**CRIMINAL LAW**

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| Witness – accused, as | 343(L) | 1.2 |
| Witness – aids for | 347(R) | 3 |
| Witness – children | 346(L–R) | 1.6 |
| Witness – children and people with limited mental capacity – aids for | 347(R) | 3 |
| Witness – Closed–circuit television, screens, or other devices | 348(R)–349(L) | 3.6 |
| Witness – co-accused, as – when tried separately | 343(L) | 1.3 |
| Witness – co-accused, as – when tried together | 343(L) | 1.3 |
| Witness – commission evidence | 346(R)– 347(L) | 2.4.1 |
| Witness – competency/compellability | 343(L) | 1 |
| Witness – corporation | 344(R) | 1.7 |
| **Witness – criminal proceeding** | 343(L) | 1 |
| Witness – cross examination of crown witness – preliminary inquiry | 338(R)–339(L) | 4.2 |
| Witness – cross examination of crown witness – preliminary inquiry – by accused | 338(R)–339(L) | 4.2 |
| Witness – cross examination of defence witnesses | 376(L) | 12 |
| Witness – disabilities | 348(L) | 3.2 |
| Witness – exclusion of public – [add: minor witnesses – sexual offences] | 348(L–R) | 3.4 |
| Witness – expert | 374(L) | 10.1 |
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| Witness – face covered | 347(L–R) | 2.4.2 |
| Witness – failure to appear – material witness warrant | 344(L) | 2.2.1 |
| Witness – how to get a subpoena (which court) | 345(L) | 2.1.2 |
| Witness – in a criminal proceeding | 343(L) | 1 |
| Witness – in custody | 346(L–R) | 2.3 |
| Witness – interpreters | 347(R) | 3.1 |
| Witness – lay witness – exceptions to opinion, hearsay rules | 374(L) | 10.1 |
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| Witness – materiality | 343(L) | 1.1 |
| Witness – mental capacity | 344(L) | 1.5 |
| Witness – niqab – testimony | 347(L–R) | 2.4.2 |
| Witness – non–publication orders | 349(R) | 4 |
| Witness – OCJ Rules 4.2(3) – pre–trial conference/JPT | 368(L) | 2.2.1 |
| Witness – outside of Canada – video and audio link | 347(L) | 2.4.2 |
| Witness – people with limited mental capacity | 346(L–R) | 1.6 |
| Witness – reading in evidence | 347(R) | 2.4.3 |
| Witness – role in sentencing | 384(R) | 4.10 |
| Witness – sentencing | 384(R) | 4.10 |
| Witness – spouse of the accused | 343(R) | 1.4 |
| Witness – subpoena | 344(R) | 2.1 |
| Witness – subpoena – children | 346(L–R) | 1.6 |
| Witness – subpoena – corporations | 344(R) | 1.7 |
| Witness – subpoena – effect of | 345(L–R) | 2.1.5 |
| Witness – subpoena – evading service OR unlikely to appear | 345(R)–346(L) | 2.2.1 |
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| Witness – subpoena – obtaining | 344(R) | 2.1 |
| Witness – subpoena – out of Ontario – which court can issue | 345(L) | 2.1.2 |
| Witness – subpoena – service of | 345(L) | 2.1.3 |
| Witness – subpoena – spouses | 343(R) | 1.4 |
| Witness – subpoena – territorial effectiveness of | 345(L) | 2.1.4 |
| Witness – subpoena – who may request | 344(R) | 2.1.1 |
| Witness – support person | 348(R) | 3.5 |
| Witness – testimony – alternatives to live in court | 348(R)–349(L) | 3.6 |
| Witness – unavailable for trial  SEE ALSO: Adjournment | 346(R) | 2.4 |
| Witness – video and audio link | 347(L–R) | 2.4.2 |
| Witness – video-recorded evidence – youth / disability | 348(L) | 3.3 |
| Witness – who can be one | 343(L) | 1 |
| Witness – youth – sexual offences – exclusion of public | 348(L–R) | 3.4 |
| YCJA – s. 146 – procedure for questioning youths | 410(R) | 7 |
| Young offender – questioning | 316(R) | 5.4 |
| Young person – aboriginal – sentencing | 405(R)– 406(R) | 4.2 |
| Young person – adult sentences – procedure | 411(L–R) | 10 |
| Young person – adult sentencing hearings | 414(L–R) | 11 |
| Young person – arrest or detention – right to counsel | 410(L–R) | 6 |
| Young person – available sanctions – s. 42(2) YCJA | 412(R)– 414(L) | 10.4 |
| Young person – conditions for imposing custodial sentence | 412(L) | 10.2 |
| Young person – criminal – principles of sentencing | 408(L–R) | 3 |
| Young Person – definition | 407(L) | 2 |
| Young person – duration – youth sentences | 414(L) | 10.5 |
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| Young person – extrajudicial sanctions | 409(L) | 4.2 |
| Young person – Extrajudicial sanctions – preconditions – s. 10(2) YCJA | 409(L) | 4.2 |
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| Young person – police questioning | 410(R) | 7 |
| Young person – pre-trial credit – 1:1 general rule | 411(R) | 10.1 |
| Young person – pre-trial detention – s. 469 and | 410(L) | 5 |
| Young person – pre-trial detention – ss. 28–31, 33 YCJA | 409(L)–410(L) | 5 |
| Young person – presumption against pre–trial detention | 409(R) | 5 |
| Young person – psychiatric assessments – s. 34 YCJA | 411(L) | 9 |
| Young person – publication bans – and exemptions | 415(L–R) | 13.2 |
| Young person – questioning – inform rights [add one re: inform of adult sentence possibility] | 316(R) | 5.4 |
| Young person – records, publication and information | 414(R)–415(R) | 13.2 |
| Young person – right to counsel – during proceedings | 410(L–R) | 6 |
| Young person – Right to election – limits | 407(R)–408(L) | 2 |
| Young person – sentence – custody placement hearing | 414(R) | 12 |
| Young person – sentence – exceptions to 2 year limit | 414(L) | 10.5 |
| Young person – sentence – general 2 year limit | 414(L) | 10.5 |
| Young person – sentencing – factors considered | 411(R) | 10.1 |
| Young person – sentencing – no application of mandatory minimums | 411(L–R) | 10 |
| Young person – sentencing – principles and purposes | 411(R) | 10.1 |
| Young person – Serious Violent Offence – adult sentence and | 414(L–R) | 11 |
| Young person – serious violent offence – definition | 412(L) | 10.2 |
| Young person – show cause hearing – s. 469 and | 410(L) | 5 |
| Young person – Stay of proceedings – extrajudicial sanctions –– s. 579 CCC | 409(L) | 4.2 |
| Young person – trial jurisdiction | 293(R) | 1.3 |
| Young person – Violent offence – definition – s. 2 YCJA | 412(L) | 10.2 |
| Young person – waive right to counsel | 410(R) | 7 |
| Youth – adult court transfer hearings eliminated | 414(L–R) | 11 |
| Youth – adult sentence | 414(L–R) | 11 |
| Youth – arrest or detention – right to counsel | 410(L–R) | 6 |
| Youth – criminal – principles of sentencing | 408(L–R) | 3 |
| Youth – custodial sentence – mandatory review | 414(R) | 13.1 |
| Youth – disclosure of court records | 414(R)–415(R) | 13.2 |
| Youth – extrajudicial measures – not admissible as evidence in subsequent proceedings | 409(L) | 4.1 |
| Youth – extrajudicial measures – police obligations – crown options | 408(R)–409(L) | 4.1 |
| Youth – extrajudicial sanctions | 409(L) | 4.2 |
| Youth – factor of sentencing | 380(L–R) | 2.2.4 |
| Youth – indictment – preferring – direct indictment | 408(L) | 2 |
| Youth – Justice – principles of | 408(L–R) | 3 |
| Youth – murder – jurisdiction | 407(R)–408(L) | 2 |
| Youth – murder – parole eligibility | 390(L) | 5.13 |
| Youth – murder – sentencing | 414(L) | 10.5 |
| Youth – police questioning of, | 410(R) | 7 |
| Youth – pre-trial detention | 409(L)–410(L) | 5 |
| Youth – pre-trial detention – non-s. 469 offence | 410(L) | 5 |
| Youth – pre-trial detention – s. 469 offence | 410(L) | 5 |
| Youth – presumption against pre-trial detention | 409(R) | 5 |
| Youth – psychiatric assessments | 411(L) | 9 |
| Youth – questioning young persons | 410(R) | 7 |
| Youth – records, publication and information – obligation to disclose an offence | 414(R)–415(R) | 13.2 |
| Youth – records, publication and information – publication bans | 414(R)–415(R) | 13.2 |
| Youth – records, publication and information – records | 414(R)–415(R) | 13.2 |
| Youth – records, publication and information – records where adult sentence imposed | 414(R) | 13.2 |
| Youth – records, publication and information – use of prior findings of guilt | 414(R)–415(R) | 13.2 |
| Youth – right to counsel | 410(L–R) | 6 |
| Youth – right to counsel – during proceedings | 410(L–R) | 6 |
| Youth – search of DNA | 307(R) | 2.2.7(c) |
| Youth – sentencing | 411(L–R) | 10 |
| Youth – sentencing – adult | 414(L–R) | 11 |
| Youth – sentencing – custodial | 412(L) | 10.2 |
| Youth – sentencing – custody placement hearing | 414(R) | 12 |
| Youth – sentencing – factors considered | 411(R) | 10.1 |
| Youth – sentencing – General 2 year limit | 414(L) | 10.5 |
| Youth – sentencing – pre-sentence report | 412(R) | 10.3 |
| Youth – sentencing – principles | 411(R) | 10.1 |
| Youth – sentencing – restrictions on custodial sentences | 412(L) | 10.2 |
| Youth – sentencing – review | 414(R) | 13.1 |
| Youth – sentencing – types | 412(R)– 414(L) | 10.4 |
| Youth – Serious Violent Offence – adult sentencing | 414(L–R) | 11 |
| Youth – transfer to adult proceedings | 414(L–R) | 11 |
| Youth – trial jurisdiction | 293(R) | 1.3 |
| Youth – waiver of counsel – requirements | 410(R) | 7 |
| Youth – witness – sexual offences – exclusion of public | 348(L–R) | 3.4 |
| Youth – youth court – jurisdiction | 407(L)–408(L) | 2 |
| Youth – youth court – order attendance of parent – s. 27 YCJA | 411(L) | 8 |
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| Youth – youth court – records – disclosure | 414(R)–415(R) | 13.2 |
| Youth – youth justice court | 407(L)–408(L) | 2 |
| Youth Criminal Justice Act – Aboriginal youth – sentencing | 405(R)– 406(R) | 4.2 |
| Youth Criminal Justice Act – fundamental principles | 408(L–R) | 3 |
| Youth Criminal Justice Act – purposes – Preamble | 407(L) | 1 |
| Youth justice court – definition – s. 13 YCJA | 407(R) | 2 |
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