



Provincial Court of British Columbia

Early Magistrates' courts became the Provincial Court of British Columbia in 1969. The Court has always been committed to delivering accessible, fair, and innovative justice. Here is some background information about the Court and a summary of some of the court initiatives undertaken to achieve this.

Early years

In the 1800s, European settlers in the province's two colonies, British Columbia and Vancouver Island, adopted English law with its judicial system including Magistrates' courts. Magistrates dealt with civil small claims and less serious crimes on Canada's west coast.

The *Constitution Act, 1867* (previously called the *British North America Act*) created the Dominion of Canada in 1867 and gave the provinces the power to create their own courts. When British Columbia joined Canada as its sixth province in 1871, Magistrates' courts continued but lacked judicial independence. Magistrates had little or no formal legal training and often performed their judicial duties part-time while working at other occupations. They were treated as government employees.

As the province grew, its laws became more complex. Magistrates formed a professional association, and held their first educational conference in 1947. Magistrates' responsibilities increased, and so did their legal training, professional qualifications and ongoing judicial education.

The new Provincial Court (1969 - 1980s)

In 1969, the Government of BC created the Provincial Court of British Columbia with jurisdiction in criminal, youth, family and small claims civil matters. It also created a Chief Judge to oversee administration and the BC Judicial Council to represent the public and oversee judicial education and discipline. The Court was removed from government control and became independent so judges could decide cases impartially without the possibility of being penalized if they decided a case against the government.

The Court experienced huge change during the 1970s. The Judicial Council gained greater authority and decided judges should have legal training. In 1974, the BC Legislature passed a new *Provincial Court Act* and all lay judges soon retired. In 1976, Judicial Council and the Provincial Judges Association adopted a *Code of Judicial Ethics*, becoming one of the first courts

in Canada to do so.

For a detailed history of the Provincial Court from its beginnings until the 1980s, see *"Magistrate-Judge, The Story of the Provincial Court of British Columbia"* by Alfred Watts KC, formerly an Associate Chief Judge of the Court.

1980s and '90s

The Court introduced judicial mediation in civil, family and child protection cases. It also introduced adult education techniques and social context education to help judges understand how gender, ethnicity, culture and orientation affect people's lives and experiences.

2000s

In the 2000s, the Court began to work with Indigenous and local communities to establish Indigenous criminal sentencing courts incorporating aspects of Indigenous justice, culture, and practices. As Indigenous communities work to restore and rebuild their justice systems, the Provincial Court continues to work towards reconciliation and to collaborate with them in developing new Indigenous courts.

The Court opened specialized drug treatment and community courts and collaborated with the Peter A. Allard School of Law at the University of British Columbia to create an internship program.

2010s

- Opened more Indigenous sentencing courts and an Aboriginal case conference court to provide Indigenous parents in child protection cases with support and a culturally safe environment
- Simplified Court administration by reducing the number of court regions
- Improved access to after-hours bail hearings and search warrant applications
- Improved trial scheduling with a new system and software

- Improved its communication with the public through interactive social media, eNews and a new website
- Was the first court in Canada to provide guidelines for people who need support in court

2020s

- Opened more Indigenous sentencing courts
- Adopted a holistic approach to resolving family disputes that supports early resolution of issues
- Began holding virtual conferences in family, civil and criminal matters
- Created online courtrooms for virtual bail hearings
- Modified the protocol for courtroom introductions to include non-binary titles and pronouns
- Produced podcasts and videos to help court users
- September 2024 launched a new website with modern design, improved navigation, accessibility and functionality

Source URL:

<https://main-bvxea6i-t74dtfugroaqq.ca-1.platformsh.site/about-court/history-court>