camp. It is an intense, interactive judicial education program designed for new judges. It examines family law and practice under the *Family Law Act*, other family law statutes, and the *Child, Family and Community Service Act* and includes exercises dealing with family violence.

## **Judgment Writing Course**

This two-day course is taught by university English professors (who also teach other Canadian judges). They provide helpful critiques of previous judgments written by the judges and ways to improve the structure, context, style and conciseness of written decisions, including enhancing how judges, through their judgments, can communicate more effectively with their audiences.

## **Computer and legal research courses**

Judges can take one-on-one and small group training sessions to hone their computer skills and ability to use technological and legal research tools.

## **Webinars**

The Court offers a series of noon-hour webinars on current issues. Judges or judicial justices watch a presentation or panel discussion and submit questions and comments from their offices. Topics have included:

- Legislative and regulatory amendments in criminal, civil and family law
- New or amended practice directions
- Legal research tools

## External education programs

It is recommended that Canadian judges invest the equivalent of ten days a year toward professional development. The twice-yearly Provincial Court programs provide five days of education. For the other five days, Provincial Court judges and judicial justices may attend educational programs presented by other organizations including, but not limited to:

- Canadian Association of Provincial Court Judges
- National Judicial Institute
- Federation of Law Societies: Criminal (Substantive Law/Procedure/Evidence) and Family Law
- International Association of Juvenile and Family Court Magistrates
- Canadian Bar Association
- Criminal Lawyers' Association
- The Advocates' Society
- Canadian Institute for the Administration of Justice
- International Association of Women Judges (Canadian Chapter)

Provincial Court judges who preside in French may attend French-language courses to maintain their proficiency.

## Online programs

In addition to in-person programs held across the country and an online library of information resources, the National Judicial Institute offers online judicial education programs, including, for example, the Sexual Assault Trials Video Series.

[Sexual Assault Trials Video Series \(Canadian Judicial Council\)](#)

## Educational Resources

Individual judges and judicial justices work hard to keep up with changes in the law. To help them do this, the Court provides various books, access to online law databases, digests, and other digital resources. The Court also maintains an internal website that contains law and practice information and tools, including recorded webinars and course materials from the twice-yearly programs so existing and new judges and judicial justices can access them at any time. During the spring and fall, judges may get research assistance from law students who intern with the Court.

From the CAPCJ Committee on the Law, judges receive analytical summaries of any new federal legislation that is enacted, at the time it is enacted, if it impacts the law or practice in provincial courts. Judges and judicial justices also receive summaries prepared by the Court's legal counsel of select appellate decisions and new federal and provincial legislation impacting the law or procedure in the Court.

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