

# Coronavirus COVID-19

BC Centre for Disease Control | BC Ministry of Health



## Guidance for Courthouses During the COVID-19 Pandemic

This guidance is for Courthouses in British Columbia and is based on known evidence as of

January 19, 2021

### Legal disclaimer:

The purpose of this guidance is to provide practical public health advice to reduce the transmission of COVID-19 in British Columbia. This guidance does not have legal authority; however, not following the guidance in this document may leave individuals or organizations open to legal action. This guidance does not supersede orders or direction under the *Public Health Act*, by the courts or any other provincial or federal legislation. This guidance is subject to updates.



Ministry of  
Health



BC Centre for Disease Control

If you have fever, a new cough, or are having difficulty breathing, call 8-1-1.



## Introduction

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Court proceedings are critical and essential services for British Columbians. Courthouses are settings where people access justice relating to a myriad of public and private legal matters that often engage public safety and individual liberty rights. People rely on the right to access courts to resolve their legal disputes in a fair and just hearing, where the rule of law applies. Many people who attend at courthouses, do not choose to be there, rather they are compelled by subpoena or other process to attend. People must have confidence that the courts are safe and accessible.

During the COVID-19 pandemic, concerns about individual and public health and safety, as well as potential exposure risks have been highlighted by those who use the court system. This guidance document provides an explanation of infection prevention and control measures that can be implemented in courthouses<sup>1</sup> and includes thresholds for the ordering of COVID-19 testing for individuals who are scheduled to be present in a courthouse.

## Infection Prevention and Exposure Control Measures

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Infection prevention and exposure control measures help create safe environments by reducing the spread of communicable diseases like COVID-19. These are more effective in controlled environments where multiple measures of various effectiveness can be routinely and consistently implemented.

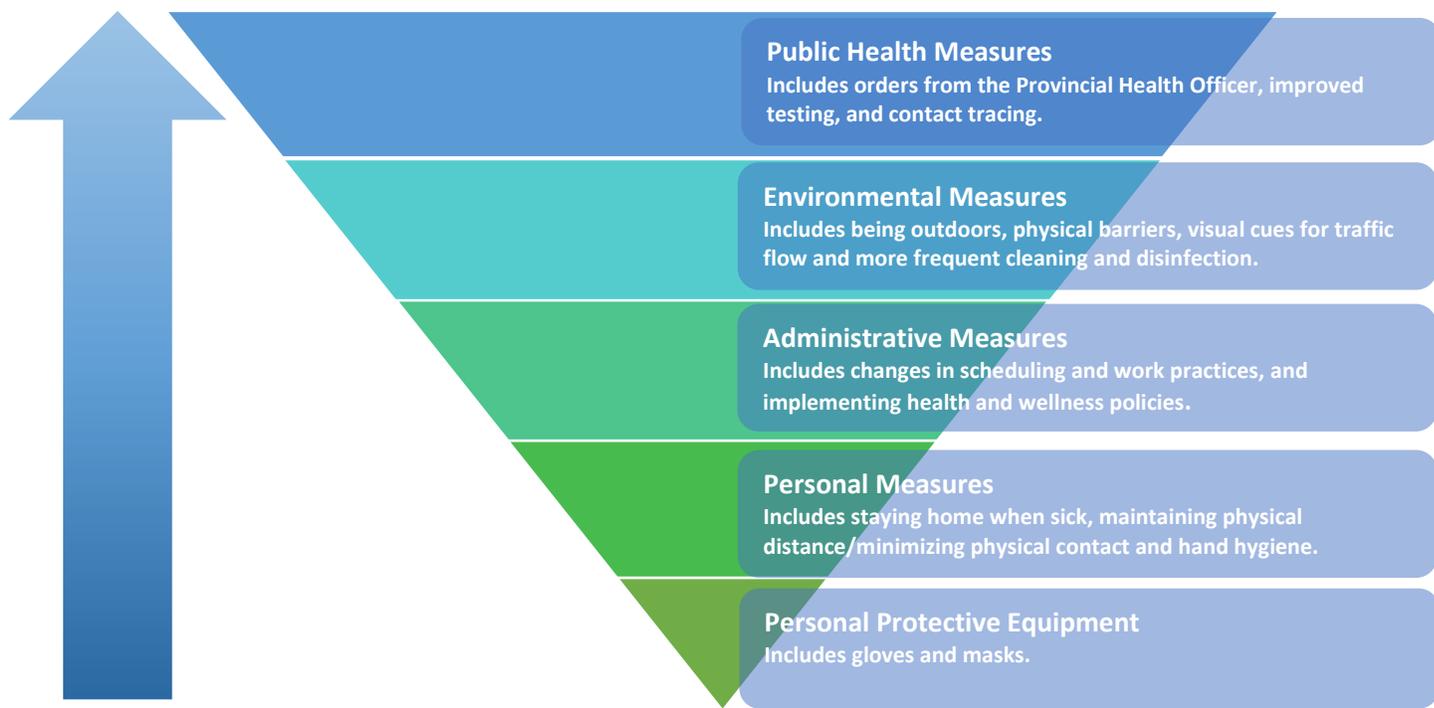
*The Hierarchy for Infection Prevention and Exposure Control Measures for Communicable Disease* describes measures that should be taken to reduce the risk of transmission of COVID-19 in courthouses. Control measures at the top are more effective and protective than those at the bottom. By implementing a combination of measures at each level, the risk of COVID-19 is substantially reduced.

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<sup>1</sup> “Courthouses” is used in this document to refer to all court locations, including circuit court locations.



## The Hierarchy for Infection Prevention and Exposure Control Measures for Communicable Disease



### Public Health Measures

Public health measures are actions taken across society at the population level to limit the spread and reduce the impact of COVID-19, such as Provincial Health Officer (PHO) Orders and case finding, contact tracing, and outbreak management.

#### Provincial Health Officer Orders

The PHO has issued several Orders to protect public health. Orders are developed, amended, and rescinded based on the evolution of the pandemic.

The following PHO Orders are relevant to courthouses as of January 11, 2021:

- [“Workplace Safety Plans”](#)
- [“Gatherings and Events”](#) (Court sittings are excluded from being regulated by this PHO order).
- [“Travellers and Employers”](#)

Please visit the [PHO website](#) regularly for updates.



## Case Finding, Contact Tracing and Outbreak Management

Case finding involves active testing of anyone with symptoms of COVID-19 to identify cases early in the course of the disease. Contact tracing is a process conducted by public health where close contacts of a positive case of a communicable disease are identified and followed up with. Not everyone who has been in contact with a confirmed case of COVID-19 is considered a close contact; public health makes this determination when conducting contact tracing. Outbreak management is overseen by public health and determines the scope of an outbreak or cluster of cases.

## Environmental Measures

Environmental measures are changes to the physical environment that reduce the risk of exposure, such as choosing outdoor spaces where possible, using visual cues for maintaining physical distance, erecting physical barriers where appropriate, and frequent cleaning and disinfection.

### Cleaning and Disinfection

Regular cleaning and disinfection are essential to preventing the transmission of COVID-19 from contaminated objects and surfaces. The premises should be cleaned and disinfected in accordance with the BCCDC's [Cleaning and Disinfectants for Public Settings](#) document.

Clean and disinfect the premises at least once every 24 hours, and clean and disinfect frequently touched surfaces (e.g., door knobs, toilet handles, light switches, desks, chairs) at least twice every 24 hours.

### Support Physical Distancing

Use floor markings and posters to encourage physical distancing. This may include designated entrance and exit doors. Should the number of exits be reduced, ensure any alterations to the premises adheres to the fire code. Reduce the number of seats in waiting areas, and limit or reduce the number of seats in court rooms.

### Physical Barriers

Barriers can be installed in places where physical distance cannot regularly be maintained, such as reception areas.

## Administrative Measures

Administrative measures are policies, procedures, training and education that reduce the risk of exposure.

### Supportive Sick Leave Policies

Anyone who is experiencing symptoms of COVID-19 should be supported to stay home through the implementation of sick leave policies that do not negatively impact employment and follows applicable collective agreements or terms and conditions of employment. Where operationally feasible, work from home policies are an option when or if a person does not feel well.

### Ordering COVID-19 Tests for Individuals Scheduled to be in Courthouses

Testing for COVID-19 is available for people with [symptoms](#) that are indicative of the infection. If an individual has no symptoms, testing is not required. Testing is generally not available through the provincial health care system for people without symptoms, including routine screening for employment, travel, school, before surgery or other settings.



The rationale for symptomatic testing is that the majority of identified cases have a known source of exposure. Resources to expand screening for asymptomatic individuals are high in relation to the expected low yield of detecting new cases; a significant amount of resources would be required to test asymptomatic individuals, and would impact laboratory testing costs, health system costs, and personal protective equipment. Asymptomatic individuals are also more likely to receive a false positive test, which has implications for the individual (e.g., unnecessary restriction of individuals) and the public health system (i.e. to conduct contact tracing).

This being said, a Lead Court Contact may wish to test an individual for a variety of reasons, including:

- A court participant who is experiencing COVID-19 like symptoms or has a high degree of real or perceived risk where a clinical assessment including COVID-19 testing is required in order to inform the determination of whether the court proceeding can continue as scheduled;
- A court participant who will experience significant negative consequence should the court proceedings be adjourned in order to access COVID-19 testing; and/or
- A matter is proceeding in court and there is concern that one or more participants may be experiencing symptoms associated with COVID-19.

In any of these events, Lead Court Contacts will connect with the local medical health officer to discuss the specific circumstance that requires facilitated COVID-19 testing and arrange for testing if warranted as set out in the [“Communication and Incident Response Protocol: Notification of Potential COVID-19 Incidents and/or Testing at or Related to Courthouse”](#).

## Personal Measures

Personal measures are actions individuals can take to protect themselves and others such as maintaining physical distance/minimizing physical contact, frequent hand washing, practicing respiratory etiquette and staying home if sick.

### Stay Home When Sick/Leave the Workplace if You Begin to Feel Unwell

Anyone with cold, influenza, or COVID-19 symptoms should self-isolate and seek assessment by a health care provider or use the BC COVID-19 Self Assessment Tool. People who experience seasonal allergies or other COVID-19-like symptoms that are related to an existing condition can continue to attend court as long as they are experiencing these symptoms as normal. People whose household has a person with cold, influenza, or COVID-19 symptoms may attend court, provided they are asymptomatic and have not been directed by public health to self-isolate. For a full list of COVID-19 symptoms, please refer to the BCCDC’s [symptoms webpage](#).

Screening for symptoms, checking temperatures, or COVID-19 testing should only be completed by health-care professionals.

### Hand Hygiene

Rigorous hand washing with plain soap and water is the most effective way to reduce the spread of illness. Everyone should practice diligent hand hygiene often. To learn about how to perform hand hygiene using soap and water or using alcohol-based hand sanitizer, please refer to the BCCDC’s [hand washing poster](#).



## Respiratory Etiquette

Everyone should:

- Cough or sneeze into their elbow or a tissue. Throw away used tissues and immediately perform hand hygiene.
- Refrain from touching their eyes, nose or mouth with unwashed hands.
- Refrain from sharing any food, drinks, unwashed utensils, cigarettes, or vaping devices.

## Personal Protective Equipment (PPE)

Personal protective equipment (PPE) is the last and least effective of the infection prevention and exposure control measures and should only be considered after applying all other measures. PPE is not effective as a stand-alone preventive measure, should be suited to the task, and must be worn and disposed of properly. Outside of health care settings, the effectiveness of PPE is generally limited to protecting others from your droplets.

## Non-Medical Masks

Non-medical masks or face coverings must be worn inside indoor public places by [Order of the Minister of Public Safety and Solicitor General](#). The Order applies to the indoor common area of the courthouse. The indoor common area includes lobbies, hallways, public bathrooms, and elevators.

On November 24, 2020 the Courts issued a statement that people are required to wear a face mask or face covering in courtrooms unless the presiding judge, justice, master or registrar directs otherwise. Please refer to the following webpages for more information: [Provincial Court](#), [Supreme Court](#), [Court of Appeal](#).

For more information about how to properly wear a mask, types of masks, and cleaning and disinfection of masks, please refer to the BCCDC's [masks webpage](#).

## Related Links

[Communication and Incident Response Protocol: Notification of Potential COVID-19 Incidents and/or Testing at or Related to Courthouse](#)

[BCCDC Webpage on Courthouse Exposure Events and Incidents](#)

COVID Information for the:

- [Provincial Court](#)
- [Supreme Court](#)
- [Court of Appeal](#)
- [Ministry of the Attorney General](#)

