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## Backgrounder

### **BCLI Report no. 42—Report on Unnecessary Requirements for Sworn Statements**

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In 1976, the Law Reform Commission of British Columbia published its *Report on Extra-Judicial Use of Sworn Statements*, which recommended the repeal of a large number of legislative provisions that require the use of a sworn statement. In this report, the BCLI returns to the subject of the Commission's 1976 report.

The term "sworn statement" is meant to embrace statements under oath or under affirmation, affidavits, solemn declarations, and statutory declarations. There is a family resemblance among all of these documents, as each requires a person to perform certain formal requirements that are primarily intended to assure the truth of the statement. Requirements for sworn statements in out of court settings appear in a wide variety of British Columbia statutes and regulations.

The Law Reform Commission's 1976 report provided both a framework for analyzing these provisions requiring sworn statements and recommendations for modernizing and simplifying the law. The framework for analysis and the recommendations for reform continue to have force. This report shows how both can be adapted to contemporary conditions and substantially implemented today.