IN THE MATTER OF PART XX.1 (Mental Disorder) OF THE *CRIMINAL CODE*
R.S.C. 1985 c.-46, as amended S.C. 2005 c. 22, S.C. 2014 c. 6

IN THE MATTER OF AN APPLICATION FOR ORDERS RESPECTING A FITNESS HEARING TO BE CONDUCTED PURSUANT TO S. 672.47(2) OF THE *CRIMINAL CODE*

RE: JONGWON HAM (THE ACCUSED)

RULING ON A PRELIMINARY APPLICATION

WHEREAS:

a Panel of the British Columbia Review Board (the Board) received and considered an application by the Accused seeking the following orders in relation to the fitness hearing in this matter:

1. That the Board redact its Reasons for Disposition before releasing them to non-parties, in accordance with the publication ban ordered by Justice Tammen on February 12, 2026, in *His Majesty the King v. Jongwon Ham,* Vancouver Registry, Court File: 35009-2; and

2. That the Board prohibit the publication, broadcasting, or transmission of any testimony, submissions of counsel, or comments by the Board during the hearing that refer to:

    a. Mr. Ham's intentions regarding the conduct of his criminal proceedings, including the reasons for those intentions, and including, without limitation, whether he intends to plead guilty or not guilty, whether he intends to advance any particular defence, and the reasons for doing so or not doing so;

    b. Mr. Ham's statements concerning the events underlying the alleged offence and/or his understanding of the circumstances surrounding those events; and

    c. Communications between Mr. Ham and his counsel that are protected by solicitor-client privilege.

AND WHEREAS:

the Panel received and considered submissions in support of the Accused's application from the Attorney General of British Columbia, and submissions opposing the application from Global News;

THEREFORE, IT IS ORDERED THAT:

1. The Panel denies the Accused's application for an order requiring the Board to redact its Reasons for Disposition before releasing them to non-parties.

2. By majority, the Panel grants the Accused's application for a limited publication ban. Accordingly, a common law publication ban shall apply to the fitness hearing of the Accused, Jongwon Ham, to be conducted on July 14, 2026, pursuant to s. 672.47(2) of the *Criminal Code*. The publication ban is limited to prohibiting the publication, broadcasting, or transmission of any testimony, submissions of counsel, or comments by the Board that refer to:

    a. Mr. Ham's intentions regarding the conduct of his criminal proceedings, including the reasons for those intentions, and including, without limitation, whether he intends to plead guilty or not guilty, whether he intends to advance any particular defence, and the reasons for doing so or not doing so;

b. Mr. Ham's statements concerning the events underlying the alleged offence and/or his understanding of the circumstances surrounding those events; and

c. Communications between Mr. Ham and his counsel that are protected by solicitor-client privilege.

This publication ban shall remain in effect unless otherwise ordered by the Board and shall expire no later than the conclusion of the trial of the criminal charge.

Dated July 10, 2026.

Geneviève Boudreau
BC Review Board Chair