

Policy for Access to Court Audio Recordings in the Court of King's Bench of Alberta

September 19, 2023

1. This document outlines this Court's policy for release of court audio recordings. Members of the public, lawyers, litigants, accused or the media may obtain copies of court audio recordings only in accordance with this Policy.
2. The release of court audio recordings is at the Court's discretion and the use of court audio recordings is subject to any court order and any court-ordered or statutory restriction on publication or access that applies to the proceeding, including [Family Practice Note 10, Access to Court Files in Family Law Proceedings](#).
3. All persons who request access to a court audio recording must first execute the [Undertaking to the Court for Access to Court Audio Recording](#) (the Undertaking). The Undertaking prescribes limitations on the use of the court audio recording and the terms under which it is provided.
4. In this policy, "presiding judicial officer" means the judicial officer who heard the matter to which the court audio recording relates, or in their absence and in the alternative, the Chief Justice or Associate Chief Justice of the Court or their designate.
5. All access to court audio recordings is subject to any express order made by the presiding judicial officer, who may expand or restrict access to the court audio recordings in any proceeding before them.
6. Unless the presiding judicial officer otherwise orders, court audio recordings from the following types of proceedings are available only to the lawyer or prosecutor of record:
 - a. any part of a proceeding that was heard in a private hearing;
 - b. any part of a proceedings from which anyone other than a witness was excluded; and
 - c. proceedings subject to a restriction on access to transcripts or audio records by statute, court order, or court policy (e.g., hearings before a Case Management Counsel).
7. Subject to this Policy, the following categories of persons may obtain a court audio recording of a proceeding upon completing the [Undertaking](#) and paying the required fee:
 - a. a member of the Law Society of Alberta; and
 - b. a member of the media who is identified on the Court's [Media Undertakings List](#).
8. Subject to this Policy, any other person may apply for an order authorizing access to the court audio recording of a proceeding; the applicant may obtain the court audio recording if they:
 - a. Complete the [Undertaking](#);
 - b. Obtain a court order that authorizes access; and
 - c. Pay the required fee.