

(In Accordance with Rule 7-1(18) & (19), and Rule 8-1(7) for service on the A.G. where records relate to an active prosecution.)

No. _____
_____ Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

[insert name of PLAINTIFF]

PLAINTIFF

AND:

[insert name of DEFENDANT]

DEFENDANT

CONSENT ORDER

)	[] A JUDGE OF THE COURT)	
)	or)	
BEFORE)	[] A MASTER OF THE COURT)	_____
)	or)	(dd/mmm/yyyy)
)	[] A REGISTRAR)	

ON THE APPLICATION of the *[party]*, without a hearing and by consent;

AND with regard to the provisions of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, concerning personal information and law enforcement information;

THIS COURT ORDERS that:

1. the Chief Constable of the Delta Police Department or his or her delegate be authorized and directed to, within thirty-five (35) days of receipt of a copy of this Order, find all documents as defined in the *Supreme Court Rules*, including all handwritten notes of all investigating officers in his or her possession or control relating to an incident that occurred in Delta, British Columbia on ____ day of ____, 20__ referenced as Delta Police Department File Number _____.
2. the Chief Constable of the Delta Police Department or his or her delegate examine the Documents and determine which Documents or portions of the Documents may not be produced because they are:
 - (a) correspondence or communications between the Delta Police Department and Crown Counsel, or between the Delta Police Department and lawyers advising them, for the purpose of giving or receiving legal advice;

- (b) documents which it would be contrary to the public interest to produce and, in particular, documents which if disclosed could:
 - (i) reveal correspondence or communications between the Delta Police Department and Crown Counsel other than those referred to in subparagraph 2(a);
 - (ii) prejudice the conduct of a criminal prosecution which is anticipated or has been commenced but not finally concluded, where the dominant purpose for the creation of the documents is that prosecution;
 - (iii) harm an ongoing statutory investigation or ongoing internal Delta Police Department investigation;
 - (iv) reveal the identity of a confidential human source or compromise the safety or security of the source;
 - (v) reveal sensitive police investigation techniques; or
 - (vi) harm international relations, national defence or security or federal provincial relations; or
- (c) protected from production by the *Youth Criminal Justice Act*, S.C. 2002, c. 1, or by any other applicable statute;

3. the Chief Constable of the Delta Police Department or his or her delegate examine the said records when found, to ascertain whether any information contained in the records should be withheld pursuant to sections 14 (Legal Advice), 15 (Harm to Law Enforcement), 16 (Harm to Intergovernmental Relations) and 19 (Harm to Individual Safety) of the *Freedom of Information and Protection of Privacy Act*;

4. the Chief Constable of the Delta Police Department or his or her delegate copy the Documents or portions of the Documents that satisfy the criteria for production referred to in paragraph 2 and 3;

5. the Chief Constable of the Delta Police Department or his or her delegate make copies of the Documents available to the lawyer for the Applicant for inspection or collection at 4455 Clarence Taylor Crescent, Delta, BC;

6. the lawyer for the Applicant forthwith enter this Order and deliver a copy to the Chief Constable of the Delta Police Department or his or her delegate and the lawyers for the parties to this action;

7. any reasonable costs incurred by the Delta Police Department for the retrieval, production, inspection, copying and delivery of the Documents, shall be paid by the lawyer for Applicant forthwith and in accordance with any schedule of fees adopted by the Delta Police Department.

8. within thirty (30) days after receipt by the lawyer for the Applicant of the Documents from the Chief Constable of the Delta Police Department or his or her delegate pursuant to this Order, the lawyer for the Applicant provide the lawyers for each of the parties to this action with a copy of the Documents and the lawyers for the parties to this action be at liberty to examine the copies of the Documents received by the lawyer for the Applicant from the Police Officer; and,

9. parties to this action, the Chief Constable of the Delta Police Department or his or her delegate and the Attorney General of British Columbia have liberty to apply to the Court to determine which, if any, Documents are required to be produced pursuant to this Order.

BY THE COURT

DISTRICT REGISTRAR

I am the person in control of the within referenced records and I have no objection to the making of an Order on these terms.

Signed: _____
Volker Helmuth

Position: Manager,
Information Management Section
Support Services Division
Delta Police Department

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS NOTED ABOVE:

 Signature of Party Signature of Lawyer for the Plaintiff
[name of above-signed]

 Signature of Party Signature of Lawyer for the Defendant
[name of above-signed]