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| Withheld or delayed information - disclosure - judicial review | 334 | L/M | 2 |
| Disclosure - examples | 334  335 | L/B  L/M | 2  3.1 |
| Disclosure - defence obligation - general | 334 | L-R | 2 |
| Disclosure - privacy concerns - defence obligation | 334 | L-R | 2 |
| Disclosure - defence obligation - privacy concerns | 334 | L-R | 2 |
| Disclosure - sensitive information | 334 | R/T | 2 |
| Disclosure - cost - basic is free | 334 | R/T | 2 |
| Disclosure - cost - when payment required | 334 | R/T | 2 |
| Disclosure - electronic version | 334 | R/M | 2 |
| Disclosure - CD-Rom - electronic version | 334 | R/M | 2 |
| R v Rodrigue - disclosure - no right to French version | 334 | R/M | 2 |
| Disclosure - R v Rodrigue - no right to French version | 334 | R/M | 2 |
| Disclosure - French version - no right - R v Rodrigue | 334 | R/M | 2 |
| Disclosure - withheld information - privileged or private - Crown screening | 334  335 | R/B  L-R | 3  3.2 |
| Crown - disclosure - privileged or private information | 334  335 | R/B  L-R | 3  3.2 |
| Disclosure - Crown screening - privileged or private information | 334  335 | R/B  L-R | 3  3.2 |
| Disclosure - privileged or private information | 334  335 | R/B  L-R | 3  3.2 |
| Crown - disclosure - not in possession or control | 334 | R/B | 3 |
| Disclosure - withheld information - not in Crown’s possession or control | 334 | R/B | 3 |
| Disclosure - relevance - broad interpretation - Stinchcombe | 335 | L/M | 3.1 |
| Disclosure - witness - criminal record | 335 | L/M | 3.1 |
| Disclosure - criminal record - witness | 335 | L/M | 3.1 |
| Disclosure - withheld information - types of privilege | 335 | L-R | 3.2 |
| Disclosure - privilege - examples | 335 | L-R | 3.2 |
| Disclosure - withheld information - - Crown duty to inform accused | 335 | R/T | 3.2 |
| Crown - disclosure - withheld information - duty to inform accused | 335 | R/T | 3.2 |
| Disclosure - application - disputes - balancing test | 335 | R/T | 3.2 |
| Disclosure - Crown work product - privileged | 335 | R/T | 3.2 |
| Disclosure - withheld information - Crown work product - privileged | 335 | R/T | 3.2 |
| Disclosure - privilege - Crown work product | 335 | R/T | 3.2 |
| Disclosure - withheld information - exceptions to privilege - innocence at stake - future crime | 335 | R/T | 3.2 |
| Disclosure - privilege - exceptions - innocence at stake - future crime | 335 | R/T | 3.2 |
| Disclosure - withheld information - delay - witness safety or completion of investigation | 335 | R/M | 3.2 |
| Disclosure - delay - witness safety or completion of investigation | 335 | R/M | 3.2 |
| Disclosure - first-party records - Crown | 335 | R/B | 3.3 |
| First-party records - disclosure - Crown | 335 | R/B | 3.3 |
| Disclosure - Crown - first-party records | 335 | R/B | 3.3 |
| Disclosure - police - duty to provide information to Crown | 335  336 | R/B  L/M | 3.3  3.4 |
| Police - disclosure - duty to provide information to Crown | 335  336 | R/B  L/M | 3.3  3.4 |
| Disclosure - first-party - other government agencies | 335 | R/B | 3.3 |
| Disclosure - government agencies - may or may not be under Crown’s control | 335 | R/B | 3.3 |
| Disclosure - Crown - assistance with defence request - other government agency | 336 | L/T | 3.3 |
| Disclosure - government agencies - Crown assistance with disclosure request | 336 | L/T | 3.3 |
| Disclosure - preservation of evidence | 336 | L/T | 3.3 |
| Disclosure - Crown - duty to preserve evidence | 336 | L/T | 3.3 |
| Disclosure - Crown - lost or destroyed evidence | 336 | L/T | 3.3 |
| Evidence - lost or destroyed - Crown | 336 | L/T | 3.3 |
| Crown - disclosure - lost or destroyed evidence | 336 | L/T | 3.3 |
| Disclosure - lost or destroyed evidence - Crown duty to explain | 336 | L/T | 3.3 |
| Police - disclosure - lost or destroyed evidence | 336 | L/M | 3.4 |
| Evidence - lost or destroyed - police | 336 | L/M | 3.4 |
| Disclosure - police - lost or destroyed evidence | 336 | L/M | 3.4 |
| Disclosure - police - duty to disclose prior misconduct | 336 | L/B | 3.4 |
| Disclosure - police misconduct - duty to disclose | 336 | L/B | 3.4 |
| Police - disclosure - duty to disclose prior misconduct | 336 | L/B | 3.4 |
| Disclosure - Crown - assistance with defence request - police | 336 | R/T | 3.4 |
| Disclosure - defence request - further investigation by police | 336 | R/T | 3.4 |
| Disclosure - third-party records - not in Crown’s possession | 336 | R/T | 3.5 |
| Third-party records - disclosure - not in Crown’s possession | 336 | R/T | 3.5 |
| Third-party records - disclosure - examples | 336 | R/M | 3.5 |
| Disclosure - third-party records - examples | 336 | R/M | 3.5 |
| Evidence - third-party records - disclosure | 336 | R/M | 3.5 |
| Disclosure - third-party records - police occurrence reports | 336 | R/M | 3.5 |
| Third-party records - disclosure - non-sexual offences - O’Connor application | 336 | R/M | 3.5 |
| Disclosure - third-party records - non-sexual offences - O’Connor application | 336 | R/M | 3.5 |
| Evidence - third-party records - disclosure - non-sexual offences - O’Connor application | 336 | R/M | 3.5 |
| R v O’Connor - third-party records - disclosure - non-sexual offences | 336 | R/M | 3.5 |
| Third-party records - disclosure - timing | 336 | R/B | 3.5 |
| Disclosure - third-party records - timing | 336 | R/B | 3.5 |
| Disclosure - timing - third-party record applications | 336 | R/B | 3.5 |
| Disclosure - defence request - third-party records - timing | 336 | R/B | 3.5 |
| Disclosure - sexual offences - ss. 278.1-278.91 Criminal Code | 336-337 | R-L | 3.5 |
| Evidence - sexual offences - disclosure - ss. 278.1-278.91 Criminal Code | 336-337 | R-L | 3.5 |
| Sexual offences - disclosure - ss. 278.1-278.91 Criminal Code | 336-337 | R-L | 3.5 |
| Sexual offences - disclosure - general process | 337 | L/T | 3.5 |
| Disclosure - sexual offences - general process | 337 | L/T | 3.5 |
| Evidence - sexual offences - disclosure - general process | 337 | L/T | 3.5 |
| Disclosure - third-party records - general process | 337 | L-R | 3.5 |
| Third-party records - disclosure - general process | 337 | L-R | 3.5 |
| Evidence - third-party records - general process for disclosure | 337 | L-R | 3.5 |
| Disclosure - defence request - third-party records - general process | 337 | L-R | 3.5 |
| Third-party records - disclosure - stage one - “likely relevance” | 337 | L/M | 3.5.1 |
| Disclosure - third-party records - stage one - “likely relevance” | 337 | L/M | 3.5.1 |
| Evidence - third-party records - disclosure - stage one - “likely relevance” | 337 | L/M | 3.5.1 |
| Disclosure - defence request - third-party records - stage one - “likely relevance” | 337 | L/M | 3.5.1 |
| Third-party records - disclosure - stage two - privacy vs. full answer & defence | 337 | L-R | 3.5.2 |
| Disclosure - third-party records - stage two - privacy vs. full answer & defence | 337 | L-R | 3.5.2 |
| Evidence - third-party records - disclosure - stage two - privacy vs. full answer & defence | 337 | L-R | 3.5.2 |
| Disclosure - defence request - third-party records - stage two - privacy vs. full answer & defence | 337 | L-R | 3.5.2 |
| Disclosure - sexual offences - additional requirements - s. 278.2 Criminal Code | 337 | R/M | 3.5.2 |
| Evidence - sexual offences - disclosure - additional requirements - s. 278.2 Criminal Code | 337 | R/M | 3.5.2 |
| Sexual offences - disclosure - additional requirements - s. 278.2 Criminal Code | 337 | R/M | 3.5.2 |
| Disclosure - police - serious misconduct unrelated to offence - duty to disclose | 337-338 | R-L | 3.5.3 |
| Disclosure - police misconduct - serious but unrelated to offence - duty to disclose | 337-338 | R-L | 3.5.3 |
| Police - disclosure - serious misconduct unrelated to offence | 337-338 | R-L | 3.5.3 |
| Disclosure - testing of exhibits - physical evidence - expert | 338 | L/M | 4 |
| Disclosure - defence request - testing of exhibits - expert | 338 | L/M | 4 |
| Disclosure - defence request - testing of exhibits - release of physical evidence | 338 | L/M | 4 |
| Disclosure - testing of exhibits - release of physical evidence | 338 | L/M | 4 |
| Disclosure - defence obligation - ensure disclosure is full and complete | 338 | L-R | 5 |
| Disclosure - defence obligation - due diligence | 338 | L-R | 5 |
| Disclosure - defence obligation - requests must be reasonable | 338 | R/T | 5 |
| Disclosure - defence request - must be reasonable | 338 | R/T | 5 |
| Disclosure - defence obligation - reasonable efforts to acquire evidence | 338 | R/M | 5 |
| Disclosure - remedies - general considerations | 338 | R/B | 6 |
| Remedies - non-disclosure - general considerations | 338 | R/B | 6 |
| Remedies - non-disclosure - forum for review | 338 | R/B | 6 |
| Disclosure - remedies - forum for review | 338 | R/B | 6 |
| Disclosure - remedies - prior to trial - disclosure order, adjournment and/or costs | 338 | R/B | 6 |
| Remedies - non-disclosure - prior to trial - disclosure order, adjournment and/or costs | 338 | R/B | 6 |
| Disclosure - remedies - during trial - disclosure order, adjournment and/or right to recall witness | 338 | R/B | 6 |
| Remedies - non-disclosure - during trial - disclosure order, adjournment and/or right to recall witness | 338 | R/B | 6 |
| Disclosure - remedies - affected election or full answer and defence - mistrial or exclusion of evidence (exceptional) | 339 | L/T | 6 |
| Remedies - non-disclosure -affected election or full answer and defence - mistrial or exclusion of evidence (exceptional) | 339 | L/T | 6 |
| Disclosure - remedies - lost or destroyed evidence - stay and/or costs | 339 | L/M | 6 |
| Remedies - lost or destroyed evidence - stay and/or costs | 339 | L/M | 6 |
| Disclosure - lost or destroyed evidence - remedies - stay and/or costs | 339 | L/M | 6 |
| Disclosure - remedies - post-conviction - fresh evidence on appeal | 339 | L/M | 6 |
| Remedies - non-disclosure - post-conviction - fresh evidence on appeal | 339 | L/M | 6 |
| Disclosure - remedies - post-conviction - test on appeal | 339 | L/M | 6 |
| Remedies - non-disclosure - post-conviction - test on appeal | 339 | L/M | 6 |
| Disclosure - defence obligation - no general duty to disclose | 339 | L/B | 7 |
| Disclosure - expert witness - both parties must disclose - s. 657.3(3) Criminal Code | 339 | L-R | 7 |
| Disclosure - reciprocal disclosure - expert witness - s. 657.3(3) Criminal Code | 339 | L-R | 7 |
| Disclosure - expert witness - additional requirements for defence | 339 | R/T | 7 |
| Disclosure - reciprocal disclosure - expert witness - additional requirements for defence | 339 | R/T | 7 |
| Disclosure - remedies - expert witness - disclosure order and/or adjournment | 339 | R/T | 7 |
| Remedies - non-disclosure - expert witness - disclosure order and/or adjournment | 339 | R/T | 7 |
| Disclosure - defence obligation - Charter relief sought | 339 | R/M | 7 |
| Disclosure - Charter relief - defence obligation to disclose | 339 | R/M | 7 |
| Disclosure - defence obligation - alibi evidence | 339 | R/M | 7 |
| Disclosure - alibi evidence - defence obligation | 339 | R/M | 7 |
| Disclosure - alibi - timing | 339 | R/M | 7 |
| Disclosure - timing - alibi evidence | 339 | R/M | 7 |
| Disclosure - alibi evidence - implications | 339 | R/M | 7 |
| Disclosure - defence obligation - incriminating physical evidence - cannot conceal or destroy | 339 | R/B | 7 |
| Disclosure - incriminating physical evidence - defence cannot conceal or destroy | 339 | R/B | 7 |
| Preliminary inquiry - Part XVIII Criminal Code | 341 | L/T | 1 |
| Preliminary inquiry - purposes - charge screening, record for trial, preserve evidence, tool for discovery, facilitate resolution, narrow the issues | 341 | L/T | 1 |
| Preliminary inquiry - evidence - admissible at trial if witness dies or cannot testify - s. 715 Criminal Code | 341 | L/M | 1 |
| Evidence - preliminary inquiry - admissible at trial if witness dies or cannot testify - s. 715 Criminal Code | 341 | L/M | 1 |
| Preliminary inquiry - availability - Superior Court of Justice - request by Crown or defence | 341 | L/B | 2 |
| Preliminary inquiry - availability - Superior Court of Justice - hybrid or indictable offence | 341 | L-R | 2 |
| Preliminary inquiry - availability - Superior Court of Justice - no request made | 341 | R/T | 2 |
| Preliminary inquiry - statement of issues - information required | 341 | R/M | 3 |
| Preliminary inquiry - statement of issues - unrepresented accused | 341 | R/M | 3 |
| Preliminary inquiry - statement of issues - failure to file - remedies | 341 | R/M | 3 |
| Remedies - statement of issues - preliminary inquiry - failure to file | 341 | R/M | 3 |
| Preliminary inquiry - remedies - failure to file statement of issues | 341 | R/M | 3 |
| Preliminary inquiry - focus hearing - purpose | 341 | R/B | 3 |
| Preliminary inquiry - focus hearing - parties present | 341 | R/B | 3 |
| Preliminary inquiry - focus hearing - requirements | 341-342 | R-L | 3 |
| Witnesses - preliminary inquiry - discovery - outside of court | 342 | L/M | 3.1 |
| Witnesses - preliminary inquiry - discovery - exceptions | 342 | L/M | 3.1 |
| Preliminary inquiry - witnesses - discovery - outside of court | 342 | L/M | 3.1 |
| Preliminary inquiry - witnesses - discovery - exceptions | 342 | L/M | 3.1 |
| Preliminary inquiry - process - initial steps | 342 | L/B | 4.1 |
| Preliminary inquiry - exclusion of witnesses | 342 | L/B | 4.1 |
| Preliminary inquiry - publication ban - s. 539 Criminal Code | 342 | L/B | 4.1 |
| Preliminary inquiry - disclosure - no jurisdiction to make order - s. 587 Criminal Code | 342 | R/T | 4.1 |
| Disclosure - preliminary inquiry - no jurisdiction to make order - s. 587 Criminal Code | 342 | R/T | 4.1 |
| Preliminary inquiry - accused - present or absent | 342 | R/T | 4.1 |
| Preliminary inquiry - process - Crown evidence - s. 540 Criminal Code | 342 | R/M | 4.2 |
| Preliminary inquiry - evidence - Crown - s. 540 Criminal Code | 342 | R/M | 4.2 |
| Preliminary inquiry - witnesses - refusal to testify - adjournment and imprisoned | 342 | R/M | 4.2 |
| Witnesses - preliminary inquiry - refusal to testify - adjournment and imprisoned | 342 | R/M | 4.2 |
| Preliminary inquiry - evidence - admissibility requirements | 342 | R/B | 4.2 |
| Evidence - preliminary inquiry - admissibility requirements | 342 | R/B | 4.2 |
| Preliminary inquiry - witnesses - compelled attendance | 342 | R/B | 4.2 |
| Witnesses - preliminary inquiry - compelled attendance | 342 | R/B | 4.2 |
| Preliminary inquiry - evidence - sometimes admissible at trial | 342  345 | R/B  L/M | 4.2  7.4 |
| Evidence - preliminary inquiry - sometimes admissible at trial | 342  345 | R/B  L/M | 4.2  7.4 |
| Preliminary inquiry - cross-examination - right of accused | 343 | L/T | 4.2 |
| Cross-examination - preliminary inquiry - right of accused | 343 | L/T | 4.2 |
| Preliminary inquiry - cross-examination - exceptions (child, harassment case, full and candid account not possible) | 343 | L/T | 4.2 |
| Cross-examination - preliminary inquiry - exceptions (child, harassment case, full and candid account not possible) | 343 | L/T | 4.2 |
| Preliminary inquiry - commission evidence - unavailable witness | 343 | L/M | 4.3 |
| Witnesses - preliminary inquiry - unavailable - commission evidence | 343 | L/M | 4.3 |
| Preliminary inquiry - evidence - confession - admissibility | 343 | L/B | 4.4 |
| Preliminary inquiry - confession - admissibility | 343 | L/B | 4.4 |
| Preliminary inquiry - Charter - no jurisdiction | 343 | R/T | 4.5 |
| Charter - preliminary inquiry - no jurisdiction | 343 | R/T | 4.5 |
| Preliminary inquiry - process - accused evidence | 343 | R/M | 4.6 |
| Preliminary inquiry - evidence - accused | 343 | R/M | 4.6 |
| Preliminary inquiry - process - accused evidence - unrepresented - warning | 343 | R/B | 4.6 |
| Preliminary inquiry - evidence - accused - unrepresented - warning | 343 | R/B | 4.6 |
| Preliminary inquiry - bail - variation | 344 | L/T | 5.1 |
| Bail - preliminary inquiry - variation | 344 | L/T | 5.1 |
| Bail - variation - preliminary inquiry | 344 | L/T | 5.1 |
| Preliminary inquiry - accused - absconded - hearing continues | 344 | L/M | 5.2 |
| Preliminary inquiry - accused - absconded - adverse inference | 344 | L/M | 5.2 |
| Preliminary inquiry - absconding accused - hearing continues | 344 | L/M | 5.2 |
| Preliminary inquiry - absconding accused - adverse inference | 344 | L/M | 5.2 |
| Preliminary inquiry - waiver - parties consent | 344 | L/M | 5.3 |
| Preliminary inquiry - order to stand trial - committal | 344 | L/B | 6 |
| Preliminary inquiry - committal - test for direct evidence - every element of offence shown | 344 | L/B | 6.1 |
| Preliminary inquiry - committal - direct evidence - test - every element of offence shown | 344 | L/B | 6.1 |
| Committal - preliminary inquiry - test for direct evidence - every element of offence shown | 344 | L/B | 6.1 |
| Preliminary inquiry - committal - test for circumstantial evidence - limited weighing | 344 | L-R | 6.1 |
| Preliminary inquiry - committal - circumstantial evidence - test - limited weighing | 344 | L-R | 6.1 |
| Committal - preliminary inquiry - test for circumstantial evidence - limited weighing | 344 | L-R | 6.1 |
| Preliminary inquiry - committal - other offences - hybrid or indictable only | 344 | R/T | 6.2 |
| Committal - preliminary inquiry - other offences - hybrid or indictable only | 344 | R/T | 6.2 |
| Preliminary inquiry - committal - other offences - related and shown by evidence | 344 | R/T | 6.2 |
| Committal - preliminary inquiry - other offences - related and shown by evidence | 344 | R/T | 6.2 |
| Preliminary inquiry - discharge - consequences | 344 | R/M | 6.3 |
| Discharge - preliminary inquiry - consequences | 344 | R/M | 6.3 |
| Preliminary inquiry - discharge - end of proceedings | 344 | R/M | 6.3 |
| Discharge - preliminary inquiry - end of proceedings | 344 | R/M | 6.3 |
| Preliminary inquiry - discharge - preferred or direct indictment - s. 577 Criminal Code | 344 | R/M | 6.3 |
| Discharge - preliminary inquiry - preferred or direct indictment - s. 577 Criminal Code | 344 | R/M | 6.3 |
| Preliminary inquiry - discharge - charges re-laid | 344 | R/M | 6.3 |
| Discharge - preliminary inquiry - charges re-laid | 344 | R/M | 6.3 |
| Preliminary inquiry - committal - implications | 344 | R/B | 7.1 |
| Preliminary inquiry - committal - post facto - indictment prepared | 344 | R/B | 7.1 |
| Committal - preliminary inquiry - implications | 344 | R/B | 7.1 |
| Committal - preliminary inquiry - post facto - indictment prepared | 344 | R/B | 7.1 |
| Committal - preliminary inquiry - transcript | 345 | L/T | 7.2 |
| Preliminary inquiry - committal - post facto - transcript | 345 | L/T | 7.2 |
| Preliminary inquiry - transcript | 345 | L/T | 7.2 |
| Committal - preliminary inquiry - re-election of mode of trial - 14 days | 345 | L/T | 7.3 |
| Preliminary inquiry - committal - post facto - re-election - 14 days | 345 | L/T | 7.3 |
| Preliminary inquiry - re-election of mode of trial - 14 days | 345 | L/T | 7.3 |
| Preliminary inquiry - committal - quashing the order (certiorari) - 30 days | 345 | L/M | 8 |
| Preliminary inquiry - certiorari - application to quash order to stand trial - 30 days | 345 | L/M | 8 |
| Preliminary inquiry - quashing order to stand trial (certiorari) - 30 days | 345 | L/M | 8 |
| Committal - preliminary inquiry - quashing the order to stand trial (certiorari) - 30 days | 345 | L/M | 8 |
| Preliminary inquiry - committal - quashing the order (certiorari) - reasons to quash | 345 | L-R | 8 |
| Preliminary inquiry - certiorari - application to quash order to stand trial - reasons to quash | 345 | L-R | 8 |
| Preliminary inquiry - quashing order to stand trial (certiorari) - reasons to quash | 345 | L-R | 8 |
| Committal - preliminary inquiry - quashing the order to stand trial (certiorari) - reasons to quash | 345 | L-R | 8 |
| Preliminary inquiry - committal - quashing the order (certiorari) - standard of review | 345 | R/T | 8 |
| Preliminary inquiry - certiorari - application to quash order to stand trial - standard of review | 345 | R/T | 8 |
| Preliminary inquiry - quashing order to stand trial (certiorari) - standard of review | 345 | R/T | 8 |
| Committal - preliminary inquiry -quashing the order to stand trial (certiorari) - standard of review | 345 | R/T | 8 |
| Preliminary inquiry - committal - quashing the order (certiorari) - implications | 345 | R/M | 8 |
| Preliminary inquiry - certiorari - application to quash order to stand trial - implications | 345 | R/M | 8 |
| Preliminary inquiry - quashing order to stand trial (certiorari) - implications | 345 | R/M | 8 |
| Committal - preliminary inquiry -quashing the order to stand trial (certiorari) - implications | 345 | R/M | 8 |
| Preliminary inquiry - discharge - quashing the order (certiorari) | 345 | R/M | 8 |
| Preliminary inquiry - certiorari - application to quash discharge | 345 | R/M | 8 |
| Discharge - preliminary inquiry -quashing the order (certiorari) | 345 | R/M | 8 |
| Preliminary inquiry - quashing discharge (certiorari) | 345 | R/M | 8 |
| Witnesses - requirements - competency and compellability | 347 | L/T | 1 |
| Witnesses - criminal proceeding | 347 | L/T | 1 |
| Witnesses - materiality | 347 | L/T | 1.1 |
| Witnesses - general rule - materiality | 347 | L/T | 1.1 |
| Witnesses - accused - competent in own defence | 347 | L/T | 1.2 |
| Witnesses - accused - not competent or compellable for Crown - s. 4(1) CEA and s. 11(c) Charter | 347 | L/T | 1.2 |
| Accused - witness - competent in own defence | 347 | L/T | 1.2 |
| Accused - witness - not competent or compellable for Crown - s. 4(1) CEA and s. 11(c) Charter | 347 | L/T | 1.2 |
| Witnesses - co-accused - tried separately - competent and compellable - ss. 3 and 5(1) CEA | 347 | L/M | 1.3 |
| Witnesses - co-accused - tried separately - exclusion of evidence | 347 | L/M | 1.3 |
| Witnesses - co-accused - tried separately - testimony cannot be used in subsequent trial - s. 5(2) CEA and s. 13 Charter | 347 | L/M | 1.3 |
| Witnesses - co-accused - tried separately - derivative evidence cannot be used in subsequent trial - s. 7 Charter | 347 | L/M | 1.3 |
| Co-accused - tried separately - competent and compellable - ss. 3 and 5(1) CEA | 347 | L/M | 1.3 |
| Co-accused - tried separately - exclusion of evidence | 347 | L/M | 1.3 |
| Co-accused - tried separately - testimony and derivative evidence cannot be used in their trial | 347 | L/M | 1.3 |
| Witnesses - co-accused - tried together - not competent or compellable | 347 | L/B | 1.3 |
| Co-accused - tried together - not competent or compellable | 347 | L/B | 1.3 |
| Witnesses - co-accused - tried together - cross-examination | 347 | L-R | 1.3 |
| Co-accused - tried together - cross-examination | 347 | L-R | 1.3 |
| Witnesses - spouse of accused - competent and compellable | 347 | R/T | 1.4 |
| Witnesses - spouse of accused - marital communications protected - s. 4(3) CEA | 347 | R/T | 1.4 |
| Evidence - spouse of accused - marital communications protected - s. 4(3) CEA | 347 | R/T | 1.4 |
| Witnesses - spouse of accused - waiver of spousal privilege | 347 | R/T | 1.4 |
| Evidence - spouse of accused - waiver of spousal privilege | 347 | R/T | 1.4 |
| Witnesses - mental capacity - governing test - s. 16(1) CEA | 347 | R/M | 1.5 |
| Evidence - mental capacity - governing test - s. 16(1) CEA | 347 | R/M | 1.5 |
| Witnesses - mental capacity - implications | 347-348 | R-L | 1.5 |
| Evidence - mental capacity - implications | 347-348 | R-L | 1.5 |
| Witnesses - children - under age 14 | 348 | L/T | 1.6 |
| Witnesses - children - presumed competent - s. 16.1(1) CEA | 348 | L/T | 1.6 |
| Witnesses - children - promise to tell the truth - s. 16.1(6) CEA | 348 | L/T | 1.6 |
| Children - witness - under age 14 | 348 | L/T | 1.6 |
| Children - witness - presumed competent - s. 16.1(1) CEA | 348 | L/T | 1.6 |
| Children - witness - promise to tell the truth - s. 16.1(6) CEA | 348 | L/T | 1.6 |
| Children - witness - competency challenged | 348 | L/M | 1.6 |
| Witnesses - children - competency challenged | 348 | L/M | 1.6 |
| Children - witness - governing test - s. 16.1(3) CEA | 348 | L/M | 1.6 |
| Witnesses - children - governing test - s. 16.1(3) CEA | 348 | L/M | 1.6 |
| Witnesses - accused - corporation - representatives competent and compellable | 348 | L/M | 1.7 |
| Accused - corporation - representatives competent and compellable | 348 | L/M | 1.7 |
| Witnesses - expert - opinion evidence | 348 | L/B | 1.8 |
| Witnesses - expert - requirements and limitations | 348 | L/B | 1.8 |
| Witnesses - subpoena - compelled attendance in court | 348 | R/T | 2.1 |
| Witnesses - subpoena - “likely to give material evidence” | 348 | R/T | 2.1 |
| Subpoena - witness - compelled attendance if “likely to give material evidence” | 348 | R/T | 2.1 |
| Witnesses - subpoena - *“duces tecum”* [bring documents to court] | 348 | R/T | 2.1 |
| Subpoena *duces tecum* - must bring documents to court | 348 | R/T | 2.1 |
| Subpoena - witness - who can request - Crown, defence or judge | 348 | R/M | 2.1.1 |
| Witnesses - subpoena - who can request - Crown, defence or judge | 348 | R/M | 2.1.1 |
| Subpoena - witness - who can issue | 348 | R/M | 2.1.2 |
| Witnesses - subpoena - who can issue - superior court | 348 | R/M | 2.1.2 |
| Witnesses - subpoena - who can issue - appellate court | 348 | R/M | 2.1.2 |
| Witnesses - subpoena - who can issue - provincial court | 348 | R/M | 2.1.2 |
| Witnesses - subpoena - who can issue - out of province witness | 348 | R/M | 2.1.2 |
| Subpoena - service - in-province witness - s. 509(2) Criminal Code | 348 | R/B | 2.1.3 |
| Witnesses - subpoena - service - in-province witness - s. 509(2) Criminal Code | 348 | R/B | 2.1.3 |
| Witnesses - subpoena - service - - in-province witness - “cannot conveniently be found” | 348-349 | R-L | 2.1.3 |
| Subpoena - service - out of province witness - s. 701(2) Criminal Code | 349 | L/T | 2.1.3 |
| Witnesses - subpoena - service - - out of province witness - s. 701(2) Criminal Code | 349 | L/T | 2.1.3 |
| Witnesses - subpoena - territorial effectiveness - s. 702 Criminal Code | 349 | L/T | 2.1.4 |
| Subpoena - territorial effectiveness - s. 702 Criminal Code | 349 | L/T | 2.1.4 |
| Witnesses - subpoena - implications | 349 | L/M | 2.1.5 |
| Witnesses - subpoena - failure to answer questions - consequence | 349 | L/M | 2.1.5 |
| Witnesses - subpoena - enforcement - failure to answer questions | 349 | L/M | 2.1.5 |
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| Crown pre-trials - issues to discuss | 373 | L | 2.1 |
| Plea negotiations - Crown pre-trials | 373 | L-R | 2.1 |
| Pre-trial discussion - Crown pre-trials | 373 | L-R | 2.1 |
| Step to take prior to trial - Crown pre-trial | 373 | L-R | 2.1 |
| Trial - Crown pre-trials | 373 | L-R | 2.1 |
| Step to take prior to trial - Judicial pre-trial | 373 | L-R | 2.1 |
| Alternative Measures - crown negotiations - crown pre-trial  SEE ALSO: DIVERSION  SEE ALSO: diversion sentencing | 373  368  393 | L-R  L-R  L-R | 2.1  3.2  5.1 |
| Diversion - crown negotiations - crown pre-trial  SEE ALSO: diversion  SEE ALSO: diversion sentencing | 373  368  393 | L-R  L-R  L-R | 2.1  3.2  5.1 |
| Breach recognizance - consequences - peace bond - breach of recognizance s. 811 CCC or s. 127 CCC disobey court order  SEE ALSO: diversion, alternative measures, peace bond  SEE ALSO: diversion sentencing | 373  368  393 | L-R  L-R  L-R | 2.1  3.2  5.1 |
| Consequences of breach of peace bond - breach of recognizance s. 811 CCC or s. 127 CCC disobey court order | 373 | R | 2.1 |
| Peace bond - typical terms | 373 | R | 2.1 |
| Judicial pre-trial - mandatory if case tried by judge and jury or at Superior Court of Justice | 373 | R | 2.2 |
| Pre-hearing conference - Ontario Court of Justice - Rule 5 OCJ Rules - Chief Justice may issue practice directions that govern how and when JPTs are held | 373 | R | 2.2 |
| Ontario Court of Justice - Judicial pre-trial - Rule 5 OCJ Rules - Chief Justice may issue practice directions that govern how and when JPTs are held | 373 | R | 2.2 |
| Rule 5 OCJ Rules - Chief Justice may issue practice directions that govern when and how judicial pre-trials are held in Ontario jurisdictions | 373 | R | 2.2 |
| Rule 5 OCJ Rules - OCJ - judicial pre-trial - Chief Justice may issue practice direction that govern how and when JPTs are held | 373 | R | 2.2 |
| Section 625.1 CCC - pre-hearing conference - held in order to promote a fair and expeditious hearing | 373 | R | 2.2 |
| Section 625.1 CCC - pre-hearing conference/judicial pre-trial - held in order to promote a fair and expeditious hearing | 373 | R | 2.2 |
| Trial - s. 625.1 CCC - pre-hearing conference - held to promote a fair and expeditious hearing | 373 | R | 2.2 |
| Pre-hearing conference - Ontario Court of Justice - how determine if necessary | 373 | R | 2.2 |
| Ontario Court of Justice - Judicial pre-trial - how to determine if necessary | 373 | R | 2.2 |
| Judicial pre-trial - Ontario Court of Justice - how to determine if necessary | 373 | R | 2.2 |
| Judicial pre-trial - Ontario Court of Justice - how to determine if necessary | 373 | R | 2.2 |
| Trial - judge - jury - when to hold judicial pre-trial | 373 | R | 2.2 |
| Ontario Court of Justice - pre-hearing conference | 373-374 | R-L | 2.2 |
| Trial - Judicial pre-trial (JPT) - general SEE: Ontario Court of Justice - pre-trial conference 2.2.1 and Superior Court of Justice 2.2.2 | 373-374 | R-L | 2.2 |
| Trial - Judicial pre-trial/pre-hearing conference - general SEE: Ontario Court of Justice - pre-trial conference 2.2.1 and Superior Court of Justice - pre-hearing conference 2.2.2 | 373-374 | R-L | 2.2 |
| Rule 4.2(2) OCJ Rules - it is desirable for both counsel and crown and the accused to attending pre-trial conference | 374 | L | 2.2.1 |
| Ontario Court of Justice - pre-trial conference - materials to be provided to judge prior to conference - Rule 4.2(4) and Rule 4.2(5) OCJ Rules | 374 | L | 2.2.1 |
| Pre-trial conference - Ontario Court of Justice - materials to be provided to judge prior to conference - Rule 4.2(4) and Rule 4.2(5) OCJ Rules | 374 | L | 2.2.1 |
| Materials to be provided to judge prior to pre-trial conferences - Ontario Court of Justice - Rule 4.2(4) OCJ Rules | 374 | L | 2.2.1 |
| Rule 4.2(4) OCJ Rules - at least three days in advance of pre-trial conference Crown must give a copy of synopsis of the allegations, unless a local practice directive provides otherwise | 374 | L | 2.2.1 |
| Rule 4.2(5) OCJ Rules - if defence chooses to provide the pre-trial judge with any additional material, it must do so at least three days in advance, if possible | 374 | L | 2.2.1 |
| Ontario Court of Justice - pre-trial conference - who can conduct - Rule 4.2 (3) OCJ Rules | 374 | L | 2.2.1 |
| Pre-trial conference - who can conduct - Rule 4.2 (3) OCJ Rules | 374 | L | 2.2.1 |
| Charter Applications - pre-trial conference/judicial pre-trial - OCJ Rules 4.2(3) - must have authority to make decisions on them at the conference | 374 | L | 2.2.1 |
| Charter Applications - OCJ Rules 4.2(3) - pre-trial conference/JPT - must have authority to make decisions about them at the pre-trial | 374 | L | 2.2.1 |
| Disclosure - pre-trial conference - OCJ Rules 4.2(3) - must have authority to make decisions about it | 374 | L | 2.2.1 |
| Judicial Pre-trial - OCJ Rules 4.2 - procedure | 374 | L | 2.2.1 |
| OCJ Rules 4.2 - pre-trial conference - procedure | 374 | L | 2.2.1 |
| OCJ Rules 4.2(3) - authority to make decisions - disclosure - pre-trial conference/JPT | 374 | L | 2.2.1 |
| Pre-trial conference - OCJ Rules 4.2 - Procedure | 374 | L | 2.2.1 |
| Pre-trial conference - OCJ Rules 4.2(2) - crown/accused meeting desirable | 374 | L | 2.2.1 |
| Trial - pre-trial conference - OCJ - issues | 374 | L | 2.2.1 |
| Trial - pre-trial conference - OCJ - procedure | 374 | L | 2.2.1 |
| Witness - OCJ Rules 4.2(3) - pre-trial conference/judicial pre-trial - must have authority to makes decision on how many expected | 374 | L | 2.2.1 |
| Pre-trial - Ontario Court of Justice - held by telephone - Rule 4.2(6) OCJ Rules - can be held by telephone if pretrial judge agrees | 374 | L | 2.2.1 |
| Telephone pre-trial conference - Ontario Court of Justice - Rule 4.2(6) OCJ Rules - can be held by telephone if the pre-trial judge agrees | 374 | L | 2.2.1 |
| Rule 4.2(6) OCJ Rules -pre-trial can be held by telephone if the pre-trial judge agrees | 374 | L | 2.2.1 |
| Ontario Court of Justice - pre-trial conference - telephone conference - Rule 4.2(6) OCJ Rules - can be held by telephone if the pre-trial judge agrees | 374 | L | 2.2.1 |
| Steps pre-trial judge may take after hearing from parties - Ontario Court of Justice - Rule 4.2(7) OCJ Rules | 374 | L | 2.2.1 |
| Ontario Court of Justice - judicial pre-trial - steps pre-trial judge may take after hearing from the parties - Rule 4.2(7) OCJ Rules | 374 | L | 2.2.1 |
| Judicial pre-trial - steps a pre-trial judge may take after hearing from the parties - Rule 4.2(7) OCJ Rules | 374 | L | 2.2.1 |
| Pre-trial conference - Ontario Court of Justice - steps a trial judge can take after hearing from the parties - Rule 4.2(7) | 374 | L | 2.2.1 |
| Rule 4.2(7) OCJ Rules - steps a pre-trial judge can take after hearing from the parties | 374 | L | 2.2.1 |
| Judicial pre-trial - Rule governing - Rule 28 - SCJ rules | 374 | L | 2.2 |
| Judicial pre-trial - Rule governing - Rule 4.2 - OCJ rules | 374 | L | 2.2 |
| Pre-hearing conference - Rule 28 - SCJ rules | 374 | L | 2.2 |
| Pre-trial conference - Rule 4.2 - OCJ rules | 374 | L | 2.2 |
| Rule governing pre-trial conferences - Rule 4.2 - OCJ rules | 374 | L | 2.2 |
| Rule governing per-hearing conference - Rule 28 SCJ rules | 374 | L | 2.2 |
| Rule 4.2(8) OCJ Rules - pre-trial conference - agreements or admissions made | 374 | L-R | 2.2.1 |
| Ontario Court of Justice - pre-trial conferences - agreements or admissions made - Rule 4.2(8) OCJ Rules | 374 | L-R | 2.2.1 |
| Pre-trial conferences - Ontario Court of Justice - agreements or admissions made - Rule 4.2(8) OCJ | 374 | L-R | 2.2.1 |
| Judicial pretrial - Ontario Court of Justice - agreements or admissions made - Rules 4.2(8) OCJ | 374 | L-R | 2.2.1 |
| Counsel positions on issues - Rule 28 SCJ Rules | 374 | R | 2.2.2 |
| Superior Court of Justice - pre-hearing conference - procedures - Rule 28 SCJ Rules - note recent amendment to rule 28.04(5) - cannot defer taking an position on any issues | 374 | R | 2.2.2 |
| Form 17 - Pre-trial conference report - SCJ | 374 | R | 2.2.2 |
| Judicial Pre-trial - SCJ - Rule 28 | 374 | R | 2.2.2 |
| Pre-hearing conferences - SCJ | 374 | R | 2.2.2 |
| Pre-trial conference report - SCJ - Form 17 | 374 | R | 2.2.2 |
| Rule 28 SCJ Rules - Counsel positions on issues - notice | 374 | R | 2.2.2 |
| Rule 28 SCJ Rules - pre-hearing conferences | 374 | R | 2.2.2 |
| Superior Court of Justice - Pre-hearing conferences/JPT | 374 | R | 2.2.2 |
| Superior Court of Justice - Trial - pre-trial issues - pre-hearing conference/JPT - Rule 28 | 374 | R | 2.2.2 |
| Trial - SCJ pre-trial issues - pre-hearing conference/JPT - Rule 28 | 374 | R | 2.2.2 |
| Pre-hearing conference - Superior Court of Justice - pre-trial conference report - note recent amendments to procedure | 374 | R | 2.2.2 |
| Rule 28.04(5) SCJ Rules - counsel for both Crown and defence are prohibited from deferring the taking of a position on each issue in pre-trial conference report | 374 | R | 2.2.2 |
| Superior Court of Justice - pre-hearing conference - notice of change of position and consequence - Rule 28.04(11) SCJ Rules | 374 | R | 2.2.2 |
| Pre-hearing conference - Superior Court of Justice -notice of change of position and consequences - Rule 28.04(11) SCJ Rules and Rule 28.04(12) SCJ Rules | 374 | R | 2.2.2 |
| Pre-trial conference report - Superior Court of Justice - notice of change of position and consequences - Rule 28.04(11) SCJ Rules and Rule 28.04(12) SCJ Rules | 374 | R | 2.2.2 |
| Superior Court of Justice - pre-hearing conference - who can conduct - Rule 28.05(6) SCJ Rules - each party must be represented by someone with authority to take binding position on issues reasonably expected to arise | 374 | R | 2.2.2 |
| Pre-hearing conference - Superior Court of Justice - who can conduct - Rule 28.05(6) SCJ Rules - each party must be represented by someone with authority to take binding position on issues reasonably expected to arise | 374 | R | 2.2.2 |
| Rule 28.05(6) SCJ - at pre-trial conference each party must be represented by someone with the authority to take a binding position on issues reasonably expected to arise | 374 | R | 2.2.2 |
| Judicial pre-trial - Superior Court of Justice - who can conduct - Rule 28.05(6) SCJ Rules - each party must be represented by someone with the authority to take binding position on issues reasonably expected to arise | 374 | R | 2.2.2 |
| Pre-hearing conference - Superior Court of Justice - role of judge - Rule 28.05 (9)-(10) SCJ Rules and Rule 28.05.05 (11)-(12) SCJ Rules and Rule 28.05 (13) SCJ Rules | 374 | R | 2.2.2 |
| Judicial Pre-trial - Superior Court of Justice - role of judge - Rule 28.05 (9)-(10) SCJ Rules and Rule 28.05.05 (11) SCJ Rules and Rule 28.05 (13) SCJ Rules | 374 | R | 2.2.2 |
| Superior Court of Justice - pre-hearing conference - role of judge - Rule 28.05 (9)-(10) SCJ Rules and Rule 28.05.05 (11)-(12) SCJ Rules and Rule 28.05 (13) SCJ Rules | 374 | R | 2.2.2 |
| Superior Court of Justice - judicial-pre-trial - role of judge - Rule 28.05 (9)-(10) SCJ Rules and Rule 28.05.05 (11)-(12) SCJ Rules and Rule 28.05 (13) SCJ Rules | 374 | R | 2.2.2 |
| Part XVIII.1 CCC - case management judge - OCJ/SCJ | 374 | R | 2.3 |
| Case management judge - can be trial judge - s. 551.1(4) CCC | 374-375 | R-L | 2.3 |
| Case management judge | 374-375 | R-L | 2.3 |
| Case management judge - pre-trial hearing | 374-375 | R-L | 2.3 |
| Pre-trial procedures - OCJ, SCJ - Powers of case management judge | 374-375 | R-L | 2.3 |
| Section 551.1-551.7 CCC - procedures for appointing, powers of case management judge | 374-375 | R-L | 2.3 |
| Trial - OCJ, SCJ - Powers of case management judge - pre-trial procedures | 374-375 | R-L | 2.3 |
| Complex cases - powers of case management judge - Part XVII of code - added in 2011 to enhance powers | 374-375 | R-L | 2.3 |
| Mega Cases - powers of case management judge - Part XVII of code - added in 2011 to enhance powers | 374-375 | R-L | 2.3 |
| Part XVII of code - powers of case management judge - added in 2011 to enhance powers | 374-375 | R-L | 2.3 |
| Attendance of accused at trial | 375 | L-R | 3 |
| Appearance at trial - accused - presumed - s. 650(1) CCC | 375 | L-R | 3 |
| Attendance at trial - summary conviction - not necessary to appear at trial | 375 | L | 3 |
| Presumption accused appear at trial - s. 650(1) CCC | 375 | L-R | 3 |
| Trial - presumption accused appear - s. 650(1) CCC | 375 | L-R | 3 |
| Case management judge - exercise powers of trial judge - s. 551.3(a)-(f) CCC | 375 | L | 2.3 |
| Case management judge - joint hearing - s. 551.7 CCC | 375 | L | 2.3 |
| Charter - pre-trial hearing - case management judge | 375 | L | 2.3 |
| Disclosure - case management judge - pre-trial hearing s. 551.3(1)(g) CCC | 375 | L | 2.3 |
| Evidence - admissibility - pre-trial hearing - case management judge | 375 | L | 2.3 |
| Joint hearing - Case management judge - s. 551.7 CCC | 375 | L | 2.3 |
| Section 650(1) CCC - trial - presumption accused appear - exceptions | 375 | L-R | 3 |
| Trial - exceptions to accused appearing - s. 650(1) CCC | 375 | R | 3 |
| Attendance at trial - accused is an organization - appear by counsel or agent - s. 620 CCC and 800(3) | 375 | L-R | 3 |
| Section 620 and 800(3) CCC - trial - accused is an organization - appear by counsel or agent | 375 | L-R | 3 |
| Trial - attendance by accused - accused is an organization - appear by counsel or agent - s. 620 CCC and 800(3) | 375 | L-R | 3 |
| Trial - attendance by accused - removing the accused - s. 650(2)(a) CCC | 375 | R | 3 |
| Appearance at trial - accused - removal - s. 650(2)(a) CCC | 375 | R | 3 |
| Attendance at trial - removal - misbehavior - s. 650(2)(a) CCC | 375 | R | 3 |
| Removal of accused at trial - misbehavior - s. 650(2)(a) CCC | 375 | R | 3 |
| Section 650(2)(a) CCC - removal of accused at trial - misbehavior | 375 | R | 3 |
| Arraignment - definition | 375 | R | 4 |
| Criminal trial procedure - arraignment | 375 | R | 4 |
| Trial - arraignment - beginning of trial - accused appearance before court | 375 | R | 4 |
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| Trial - plea | 375 | R | 5 |
| Guilty plea | 375-376 | R-L | 5.1 |
| Plea - guilty | 375-376 | R-L | 5.1 |
| Plea - guilty - withdrawal of guilty plea | 376 | L | 5.1 |
| Client instructions - guilty plea - written confirmation | 376 | L | 5.1 |
| Plea - guilty - obligations of defence counsel - voluntariness | 376 | L | 5.1 |
| Guilty plea - voluntariness - obligations of defence counsel | 376 | L | 5.1 |
| Plea-guilty - voluntariness inquiry - obligation of defence counsel | 376 | L | 5.1 |
| Voluntariness inquiry - obligation of defence counsel - guilty plea | 376 | L | 5.1 |
| Guilty plea - when court will accept - must admit to elements of offence and must be voluntary | 376 | L | 5.1 |
| Plea guilty - when the court will accept - must admit to elements of the offence must be voluntary | 376 | L | 5.1 |
| Guilty plea - accused admits to enough facts to make out the offence but not all alleged by Crown - aggravating facts - Crown must prove beyond reasonable doubt | 376 | L-R | 5.1 |
| Elements of offence - plea - guilty | 376 | L | 5.1 |
| Guilty plea - mitigating factors - defence must prove on balance of probabilities | 376 | R | 5.1 |
| Guilty plea - procedure - aggravating and mitigating factors | 376 | L-R | 5.1 |
| Guilty plea - procedure - summary of facts | 376 | L | 5.1 |
| Guilty plea - Rules of Professional Conduct 5.1-8 - guilty plea - counsel may only represent an accused on a plea of guilty where the client voluntarily is prepared to admit the necessary factual and mental elements of the offence charged | 376 | L | 5.1 |
| Guilty plea - client maintains innocence - Rules of Professional Conduct 5.1-8 - guilty plea - counsel may only represent an accused on a plea of guilty where the client voluntarily is prepared to admit the necessary factual and mental elements of the offence charged | 376 | L | 5.1 |
| Rules of Professional Conduct 5.1-8 - guilty plea - counsel may only represent an accused on a plea of guilty where the client voluntarily is prepared to admit the necessary factual and mental elements of the offence charged | 376 | L | 5.1 |
| Plea guilty - Rules of Professional Conduct 5.1-8 - guilty plea - counsel may only represent an accused on a plea of guilty where the client voluntarily is prepared to admit the necessary factual and mental elements of the offence charged | 376 | L | 5.1 |
| Plea - guilty - procedure - aggravating and mitigating factors | 376 | L-R | 5.1 |
| Plea - guilty - Rules of Professional Conduct 5.1-8 - counsel may only represent an accused on a plea of guilty where the client voluntarily is prepared to admit the necessary factual and mental elements of the offence charged | 376 | L | 5.1 |
| Plea - guilty - summary of facts - procedure | 376 | L | 5.1 |
| Plea - changing or withdrawing plea | 376 | L | 5.1 |
| Not guilty plea - changing to guilty during trial | 376 | R | 5.2 |
| Accused informs counsel of guilt - rules for representing - trial/not guilty plea | 376 | R | 5.2 |
| Not guilty plea | 376 | R | 5.2 |
| Not guilty plea - accused informs counsel of guilt - rules for representing - Rules of Prof Conduct 5.1-1 | 376 | R | 5.2 |
| Plea - Not guilty | 376 | R | 5.2 |
| Rules of Professional Conduct 5.1-1 - accused informs counsel of guilt - rules for representing - example | 376 | R | 5.2 |
| Trial - accused informs counsel of guilt - rules for representing - Rules of Prof Conduct 5.1-1 - example of limits | 376 | R | 5.2 |
| Not guilty to offence charged but guilty to another offence - Section 606(4) CCC - can plea to any offence arising form same transaction even if not lesser included offence | 376 | R | 5.3 |
| Plea - lesser or included offence | 376 | R | 5.3 |
| Section 606(4) CCC - not guilty to offence charged, but guilty to another offence | 376 | R | 5.3 |
| Guilty plea - accused does not admit to all the facts - aggravating or mitigating facts - crown must prove aggravating on balance of probabilities | 376 | L-R | 5.1 |
| Trial - Plea - Special pleas | 377 | L | 5.4 |
| Autrefois acquit (double jeopardy) | 377 | L | 5.4 |
| Autrefois convict (double jeopardy) | 377 | L | 5.4 |
| Double jeopardy - autrefois convict/acquit | 377 | L | 5.4 |
| Double Jeopardy - autrefois - special pleas -11(h) of Charter | 377 | L | 5.4 |
| Autrefois - special plea - 11(h) of Charter | 377 | L | 5.4 |
| Section 11(h) Charter - protection against double jeopardy - plea - autrefois | 377 | L | 5.4 |
| Plea - special pleas - autrefois acquit, autrefois convict, pardon, justification | 377 | L | 5.4 |
| Pardon - special plea | 377 | L | 5.4 |
| Plea - justification - defamatory libel only | 377 | L | 5.4 |
| Plea - pardon | 377 | L | 5.4 |
| Special pleas - plea of pardon - plea of justification - defamatory libel | 377 | L | 5.4 |
| Assembling the panel - jury selection | 377 | L | 6.2 |
| Jury - assembling the panel | 377 | L | 6.2 |
| Jury - first step - assembling the panel | 377 | L | 6.2 |
| Jury - selecting from panel - procedure | 377 | L-R | 6.4 |
| Jury - selection from panel | 377 | L-R | 6.4 |
| Justification - plea - only for accused charged with defamatory libel | 377 | L | 5.4 |
| Plea - justification | 377 | L | 5.4 |
| Plea - refusal to plead - deemed plea of not guilty - s. 606(2) of CCC | 377 | L | 5.5 |
| Refusal to plead - deemed plea of not guilty - s. 606(2) of CCC | 377 | L | 5.5 |
| Accused refuses to plead - s 606(2) CCC - deemed plea of not guilty | 377 | L | 5.5 |
| Section 606(2) CCC - if accused refuses to plead, then deemed plead not guilty | 377 | L | 5.5 |
| Jury - Juries Act - code delegated pursuant to s. 626(1) who may act as jurors to province | 377 | L | 6.1 |
| Jury selection - qualification of jurors - s. 626(1) CCC | 377 | L | 6.1 |
| Qualification of jurors | 377 | L | 6.1 |
| Challenging the panel - jury | 377 | L | 6.3 |
| Grounds to jury challenge - s. 629 CCC - three grounds, partiality, fraud, or misconduct on part of sheriff | 377 | L | 6.3 |
| Jury - challenge - three grounds - s 629 CCC - three grounds, partiality, fraud, or misconduct on part of the sheriff | 377 | L | 6.3 |
| Jury - challenge of jury panel - s 629 CCC - three grounds, partiality, fraud, or misconduct on part of the sheriff | 377 | L | 6.3 |
| Jury - panel - challenging - s 629 CCC - three grounds, partiality, fraud, or misconduct on part of the sheriff | 377 | L | 6.3 |
| Section 629-630 CCC - Challenge of jury panel - three grounds, partiality, fraud, or misconduct on part of the sheriff | 377 | L | 6.3 |
| Excusing jurors - s. 632 CCC | 377 | R | 6.4.1 |
| Section 632 CCC - excusing jurors | 377 | R | 6.4.1 |
| Grounds for excusing jurors s. 632 CCC - personal interest, relationship with anyone involved in trial, personal hardship or other reasonable cause | 377 | R | 6.4.1 |
| Jury - excusing juror - s. 632 CCC - personal interest, relationship with anyone involved in trial, personal hardship or other reasonable cause | 377 | R | 6.4.1 |
| Peremptory challenges - Jury - s 634(2)-(4) CCC - objection to that person's inclusion on jury absent having to state reason for so objecting | 377 | R | 6.4.2 |
| Section 634(2)-(4) CCC - Jury - peremptory challenge | 377 | R | 6.4.2 |
| Jury - procedure - swearing in | 377 | R | 6.4.2 |
| Jury - peremptory challenges - s 634(2) -(4) CCC - objection to that persons inclusion on jury absent having to state reason for so objecting | 377 | R | 6.4.2 |
| Jury - selection - procedure - peremptory challenges - s 634(2) -(4) CCC - objection to that person's inclusion on jury absent having to state reason for so objecting | 377 | R | 6.4.2 |
| Trial - jury selection | 377-378 | L-L | 6.4-6.4.3 |
| Number of jurors | 378 | L | 6.4.2 |
| Jury - Number of jurors | 378 | L | 6.4.2 |
| Procedures for challenge for cause - s. 640 CCC - triers | 378 | L | 6.4.3 |
| Triers - procedures for challenge for cause - s. 640 CCC | 378 | R | 6.4.3 |
| Jury - challenge - for cause - triers | 378 | L-R | 6.4.3 |
| Challenge for cause - s 638 CCC - jury selection - reasons for challenge | 378 | L | 6.4.3 |
| Jury - challenge - for cause - racial prejudice | 378 | L | 6.4.3 |
| Jury - challenge - for cause - pre-trial publicity | 378 | L | 6.4.3 |
| Jury - challenge - for cause - s. 638 | 378 | L | 6.4.3 |
| Jury - impartiality - pre-trial publicity | 378 | L | 6.4.3 |
| Jury - impartiality - racial prejudice | 378 | L | 6.4.3 |
| Section 638 CCC - jury - challenge for cause - not indifferent | 378 | L | 6.4.3 |
| Section 640 CCC - jury - procedure for challenge for cause | 378 | L-R | 6.4.3 |
| Challenge for cause - jury | 378 | L-R | 6.4.3 |
| Opening address - Crown and defense - limited to impartial summary of evidence Crown expects - not argument about guilt and should not refer to evidence whose admissibility is yet to be determined | 378 | R | 7 |
| Juror who cannot continue - s. 644(1) CCC - can be discharged due to illness or other reasonable cause | 378 | R | 6.5 |
| Jury - discharge - s. 644(1) CCC - can be discharged due to illness or other reasonable cause | 378 | R | 6.5 |
| Jury - inability for juror to continue - s. 644(1) CCC - can be discharged due to illness or other reasonable cause | 378 | R | 6.5 |
| Jury - juror who cannot continue - s. 644(1) CCC - can be discharged due to illness or other reasonable cause | 378 | R | 6.5 |
| Jury - mistrial b/c fewer than 10 jurors - s. 644(2) CCC | 378 | R | 6.5 |
| Jury - juror who cannot continue - drawing new juror s. 644(1.1) CCC | 378 | R | 6.5 |
| Fewer than 10 jurors continue - s. 644(2) CCC - mistrial declared | 378 | R | 6.5 |
| Jury - fewer than 10 jurors continue - s. 644 (2) CCC - mistrial declared | 378 | R | 6.5 |
| Section 644 (2) CCC - jury - fewer than 10 jurors can continue - mistrial declared | 378 | R | 6.5 |
| Jury - opening address | 378-379 | R-L | 7 |
| Opening address - limitations | 378-379 | R-L | 7 |
| Opening statement by defence - no right after crown opening, but have been permitted in lengthy complex trials | 378-379 | R-L | 7 |
| Defence - opening statement - no right after crown opening, but have been permitted in lengthy complex trials | 378-379 | R-L | 7 |
| Trial - crown - opening address | 378-379 | R-L | 7 |
| Trial - judge-alone trials - opening address | 379 | L | 7 |
| Opening address - judge-alone trials | 379 | L | 7 |
| Trial - procedure - Crown evidence | 379 | L-R | 8 |
| Trial - crown - case for | 379 | L-R | 8 |
| Trial - Procedure - examinations - Crown - Defence | 379 | R | 8 |
| Evidence - circumstantial evidence | 379 | L | 8 |
| Evidence - direct evidence | 379 | L | 8 |
| Evidence - Crown - limitations - credibility - no oath helping - cannot lead evidence to bolster own witness's credibility | 379 | R | 8 |
| Evidence lead to bolster own witness's credibility - Crown - inadmissible | 379 | R | 8 |
| Exhibits - Trial procedure - Crown | 379 | L | 8 |
| Leading questions - rule against - Crown | 379 | R | 8 |
| Oath helping - rule against - Evidence - Crown | 379 | R | 8 |
| Trial - exhibits - procedure - Crown | 379 | L | 8 |
| Prior inconsistent statement - Cross examine own witness - exception s. 9 of CEA | 379 | R | 8 |
| Defence - cross examination | 379 | R | 8 |
| Trial - Procedure - judge questioning witnesses | 379 | L-R | 8 |
| Accused - admissions of fact - s. 655 CCC - accused may admit any fact alleged against him for the purpose of dispensing with proof thereof | 379 | R | 9 |
| Admissions of fact - accused - s. 655 CCC - accused may admit any fact alleged against him for the purpose of dispensing with proof thereof | 379 | R | 9 |
| Trial - admissions - s. 655 CCC - accused may admit any fact alleged against him for the purpose of dispensing with proof thereof | 379 | R | 9 |
| Section 655 CCC - accused may admit any fact alleged against him for the purpose of dispensing with proof thereof | 379 | R | 9 |
| Re-examination - Crown | 379 | R | 8 |
| Canada Evidence Act s. 9 - exception to rule against cross examining own witness - two situations - where witness is declared adverse and where the witness made a prior statement inconsistent with his or her own testimony at trial | 379 | R | 8 |
| Cross-examination - Defence | 379 | R | 8 |
| Crown - re-examination - with leave of court on new evidence arising in cross examination | 379 | R | 8 |
| Trial - counsel - must ensure adequate evidentiary record is created | 380 | L | 10 |
| Evidence - counsel must ensure adequate evidentiary record is created | 380 | L | 10 |
| Lay witness - exceptions to opinion, hearsay rules | 380 | R | 10.1 |
| Non-expert witness - exceptions to opinion, hearsay rules | 380 | R | 10.1 |
| Witness - lay witness - exceptions to opinion, hearsay rules | 380 | R | 10.1 |
| Admissibility - expert evidence - R v Mohan - R v Abbey | 380 | L | 10.1 |
| Expert evidence - admissibility - R v Abbey - R v Mohan | 380 | L | 10.1 |
| R v Abbey - Expert evidence - admissibility - also R v Mohan | 380 | L | 10.1 |
| Mohan test - admissibility - expert evidence - also R v Abbey | 380 | L | 10.1 |
| R v Abbey Test - Admissibility - expert evidence - also R v Mohan | 380 | L | 10.1 |
| Trial - Expert Evidence - Mohan - R v Abbey | 380 | L | 10.1 |
| Voir Dire - expert evidence, burden, Mohan test also R v Abbey | 380 | L | 10.1 |
| Witness - expert | 380 | L-R | 10.1 |
| Witness - expert - hearsay | 380 | L-R | 10.1 |
| Trial - expert evidence - hearsay | 380 | L-R | 10.1 |
| Expert evidence - hearsay | 380 | L-R | 10.1 |
| Person in authority - statements by accused | 380 | R | 10.2 |
| Voir Dire - confession of accused | 380 | R | 10.2 |
| Confession - voluntariness - Crown burden | 380 | R | 10.2 |
| Involuntary confessions - R v Oickle | 380 | R | 10.2 |
| R v Oickle test - involuntary statements | 380 | R | 10.2 |
| Evidence - statements by accused - voluntariness | 380 | R | 10.2 |
| Prior out-of-court statements - voluntariness | 380 | R | 10.2 |
| Voluntariness - Confessions | 380 | R | 10.2 |
| Exculpatory statements - defendant | 380-381 | R-L | 10.2 |
| Charter - confessions | 380-381 | R-L | 10.2 |
| Confession - admissibility | 380-381 | R-L | 10.2 |
| Evidence - confession of accused | 380-381 | R-L | 10.2 |
| Statement by accused - admissibility | 380-381 | R-L | 10.2 |
| Confession - Charter | 380-381 | R-L | 10.2 |
| Confession - exclusion - Charter 24(2) | 380-381 | R-L | 10.2 |
| Section 24(2) Charter - exclusion - statements | 380-381 | R-L | 10.2 |
| Charter - 10 (b) - right to retain and instruct counsel - exclusion of statement | 380-381 | R-L | 10.2 |
| Right to retain and instruct counsel - 10 (b) Charter - exclusion of statements made | 380-381 | R-L | 10.2 |
| Statement by accused - exclusion - Charter 24(2) | 380-381 | R-L | 10.2 |
| Prior exculpatory statements - defendant | 381 | L | 10.2 |
| Record - business documents - admissibility | 381 | L-R | 10.3 |
| Documents admitted - s. 30 CEA | 381 | L-R | 10.3 |
| Business records and other documents - admission into evidence | 381 | L-R | 10.3 |
| Admission into evidence - business records and other documents | 381 | L-R | 10.3 |
| Evidence - quasi-criminal - admissibility of documents | 381 | L-R | 10.3 |
| Ontario Evidence Act - s. 35 - business documents | 381 | R | 10.3 |
| Evidence - documents - generally hearsay - exceptions to hearsay at common law and under CEA | 381 | L-R | 10.3 |
| Business document - admissibility at trial | 381 | L-R | 10.3 |
| Section 30 CEA - business documents - admissibility - exception of hearsay rule | 381 | L-R | 10.3 |
| Evidence - business documents - criminal trial - admissible for truth of contents | 381 | L | 10.3 |
| Affidavit - Evidence Act s. 30 - authenticity - business records | 381 | L | 10.3 |
| Business records - common-law rule | 381-382 | R-L | 10.3 |
| Common law business records exception | 381-382 | R-L | 10.3 |
| Hearsay - exception - common law - business records | 381-382 | R-L | 10.3 |
| Evidence - out-of-court statement - admissible as long as it has some probative value and offered simply as proof that the statement was made - R v Evans | 382 | L | 10.4 |
| R v Evans - out-of-court statement - admissible as long as it has some probative value and offered simply as proof that the statement was made | 382 | L | 10.4 |
| Evidence - out-of-court statement - truth of its contents is hearsay | 382 | L | 10.4 |
| Evidence - out-of-court statement - proof that it was made is not hearsay | 382 | L | 10.4 |
| Out-of-court statement - truth of its contents is hearsay | 382 | L | 10.4 |
| Out-of-court statement - proof that it was made is not hearsay | 382 | L | 10.4 |
| Evidence - hearsay - written or oral | 382 | L | 10.4 |
| Evidence - hearsay - dangers | 382 | L | 10.4 |
| Evidence - hearsay - admissibility - requirements | 382 | L | 10.4 |
| Hearsay - definition | 382 | L | 10.4 |
| Hearsay - admissibility - requirements - necessity and reliability | 382 | L | 10.4 |
| R v Hawkins - hearsay dangers | 382 | L | 10.4 |
| Rape Shield Laws | 382 | L-R | 10.5 |
| Trial - cross examination - defence limits - sexual assault | 382 | L-R | 10.5 |
| Sexual assault - cross examination - limits on defence - rape shield laws - s. 276(1) CCC | 382 | L-R | 10.5 |
| Sexual assault - evidence lead by defence - limit on - rape shield laws - s. 276(1) CCC | 382 | L-R | 10.5 |
| Section 276(1) CCC - rape shield law - evidence not admissible | 382 | L-R | 10.5 |
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| Trial - defence evidence - sexual assault - limits - rape shied s. 276(1) CCC | 382 | L-R | 10.5 |
| Procedure for determining the admissibility of sexual-conduct evidence - s. 276.1-276.1 CCC | 382 | L-R | 10.5 |
| Directed Verdict of acquittal - where there is before the court any admissible evidence that, if believed by a reasonable and properly instructed jury would justify a conviction, the trial judge must not direct a verdict of acquittal | 382 | R | 11 |
| Test - Directed Verdict of acquittal - where there is before the court any admissible evidence that, if believed by a reasonable and properly instructed jury would justify a conviction, the trial judge must not direct a verdict of acquittal | 382 | R | 11 |
| Trial - defence evidence - limits - defence evidence that has significant probative value can only be excluded where the prejudicial effect of that evidence substantially outweighs the probative value - R v Seaboyer | 382 | R | 10.5 |
| Defence evidence - limits - defence evidence that has significant probative value can only be excluded where the prejudicial effect of that evidence substantially outweighs the probative value - R v Seaboyer | 382 | R | 10.5 |
| R v Seaboyer - defence evidence that has significant probative value can only be excluded where the prejudicial effect of that evidence substantially outweighs the probative value | 382 | R | 10.5 |
| Crown has failed to lead evidence of all elements of offence - directed verdict - where there is before the court any admissible evidence that, if believed by a reasonable and properly instructed jury would justify a conviction, the trial judge must not direct a verdict of acquittal | 382-383 | R-L | 11 |
| Cross-examination - Crown entitlement - all defence witnesses + accused | 383 | R | 12 |
| Case for the defence - trial - general | 383 | L-R | 12 |
| Case for the defence - overview | 383 | L-R | 12 |
| Defence - opening statement - s. 651(2) CCC | 383 | L | 12 |
| Opening statement - defence - s. 651(2) CCC | 383 | L | 12 |
| Section 651(2) CCC - defence - opening statement | 383 | L | 12 |
| Defence - opening statement - prior criminal record - strategic reasons to include (only where putting defendants character put in issue) | 383 | L | 12 |
| Prior criminal record of accused - applications to exclude (Corbett) and strategic reasons to mention in opening | 383 | L | 12 |
| Accused's prior record - exclude - Corbett | 383 | L | 12 |
| Excluding prior criminal record - Corbett | 383 | L | 12 |
| Corbett application - accused’s prior record - application to exclude where it would | 383 | L | 12 |
| Trial - defence evidence - limits based on counsel's knowledge of accused's guilt - Rules of Professional Conduct s. 5.1 | 383 | L | 12 |
| knowledge of accused's guilt - limits on defence strategy and evidence - Rules of Professional Conduct s. 5.1 | 383 | L | 12 |
| Preparation of defence witness - permissible | 383 | L | 12 |
| Defence - preparation of defence witness - permissible | 383 | L | 12 |
| Accused’s prior record - Corbett application | 383 | L | 12 |
| Trial - procedure - case for the defence | 383 | L-R | 12 |
| Crown cross examination - limits - bad character evidence | 383 | R | 12 |
| Bad character evidence - limit on crown cross examination | 383 | R | 12 |
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| Cross-examination - of accused - limits on Crown | 383 | R | 12 |
| Defence - re-examination of accused | 383 | R | 12 |
| Prosecution - cross-examination of accused - limits | 383 | R | 12 |
| Re-examination of accused - by defence | 383 | R | 12 |
| Trial - Crown cross-examination of accused - limits | 383 | R | 12 |
| Witness - cross-examination of defence witnesses | 383 | R | 12 |
| Evidence - reply evidence | 383 | R | 13 |
| Reply evidence - Crown rebuttal | 383 | R | 13 |
| Trial - reply evidence - Crown rebuttal | 383 | R | 13 |
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| Trial - surrebuttal | 383 | R | 14 |
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| Order - closing address - if defence leads evidence they go first | 383 | R | 15 |
| Trial - closing address - order - if defence leads evidence they go first | 383 | R | 15 |
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| Section 651 CCC - order of closing addresses - if defence leads evidence they go first | 383 | R | 15 |
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| Joint trial/Multiple accused - order of closing | 383-384 | R-L | 15 |
| Jury - addressing jury - closing | 383-384 | R-L | 15 |
| Closing address - limits - contents | 383-384 | R-L | 15 |
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| Submissions - closing - trial | 383-384 | R-L | 15 |
| Trial - Closing addresses | 383-384 | R-L | 15 |
| Section 4(6) CEA - closing address - limits on crown | 383-384 | R-L | 15 |
| Closing address - avoid extended reference to the law | 384 | R | 15 |
| Jury - charge to jury | 384 | L | 16 |
| Charge to the Jury - Pre-Charge Conference | 384 | L | 16.1 |
| Jury - charge to jury - pre-charge conference | 384 | L | 16.1 |
| Pre-charge conference | 384 | L | 16.1 |
| Charge to the Jury | 384 | L | 16 |
| Trial - Charge to the Jury | 384 | L | 16 |
| Section 650.1 CCC - pre-charge conference - statutory authority | 384 | L | 16.1 |
| Charge to the Jury - contents | 384 | L-R | 16.2 |
| Jury - charge to jury - contents of charge | 384 | L-R | 16.2 |
| Trial - charge to the jury - contents | 384 | L-R | 16.2 |
| Jury - deliberations | 384 | R | 17 |
| Questions from jury - procedure | 384 | R | 17 |
| Trial - jury deliberations | 384 | R | 17 |
| Trial - questions from the jury | 384 | R | 17 |
| Jury - questions from the jury | 384 | R | 17 |
| Charge to the Jury - objections | 384 | R | 16.3 |
| Jury - charge to jury - objections to | 384 | R | 16.3 |
| Objections - charge to jury | 384 | R | 16.3 |
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| Verdict - not guilty as charged - proper included offences | 385 | L | 18 |
| Included offences - verdict - not guilty as charged | 385 | L | 18 |
| Jury - verdict | 385 | L | 18 |
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| Verdict | 385 | L | 18 |
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| Verdict - proper included offences | 385 | L | 18 |
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| Jury - verdict - s. 649 CCC - it is a criminal offence for a jury member to disclose any information relating to the jury's proceedings when the jury was absent from the courtroom that was not disclosed in court | 385 | L | 18 |
| Section 649 CCC - it is a criminal offence for a jury member to disclose any information relating to the jury's proceedings when the jury was absent from the courtroom that was not disclosed in court | 385 | L | 18 |
| Mistrial - s. 653 CCC - Mistrial - when a judge is satisfied that the jury is unable to reach a verdict and that further the detention of the jury would be useless, the judge may declare a mistrial, discharge the jury, and adjourn to new trial | 385 | L-R | 19 |
| Section 653 CCC - Mistrial - when a judge is satisfied that the jury is unable to reach a verdict and that further the detention of the jury would be useless, the judge may declare a mistrial, discharge the jury, and adjourn to new trial | 385 | L-R | 19 |
| Jury - unable to reach verdict - Mistrial - s. 635 CCC - when a judge is satisfied that the jury is unable to reach a verdict and that further the detention of the jury would be useless, the judge may declare a mistrial, discharge the jury, and adjourn to new trial | 385 | L-R | 19 |
| Mistrial - inability for jury to agree on a verdict, jurors drop below 10 or prejudicial evidence is introduced before the jury | 385 | L-R | 19 |
| Mistrial - rulings relating to disclosure, admissibility of evidence or the Charter in any new trial | 385 | R | 19 |
| Section 653.1 CCC Mistrial - rulings relating to disclosure, admissibility of evidence or the Charter are binding on parties in any new trial | 385 | R | 19 |
| Sentencing - principles - general - s. 718 CCC - together with s. 718.1 CCC and s.718.2 CCC | 387 | L | 1 |
| Sentencing - frame work for defence counsel - s. 718 CCC - together with s. 718.1 CCC and s.718.2 CCC | 387 | L | 1 |
| Sentencing - deterrence - primary objectives in relation to offences against children (s.718.01 CCC) and against peace officer/justice system (s.718.02 CCC) | 387 | L | 1 |
| Sentencing - offences against children - primary objective - s 718.01 CC - deterrence | 387 | L | 1 |
| Sentencing - offences against peace officer/justice system - primary objective - s.718.02 CC - deterrence | 387 | L | 1 |
| Deterrence - specific - sentencing | 387 | L | 1 |
| Deterrence - general - sentencing | 387 | L | 1 |
| Objectives of sentencing | 387 | L | 1 |
| Objectives of sentencing - s. 718 CCC - general framework | 387 | L | 1 |
| Section 718 CCC - Objectives of sentencing - general framework | 387 | L | 1 |
| Sentencing - objectives - impact on community | 387 | L | 1 |
| Sentencing - objectives of - s.718 CCC - general | 387 | L | 1 |
| Sentencing - objectives of - denunciation of conduct | 387 | L | 1 |
| Sentencing - objectives of - deterrence | 387 | L | 1 |
| Sentencing - objectives of - rehabilitation | 387 | L | 1 |
| Sentencing - objectives of - reparations | 387 | L | 1 |
| Sentencing - objectives of - responsibility | 387 | L | 1 |
| Sentencing - objectives of - separation of offenders | 387 | L | 1 |
| Sentencing - purpose - just society | 387 | L | 1 |
| Principles of sentencing - parity, totality, restraint - s 718.1 CCC  SEE: Principles Of Sentencing 718.2 | 387  387 | R  L | 2.1  1 |
| Sentencing - principles of - parity, totality, restraint | 387 | R | 2.1 |
| Parity - sentencing principle - s 718.2 CCC - one of three enumerated in this section | 387 | R | 2.1 |
| Sentencing - fundamental principle - proportionality - s. 718.1 CCC | 387 | R | 2.1 |
| Proportionality - sentencing - principles - 718.2 CCC - fundamental principle | 387 | R | 2.1 |
| Fundamental principle of sentencing - proportionality - s 718.2 CCC | 387 | R | 2.1 |
| Restorative justice - s. 718.2(e) CCC - aboriginal - restraint  SEE: aboriginal status | 387  388 | R  R | 2.1  2.2.8 |
| Restraint - sentencing principle - s. 718.2 CCC | 387 | R | 2.1 |
| Sentencing - aboriginal - restorative justice - 718.2(e) CCC - sentencing judges encouraged to adopt a more flexible approach to sentencing Aboriginal offenders that embraces restorative justice  SEE: ABORIGINAL STATUS | 387  388 | R  R | 2.1  2.2.8 |
| Sentencing - principles - Parity - s. 718.2 CCC | 387 | R | 2.1 |
| Sentencing - principles - proportionality - 718.1 CCC - Fundamental principle | 387 | R | 2.1 |
| Sentencing - principles - restraint - 718.2 CCC | 387 | R | 2.1 |
| Sentencing - principles - totality - 718.2 CCC | 387 | R | 2.1 |
| Totality - sentencing principle | 387 | R | 2.1 |
| Aboriginal offenders - sentencing - restorative justice - restraint - 718.2(e) CCC  SEE: aboriginal status | 387  388 | R  R | 2.1  2.2.8 |
| Aggravating/Mitigating Factors - sentencing | 387-390 | R-R | 2.1-2.4 |
| Sentencing - factors of - degree of responsibility of the offender | 388 | L | 2.2 |
| Sentencing - factors of - age/maturity | 388 | L-R | 2.2.4 |
| Youth - factor of sentencing - mitigating | 388 | L-R | 2.2.4 |
| Aggravating factors - criminal record | 388 | L | 2.2.1 |
| Breach court order - aggravating factor - sentencing - criminal record | 388 | L | 2.2.1 |
| Criminal record - sentencing | 388 | L | 2.2.1 |
| Dated criminal record - sentencing | 388 | L | 2.2.1 |
| Driving - sentencing - prohibition order | 388 | L | 2.2.1 |
| Probation - parole - breach - aggravating factor - sentencing | 388 | L | 2.2.1 |
| Sentencing - factors of - criminal record | 388 | L | 2.2.1 |
| Sentencing - factors of - on probation at time of offence | 388 | L | 2.2.1 |
| Sentencing - factors of - prior record | 388 | L | 2.2.1 |
| Motive - sentencing | 388 | L | 2.2.2 |
| Sentencing - factors of - motive -no purpose of greed more aggravating than trying circumstances | 388 | L | 2.2.2 |
| Aggravating factors - reoffending - sentencing | 388 | L | 2.2.3 |
| Behaviour post-offence - rehabilitation/restitution prior to sentence mitigating | 388  B-Add 3 | L  B | 2.2.3 |
| Drug treatment - mitigating factor - sentencing | 388  B-Add 3 | L  B | 2.2.3 |
| Mitigating factors - restitution/compensation - sentencing | 388 | L | 2.2.3 |
| Rehabilitation - sentencing - mitigating factor | 388  B-Add 3 | L  B | 2.2.3 |
| Sentencing - factors of - behaviour post-offense | 388  B-Add 3 | L  B | 2.2.3 |
| Sentencing - rehabilitation efforts prior to - effect of | 388  B-Add 3 | L  B | 2.2.3 |
| Behaviour post-offence - drug treatment - ejection - not aggravating factor R v Barkhouse | 388  B-Add 3 | L  B | 2.2.3 |
| Drug treatment - sentencing - ejection - not aggravating factor R v Barkhouse | 388  B-Add 3 | L  B | 2.2.3 |
| R v Barkhouse - Drug treatment - mitigating factor - sentencing - ejection - not aggravating factor | 388  B-Add 3 | L  B | 2.2.3 |
| Sentencing - mitigating factor - drug treatment | 388  B-Add 3 | L  B | 2.2.3 |
| Sentencing - drug treatment - ejection from program not aggravating factor | 388  B-Add 3 | L  B | 2.2.3 |
| Sentencing - restitution prior to - effect of | 388 | L | 2.2.3 |
| Age - Sentencing | 388 | L-R | 2.2.4 |
| Guilty plea - sentencing | 388 | R | 2.2.5 |
| Sentencing - early guilty plea - mitigating factor | 388 | R | 2.2.5 |
| Mitigating factors - guilty plea - not pleading cannot be aggravating factor | 388 | R | 2.2.5 |
| Sentencing - guilty plea - effect of | 388 | R | 2.2.5 |
| Accused - Cooperation with authorities - effect on sentencing | 388 | R | 2.2.6 |
| Cooperation with authorities/police - accused - sentencing | 388 | R | 2.2.6 |
| Drug mules - cooperation with authorities - sentencing | 388 | R | 2.2.6 |
| Sentencing - Cooperation with authorities | 388 | R | 2.2.6 |
| Mental illness - sentencing | 388 | R | 2.2.7 |
| Sentencing - factors of - mental illness | 388 | R | 2.2.7 |
| Aboriginal offender - sentencing - factors of | 388 | R | 2.2.8 |
| Gladue - principles of - Gladue report | 388 | R | 2.2.8 |
| R v Gladue - sentencing - aboriginal | 388 | R | 2.2.8 |
| Section 718.2(e) CCC - Aboriginal - sentencing | 388 | R | 2.2.8 |
| Sentencing - factors of - Aboriginal status | 388 | R | 2.2.8 |
| Psychiatric disorder - sentencing - aggravating or mitigating | 388 | R | 2.2.7 |
| Offence - aggravating factors | 388-390  B-Add 3-4 | L-R  B-T | 2.1-2.4 |
| Sentencing - aggravating & mitigating factors | 388-390  B-Add 3-4 | L-R  B-T | 2.1-2.4 |
| Gravity of offence - sentencing - factors that are relevant to | 389 | L-R | 2.3.1-2.3.10 |
| Range - Factors pertaining to the "gravity of the offence" | 389 | L-R | 2.3.1-2.3.10 |
| Factors pertaining to the "the gravity of the offence" - sentencing | 389 | L-R | 2.3.1-2.3.10 |
| Sentencing - factors of - the gravity of the offence | 389 | L-R | 2.3.1-2.3.10 |
| Background, race - other factors - sentencing | 389 | L | 2.2.9 |
| Sentencing - other relevant factors - not related to responsibility of offender or gravity of offence | 389 | L | 2.2.9 |
| Immigration consequences - sentencing | 389 | L | 2.2.9 |
| R v Nassri - sentencing - immigration status | 389 | L | 2.2.9 |
| Sentencing - tariff - more formal than range - set by OCA  SEE: 2.3.1 the range | 389 | L | 2.3.1 |
| Tariff - sentencing - more formal than range - set by OCA  SEE: 2.3.1 the range | 389 | L | 2.3.1 |
| Abuse of trust - aggravating factor | 389 | L | 2.3.2 |
| Aggravating factor - abuse of trust - sentencing | 389 | L | 2.3.2 |
| Breach of trust - sentencing - aggravating factor - (abuse of trust) | 389 | L | 2.3.2 |
| Child victim - abuse of trust - sentencing - aggravating factor - s. 718.01, s. 718.2(a)(ii.1) CCC | 389 | L | 2.3.2 |
| Sentencing - factors of - breach of trust | 389 | L | 2.3.2 |
| Trust - breach of - sentencing | 389 | L | 2.3.2 |
| Domestic offence - aggravating factor | 389 | R | 2.3.3 |
| Spouse - victim - sentencing | 389 | R | 2.3.3 |
| Sentencing - factors of - spousal abuse s. 718.2(a)(ii) | 389 | R | 2.3.3 |
| Planning and deliberation - aggravating factor | 389 | R | 2.3.4 |
| Sentencing - factors of - planning and deliberation | 389 | R | 2.3.4 |
| Duration - factors of sentencing | 389 | R | 2.3.5 |
| Sentencing - factors of - continuous crime over time | 389 | R | 2.3.5 |
| Aggravating factors - magnitude or profitability | 389 | R | 2.3.6 |
| Magnitude or profitability - Factors of sentencing | 389 | R | 2.3.6 |
| Sentencing - factors of - magnitude of crime | 389 | R | 2.3.6 |
| Sentencing - factors of - profitability of crime | 389 | R | 2.3.6 |
| Prevalence - sentencing | 389 | R | 2.3.7 |
| Sentencing - factors of - prevalence of offence | 389 | R | 2.3.7 |
| Sentencing - factors of - use of weapons / violence | 389 | R | 2.3.8 |
| Use of weapons - sentencing | 389 | R | 2.3.8 |
| Violence - sentencing | 389 | R | 2.3.8 |
| Weapons - sentencing | 389 | R | 2.3.8 |
| Organized Crime - sentencing - more serious (s.718.2(a)(iv) and (v) CCC) | 389 | R | 2.3.9 |
| Sentencing - factors of - terrorism/organized crime | 389 | R | 2.3.9 |
| Terrorism - sentencing | 389 | R | 2.3.9 |
| Sentencing - factors of - vulnerable victims | 389 | R | 2.3.10 |
| Victim - vulnerable - effect on sentencing | 389 | R | 2.3.10 |
| Vulnerability of the victim - and sentencing | 389 | R | 2.3.10 |
| Sentencing - factors of - relative impact on victim due to personal circumstances | 389 | R | 2.3.10 |
| Credit - pre- trial custody - sentencing | 390  B-Add 4 | L  T | 2.4.2 |
| Custody - pre-trial - sentencing - mitigating factor | 390 | L | 2.4.2 |
| Dead time - sentencing, impact on | 390  B-Add 4 | L  T | 2.4.2 |
| Sentencing - time in custody - cannot bank time for one set of charges to apply to another unrelated charge - R v Perkins | 390  B-Add 4 | L  T | 2.4.2 |
| Custody - pre-sentence - sentencing - cannot bank time for one set of charges to apply to another unrelated charge | 390  B-Add 4 | L  T | 2.4.2 |
| Pre-sentence custody - cannot bank time for unrelated set of charges - R v Perkins | 390  B-Add 4 | L  T | 2.4.2 |
| R v Perkins - time in custody - cannot bank time for one set of charges to apply to another unrelated charge | 390  B-Add 4 | L  T | 2.4.2 |
| Sentencing - time in custody - effect of - pre-Truth in Sentencing Act - credited at two days for every day served | 390  B-Add 4 | R  T | 2.4.2 |
| R v Safarzadeh-Markhali - sentencing - time in custody - effect of - prohibited enhanced credit violates s. 7 of Charter | 390  B-Add 4 | R  T | 2.4.2 |
| Sentencing - time in custody - effect of - harsh treatment in pre-trial custody | 390  B-Add 4 | R  T | 2.4.2 |
| Custody - pre-trial - sentencing - mitigating factor - harsh treatment | 390 | R | 2.4.2 |
| Pre-trial custody and sentencing | 390  B-Add 4 | L  T | 2.4.2 |
| Sentencing - time in custody - effect of | 390  B-Add 4 | L  T | 2.4.2 |
| Sentencing - factors of - factors not related to responsibility or gravity of offence | 390  B-Add 4 | L-R  T | 2.4 |
| Sentencing - delay - effect of | 390  B-Add 3 | L  B | 2.4.1 |
| Charter Section 11(b) - delay - sentencing | 390  B-Add 3 | L  B | 2.4.1 |
| Delay in the proceedings and other Charter breaches | 390  B-Add 3 | L  B | 2.4.1 |
| R v Gowdy - sentence reduction outside statutory limits not generally appropriate remedy unless offender challenges constitutionality of statutory limit | 390  B-Add 3 | L  B | 2.4.1 |
| Charter Section 11(b) - delay - sentencing - sentence reduction outside statutory limits not generally appropriate remedy unless offender challenges constitutionality of statutory limit R v Gowdy | 390  B-Add 3 | L  B | 2.4.1 |
| Delay in the proceedings and other Charter breaches - sentence reduction outside statutory limits not generally appropriate remedy unless offender challenges constitutionality of statutory limit R v Gowdy | 390  B-Add 3 | L  B | 2.4.1 |
| Sentencing - delay - effect of - sentence reduction outside statutory limits not generally appropriate remedy unless offender challenges constitutionality of statutory limit R v Gowdy | 390  B-Add 3 | L  B | 2.4.1 |
| Corrections and Conditional Release Act - CCRA - s. 127 - entitlement to release after 2/3 sentence | 390 | L | 2.4.2 |
| Mandatory minimum - sentence - can deduct for pre-trial custody | 390  B-Add 4 | L  T | 2.4.2 |
| Two-thirds rule - sentencing - CCRA s 127 | 390 | L | 2.4.2 |
| Organizations - sentencing of - factors considered | 390 | R | 3 |
| Section 718.21 CCC - Sentencing - organizations | 390 | R | 3 |
| Sentencing - of organizations - factors considered | 390 | R | 3 |
| Pre-trial bail conditions - sentencing | 390 | R | 2.4.3 |
| Sentencing - pre-trial bail conditions | 390 | R | 2.4.3 |
| Established facts of the offence - sentencing - agreed and disputed | 391 | L-R | 4.3 |
| Role of counsel - sentencing | 391 | L | 4.1 |
| Sentence hearing - general preparation | 391 | L | 4.1 |
| Sentencing - sentencing hearing - general preparation | 391 | L | 4.1 |
| Sentencing - sentencing hearing - role of counsel | 391 | L | 4.1 |
| Evidence - sentencing | 391 | L | 4.2 |
| Hearsay - sentencing hearing | 391 | L | 4.2 |
| Section 723 CCC - Evidence - sentencing hearing - strict rules do not apply. Judge may accept evidence (including hearsay) that is credible and reliable | 391 | L | 4.2 |
| Sentencing - sentencing hearing - evidence on - s. 723 CCC - strict rules do not apply. Judge may accept evidence (including hearsay) that is credible and reliable | 391 | L | 4.2 |
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| Agreed statement of facts - sentencing | 391 | L-R | 4.3 |
| Burden of proof - aggravating factors - sentencing - Crown must establish beyond a reasonable doubt if not acknowledge | 391 | L-R | 4.3 |
| Sentencing - sentencing hearing - evidence on - facts in dispute | 391 | L-R | 4.3 |
| Sentencing - sentencing hearing - aggravating factors - Crown must establish beyond a reasonable doubt | 391 | L-R | 4.3 |
| Sentencing - sentencing hearing - established facts of the offence | 391 | L-R | 4.3 |
| Other offences - sentencing | 391 | R | 4.4 |
| Sentencing - taking other offences into account | 391 | R | 4.4 |
| Sentencing - sentencing hearing - victims impact statement - s. 722 CCC court shall consider statement when determining fit sentence | 391 | R | 4.5 |
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| Sentencing - criminal record - CPIC report | 391 | R | 4.6 |
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| Sentencing - Psychological report | 392 | L | 4.8 |
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| Sentencing - witnesses | 392 | R | 4.10 |
| Court's power to require evidence - sentencing - ss. 723(3)-(4) - sentencing judge may order the production of evidence or compel the attendance of witnesses | 392 | R | 4.11 |
| Requiring evidence - sentencing - ss. 723(3)-(4) - sentencing judge may order the production of evidence or compel the attendance of witnesses | 392 | R | 4.11 |
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| Sentencing - alternative measures | 393 | L-R | 5.1 |
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| Sentencing - incarceration - maximum indictable and summary | 393 | L | 5 |
| Sentencing - indictable offence - maximum sentence | 393 | L | 5 |
| Sentencing - summay offence - maximum sentence | 393 | L | 5 |
| Summary conviction - penalties - maximum - 6 months incarceration and fine of $5000 unless super summary - s. 787 CCC | 393 | L | 5 |
| Diversion - sentencing hearing - mental disorder | 393 | L | 5.1 |
| Sentencing - Community service | 393 | L | 5.1 |
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| Diversion - sentencing hearing | 393 | L | 5.1 |
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| Diversion - factors Crown considers | 393 | R | 5.1 |
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| Sentencing - probation - terms of - changing conditions of order | 394 | R | 5.5 |
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| Fines - sentencing - as an alternative to incarceration | 394 | R | 5.6 |
| Fines - sentencing - maximum fine | 394 | R | 5.6 |
| Fines - sentencing - when court may impose | 394 | R | 5.6 |
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| Sentencing - fines - imprisonment for default | 394 | R | 5.6 |
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| Criminal records - discharges | 394 | L | 5.3 |
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| Sentencing - probation - where applied | 394 | R | 5.5 |
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| Sentencing - prohibition order - driving | 396 | L | 5.9 |
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| Prison - temporary absence program - this is a recommendation not an order | 397 | R | 5.12 |
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| Fairness or validity of trial - fresh evidence - procedure - in the interest of justice test - indictable | 405-406 | R-L | 2.4.1 |
| Validity or Fairness of trial - fresh evidence - procedure - in the interest if justice test - indictable | 405-406 | R-L | 2.4.1 |
| Fresh evidence - sentence appeal - indictable | 406 | L | 2.4.1 |
| Appeal - sentencing - fresh evidence - indictable | 406 | L | 2.4.1 |
| Sentencing - appeal - fresh evidence - indictable | 406 | L | 2.4.1 |
| Appeal - powers of court of appeal - disposal of appeals - indictable | 406 | L | 2.4.2 |
| Dispose of appeals - power to - indictable | 406 | L | 2.4.2 |
| Power to dispose of appeals - indictable | 406 | L | 2.4.2 |
| Allowing appeal - grounds - conviction - indictable | 406 | L | 2.4.2(a) |
| Appeal - conviction - court disposal of - indictable | 406 | L-R | 2.4.2(a) |
| Conviction - appeal - court disposal of - indictable | 406 | L-R | 2.4.2(a) |
| Court of appeal - power to dismiss appeal - conviction - indictable | 406 | L-R | 2.4.2(a) |
| Dismiss appeal - question of law - no substantial wrong or miscarriage of justice - indictable | 406 | L-R | 2.4.2(a) |
| Appeal - dismiss - indictable -question of law - no substantial wrong or miscarriage of justice | 406 | L-R | 2.4.2(a) |
| Grounds of allowing appeal - conviction - court of appeal - indictable | 406 | L | 2.4.2(a) |
| Power to dismiss appeal - Court of Appeal - conviction - indictable | 406 | L-R | 2.4.2(a) |
| Appeal - where permitted - indictable - error of law | 406 | L | 2.4.2(a) |
| Appeal - where permitted - indictable - miscarriage of justice | 406 | L | 2.4.2(a) |
| Appeal - where permitted - indictable - verdict unreasonable | 406 | L | 2.4.2(a) |
| Enter acquittal - appeal - allowing - conviction | 406 | L | 2.4.2(a) |
| Error of law - grounds of allowing appeal - indictable - conviction | 406 | L | 2.4.2(a) |
| Miscarriage of justice - grounds of allowing Appeal - indictable - conviction | 406 | L | 2.4.2(a) |
| s. 686(1)(a) CCC - grounds of allowing appeal - indictable | 406 | L | 2.4.2(a) |
| Section 686(2) CCC - appeal - enter acquittal - new trial ordered - indictable | 406 | L | 2.4.2(a) |
| Verdict unreasonable or unsupported - grounds of allowing appeal - conviction - indictable | 406 | L | 2.4.2(a) |
| Appeal - dismiss - indictable - procedural irregularity caused no prejudice | 406 | R | 2.4.2(a) |
| Dismiss appeal - indictable - procedural irregularity caused no prejudice | 406 | R | 2.4.2(a) |
| Section 686(1)(b)(iv) - dismiss appeal - procedural irregularity - no prejudice to appellant | 406 | R | 2.4.2(a) |
| Acquittal - appeal of - onus on Crown - indictable | 406 | R | 2.4.2(b) |
| Appeal - acquittal - onus on Crown - indictable | 406 | R | 2.4.2(b) |
| Enter conviction - appeal of acquittal - indictable | 406 | R | 2.4.2(b) |
| Error of law - appeal by Crown - acquittal - indictable | 406 | R | 2.4.2(b) |
| Section 686(4) CCC - appeal - acquittal - enter conviction | 406 | R | 2.4.2(b) |
| Appeal - indictable - appeal from acquittal | 406 | R | 2.4.2(b) |
| Appeal - indictable - appeal of sentence | 406 | R | 2.4.2(c) |
| Appeal - sentencing - when varied - increasing or decreasing the sentence - indictable | 406 | R | 2.4.2(c) |
| Appeal - indictable - sentence - error in principle or marked departure | 406 | R | 2.4.2(c) |
| Sentence - appeal - indictable - error in principle or marked departure | 406 | R | 2.4.2(c) |
| Fitness of sentence - sole consideration - sentence - appeal - indictable | 406 | R | 2.4.2(c) |
| Section 687 CCC - appeal - vary sentence - indictable | 406 | R | 2.4.2(c) |
| Sentencing - appeal - when varied (increasing or decreasing the sentence) - indictable | 406 | R | 2.4.2(c) |
| Vary sentence - power to - appeal - sentence - indictable | 406 | R | 2.4.2(c) |
| Section 691 to 695 CCC - leave to appeal - Supreme Court of Canada - indictable | 406 | R/B | 2.5 |
| Right of appeal - SCC - indictable | 406 | R/B | 2.5 |
| Appeal - SCC - indictable - restricted to questions of law | 406 | R/B | 2.5 |
| Sentencing - appeal - leave required for appeal to SCC | 406-407 | R-L | 2.5 |
| Appeal - indictable - leave required for appeal to SCC | 406-407 | R-L | 2.5 |
| Appeal - to Supreme Court of Canada - indictable | 406-407 | R-L | 2.5 |
| Supreme Court of Canada - appeal from indictable offence | 406-407 | R-L | 2.5 |
| Application for leave to appeal - Supreme Court of Canada - indictable | 407 | L/T | 2.5 |
| Leave to appeal - applications - Supreme Court of Canada | 407 | L/T | 2.5 |
| Summary conviction - appeal | 407 | L | 3 |
| Rights of appeal - summary conviction - ss. 813, 839 CCC | 407 | L | 3.1 |
| Summary Conviction - Rights of appeal - s. 813, 830 CCC | 407 | L | 3.1 |
| Section 813 CCC - Appeals - accused or Crown - Summary conviction | 407 | L | 3.1.1 |
| Appeal - summary conviction - 813 of CCC - broad right for accused | 407 | L | 3.1.1 |
| Appeal - Crown - summary conviction - questions of fact or mixed fact and law - 813 CCC | 407 | L | 3.1.1 |
| Section 830 CCC - Appeals - summary convictions - accused or Crown - narrow circumstances | 407 | L | 3.1.2 |
| Summary conviction - appeal - 830 of CCC - narrow circumstances | 407 | L | 3.1.2 |
| Appeal - summary - 830 of CCC | 407 | L | 3.1.2 |
| Appeal procedure - summary conviction | 407 | L | 3.2 |
| Procedure - appeals - summary conviction | 407 | L | 3.2 |
| Notice of appeal - summary conviction - Form 2 - SCJ rule 40.04(2) | 407 | L/B | 3.2.1 |
| Summary conviction - notice of appeal - Form 2 - SCJ rule 40.04(2) | 407 | L/B | 3.2.1 |
| Service - notice of appeal - summary conviction - 40.06 SCJ rules | 407 | R/T | 3.2.1 |
| Summary conviction - notice of appeal - Rule 40.06 SCJ Rules | 407 | R/T | 3.2.1 |
| Appeal - notice - summary - time frame - SCJ rule 40.05 - 30 days (possible extension) | 407 | L-R | 3.2.1 |
| Agreed statement of facts on appeal - summary conviction | 407 | R | 3.2.2 |
| Appeal - costs - statement of facts - summary conviction | 407 | R | 3.2.2 |
| Appeal - sentencing - plead not guilty - agreed statement of facts - summary conviction | 407 | R | 3.2.2 |
| Appeal - summary conviction - transcripts on | 407 | R | 3.2.2 |
| Appeal - transcripts - contents of - summary conviction | 407 | R | 3.2.2 |
| Appeal - transcripts - summary conviction - contents of | 407 | R | 3.2.2 |
| Certificate - court reporter - summary conviction - appeal | 407 | R | 3.2.2 |
| Certificate - Legal Aid - appeals and - summary | 407 | R | 3.2.2 |
| Costs awarded on appeal - statement of facts and - summary conviction | 407 | R | 3.2.2 |
| Court reporter - certificate of - summary conviction | 407 | R | 3.2.2 |
| Legal Aid Certificate - transcripts - appeals - summary conviction | 407 | R | 3.2.2 |
| Sentencing - appeal - plead not guilty - statement of facts - agreed - summary conviction | 407 | R | 3.2.2 |
| Statement of facts, agreed - transcripts and - appeal - summary conviction | 407 | R | 3.2.2 |
| Summary conviction - transcript on appeal | 407 | R | 3.2.2 |
| Transcript - appeal - summary conviction | 407 | R | 3.2.2 |
| Appeal book - summary conviction | 407 | R/B | 3.2.3 |
| Summary conviction - appeal book | 407 | R/B | 3.2.3 |
| Summary conviction - notice of appeal - time frame - SCJ rule 40.05 - 30 days (possible extension) | 407. | L-R | 3.2.1 |
| Youth - jurisdiction - murder | 407(R) |  | 2 |
| Appellant factum - appeal - summary conviction | 408 | L | 3.2.4 |
| Factum - appeal - summary conviction | 408 | L | 3.2.4 |
| Factum - appeal - maximum length - summary conviction | 408 | L | 3.2.4 |
| Appeal - factum - summary conviction | 408 | L | 3.2.4 |
| Respondent factum - appeal - summary conviction | 408 | L | 3.2.4 |
| Sentencing - appeal - factum - summary conviction | 408 | L | 3.2.4 |
| Service - factum - appeal - summary conviction | 408 | L | 3.2.4 |
| Summary conviction - factum -appeal | 408 | L | 3.2.4 |
| Appeal perfected - requirements - summary conviction | 408 | L | 3.2.5 |
| Perfecting appeal - summary conviction | 408 | L | 3.2.5 |
| Fixing date - hearing - appeal - summary conviction | 408 | L | 3.2.5 |
| Notice of hearing - summary conviction | 408 | L | 3.2.5 |
| Setting a date - hearing - appeal - summary conviction | 408 | L | 3.2.5 |
| Summary conviction - notice of hearing - appeal | 408 | L | 3.2.5 |
| Summary conviction - appeal -fixing hearing date | 408 | L | 3.2.5 |
| Summary conviction - appeal - local practices | 408 | L | 3.2.6 |
| Local practices - summary conviction - appeal | 408 | L | 3.2.6 |
| Appeal - summary conviction - time limits in hearing | 408 | L | 3.3 |
| Appeal - summary conviction - before single Judge SCJ | 408 | L | 3.3 |
| Appeal - summary conviction - where - SCJ | 408 | L | 3.3 |
| Jurisdiction - Summary conviction appeal - SCJ | 408 | L | 3.3 |
| Summary conviction - appeal - before Single judge SCJ | 408 | L | 3.3 |
| Superior Court of Justice - hearing - appeal - summary conviction | 408 | L | 3.3 |
| Appeal hearing - summary conviction - SCJ | 408 | L | 3.3 |
| Powers of appeal court - summary conviction | 408 | L | 3.4 |
| Summary conviction - appeals - powers of court | 408 | L | 3.4 |
| Section 813 CCC - appeal - summary conviction - powers of appeal court - indictable rules apply | 408 | L | 3.4.1 |
| Summary conviction - appeal - powers of court - indictable rules apply | 408 | L | 3.4.1 |
| Appeal - summary conviction - powers of court - indictable rules apply | 408 | L | 3.4.1 |
| Appeal - summary conviction - decision - 830 CC | 408 | L-R | 3.4.2 |
| Section 830 CCC - appeal - summary conviction - powers of appeal court - affirm, reverse, modify or remit back to trial | 408 | L-R | 3.4.2 |
| Summary conviction - appeal - decision - 830 CCC | 408 | L-R | 3.4.2 |
| Appeal - summary conviction - further appeal to OCA | 408 | R | 3.5 |
| Leave to appeal - Ontario Court of Appeal - when granted - summary conviction | 408 | R | 3.5 |
| s. 839 CCC - appeal - summary conviction - further appeals to OCA | 408 | R | 3.5 |
| Summary conviction - further appeals to OCA - s. 839 CCC | 408 | R | 3.5 |
| Mandatory driving prohibition - orders - stays pending appeal - s. 261 CCC | 408 | R/B | 4 |
| Stay of order - pending appeal - driving prohibition - summary conviction - 261 CCC | 408 | R/B | 4 |
| Victim fine surcharge - stay pending appeal - s. 683(5) CCC | 408 |  | 4 |
| Driving prohibitions - orders - stays pending appeal - 261 CCC | 408 | R/B | 4 |
| Appeal - stay of sentencing orders pending appeal - summary conviction | 408-409  B-Add 4-5 | R-L  B-T | 4 |
| Stay of orders - pending appeal - summary conviction - | 408-409  B-Add 4-5 | R-L  B-T | 4 |
| Summary conviction - appeal - stays of order | 408-409  B-Add 4-5 | R-L  B-T | 4 |
| Service - to Crown - seeking stay pending appeal - summary conviction - 2 days prior to app | 409 | L/T | 4 |
| Stay of order - pending appeal - service - summary conviction - 2 days prior to app | 409  B-Add 4 | L/T  B | 4 |
| Appeal - summary conviction - stay of orders pending appeal - s. 683(5) CCC or Rule 41 of SCJ Rules | 409  B-Add 4 | L  B | 4 |
| Service - stays of orders - summary conviction appeal - two days | 409 | L/T | 4 |
| Stay of orders - materials - summary conviction | 409 | L | 4 |
| Appeal - bail pending appeal | 409 | L-R | 5 |
| Bail pending appeal | 409 | L-R | 5 |
| Review convictions leading to imprisonment - s. 7 (Charter) principle of fundamental justice | 409 | L | 5 |
| Section 7 Charter - bail pending appeal | 409 | L | 5 |
| Indictable appeal - release pending - s. 679 CCC | 409 | R | 5.1 |
| Release pending indictable appeal - s. 679 CCC | 409 | R | 5.1 |
| s. 679 CCC - release pending appeal | 409 | R | 5.1 |
| Appeal - release pending indictable appeal - 679 CCC | 409 | R | 5.1 |
| Appeal - bail pending appeal - criteria - from conviction alone or conviction and sentence | 409 | R | 5.1.1 |
| Criteria - bail pending appeal - conviction alone or conviction and sentence - s. 679(3) CCC | 409 | R | 5.1.1 |
| Section 679(3) CCC - bail pending appeal - criteria | 409 | R | 5.1.1 |
| Bail pending appeal criteria - s. 679(3) CCC - appeal not frivolous, appellant will surrender, detention not necessary in the public interest | 409 | R | 5.1.1 |
| Appeal - bail pending appeal - criteria - appeal not frivolous | 409 | R/B | 5.1.1(a) |
| Appeal not frivolous - criteria - bail pending appeal - conviction alone/conviction and sentence | 409 | R/B | 5.1.1(a) |
| Bail pending appeal - not frivolous - criteria - conviction alone/conviction and sentence | 409 | R/B | 5.1.1(a) |
| Appeal - bail pending appeal - criteria - appellant will surrender | 410 | L/T | 5.1.1(b) |
| Appellant will surrender - criteria - grant bail pending appeal - conviction alone/conviction and sentence | 410 | L/T | 5.1.1(b) |
| Surrender - bail pending appeal - conviction alone/conviction and sentence | 410 | L/T | 5.1.1(b) |
| Circumstances warranting release - public interest - bail pending appeal - detention not necessary | 410 | L | 5.1.1(c) |
| Appeal - bail pending appeal - criteria - detention is not necessary in the public interest | 410 | L | 5.1.1(c) |
| Detention not necessary in public interest - criteria - bail pending appeal - conviction alone/conviction and sentence | 410 | L | 5.1.1(c) |
| Public interest - definition - bail pending appeal - showing detention not necessary | 410 | L | 5.1.1(c) |
| Appeal - bail pending appeal - sentence only - leave required | 410 | L-R | 5.1.2 |
| Bail pending appeal - sentence only - leave required | 410 | L-R | 5.1.2 |
| Bail pending appeal - sentence only - criteria | 410 | L-R | 5.1.2 |
| Criteria - granting bail pending appeal - sentence only appeals | 410 | R | 5.1.2 |
| Leave to appeal sentence - bail pending | 410 | L-R | 5.1.2 |
| Sentence only - appeal - bail pending | 410 | L-R | 5.1.2 |
| Criteria - bail pending appeal - sentence only - unnecessary hardship | 410 | R | 5.1.2(a) |
| Unnecessary hardship - criteria - bail pending appeal - sentence only appeals | 410 | R | 5.1.2(a) |
| Bail pending appeal - unnecessary hardship - sentence only | 410 | R | 5.1.2(a) |
| Application for bail pending appeal - materials | 410 | R | 5.1.3 |
| Bail pending appeal - procedure - materials | 410 | R | 5.1.3 |
| Obtaining bail pending appeal - procedure | 410 | R | 5.1.3 |
| Procedure for obtaining bail pending appeal | 410 | R | 5.1.3 |
| Service - bail pending appeal - to Crown | 410 | R | 5.1.3 |
| Bail pending appeal - service - 3 days prior to hearing of app | 410 | R | 5.1.3 |
| Service on Crown - application for bail pending appeal - 3 days prior to hearing of app | 410 | R | 5.1.3 |
| Time frame - service - bail pending appeal - 3 days prior to hearing of app | 410 | R | 5.1.3 |
| Appeal - bail pending appeal - before single judge - Court of Appeal | 411 | L/T | 5.1.4 |
| Bail pending appeal - hearing | 411 | L/T | 5.1.4 |
| Hearing - bail pending appeal - single judge of COA | 411 | L/T | 5.1.4 |
| Bail pending appeal - denied - expedited appeal hearing | 411 | L | 5.1.5 |
| Bail pending appeal - granted - recognizance | 411 | L | 5.1.5 |
| Bail pending appeal - granted - undertaking | 411 | L | 5.1.5 |
| Expedite hearing of appeal - when bail pending appeal denied | 411 | L | 5.1.5 |
| Undertaking - bail hearing - pending appeal | 411 | L | 5.1.5 |
| Appeal - bail pending appeal - orders granted by court | 411 | L | 5.1.5 |
| Recognizance - bail pending appeal - release granted | 411 | L | 5.1.5 |
| Release granted - bail pending appeal - different forms | 411 | L | 5.1.5 |
| Order for release from custody pending appeal | 411 | L | 5.1.5 |
| Altering order for release - bail pending | 411 | L | 5.1.6 |
| Bail pending appeal - altering order for release | 411 | L | 5.1.6 |
| Bail pending appeal - order - variation of | 411 | L | 5.1.6(a) |
| Bail pending appeal - altering the order - variation | 411 | L | 5.1.6(a) |
| Release from custody - bail pending appeal - variation of order | 411 | L | 5.1.6(a) |
| Variation of order - Release from custody - bail pending appeal | 411 | L | 5.1.6(a) |
| Appeal - bail pending appeal - order - extension of | 411 | L-R | 5.1.6(b) |
| Application for Extension of Order of release - bail pending appeal - materials | 411 | L-R | 5.1.6(b) |
| Bail pending appeal - altering the order - extension | 411 | L-R | 5.1.6(b) |
| Bail pending appeal - sunset clause | 411 | L-R | 5.1.6(b) |
| Extension of order of release - bail pending appeal | 411 | L-R | 5.1.6(b) |
| Sunset clause - appeal - bail granted - termination of release order | 411 | L-R | 5.1.6(b) |
| Termination of release order - extension - appeal | 411 | L-R | 5.1.6(b) |
| Bail pending appeal - order - review of order | 411  B-Add 5 | R  T | 5.1.6(c) |
| Bail pending appeal - altering the order - review | 411  B-Add 5 | R  T | 5.1.6(c) |
| Review of order - bail pending appeal | 411  B-Add 5 | R  T | 5.1.6(c) |
| Bail pending appeal - review of order - stages/test | 411 | R | 5.1.6.(c) |
| Indictable offences - bail pending appeal - order revoked | 411 | R | 5.1.6(d) |
| Release order - terms violated - revoked | 411 | R | 5.1.6(d) |
| Bail pending appeal - order - revocation of | 411-412 | R-L | 5.1.6(d) |
| Bail pending appeal - revocation of release order - warrant | 411-412 | R-L | 5.1.6(d) |
| Bail pending appeal - altering the order - revocation | 411-412 | R-L | 5.1.6(d) |
| Bail pending appeal - revocation of release order - warrant | 411-412 | R-L | 5.1.6(d) |
| Revocation of release order - bail pending appeal | 411-412 | R-L | 5.1.6(d) |
| Warrant - bail pending appeal - release order - revoked | 411-412 | R-L | 5.1.6(d) |
| Warrant for arrest - revocation of release order - bail pending appeal | 411-412 | R-L | 5.1.6(d) |
| Warrant of committal - Review hearing - bail order | 411-412 | R-L | 5.1.6(d) |
| Bail pending appeal - new trial | 412 | L | 5.2 |
| New trial ordered on appeal - bail pending new trial | 412 | L | 5.2 |
| Release - pending a new trial | 412 | L | 5.2 |
| s. 515, 522 CCC - bail pending new trial - post appeal | 412 | L | 5.2 |
| Bail pending appeal - summary conviction - release | 412 | L | 5.3 |
| Release - summary conviction - bail pending appeal | 412 | L | 5.3 |
| s. 816, 832(1) CCC - bail pending appeal - summary conviction | 412 | L | 5.3 |
| Summary conviction - appeal - bail pending | 412 | L | 5.3 |
| Bail application - prerequisite - notice of appeal | 412 | L | 5.3 |
| Notice of appeal - prerequisite - bail application | 412 | L | 5.3 |
| Criteria - appeal - release pending summary conviction - not frivolous, will surrender, not contrary to public interest | 412 | L | 5.3.1 |
| R v Simpson - Criteria - release pending summary conviction appeal - not frivolous, will surrender, not contrary to public interest | 412 | L | 5.3.1 |
| Summary conviction appeal -release pending - not frivolous, will surrender, not contrary to public interest | 412 | L | 5.3.1 |
| Bail pending appeal - summary conviction - criteria - R v Simpson - not frivolous, will surrender, not contrary to public interest | 412 | L | 5.3.1 |
| Bail pending appeal - summary conviction - criteria - sentence only | 412 | L | 5.3.1 |
| Summary conviction - bail pending appeal - criteria - sentence only | 412 | L | 5.3.1 |
| Service - application for bail pending appeal - summary conviction - 2 days prior to hearing app | 412 | R | 5.3.2 |
| Bail pending appeal - summary conviction - service - 2 days prior to hearing app | 412 | R | 5.3.2 |
| Summary conviction - bail pending appeal - service - 2 days prior to hearing app | 412 | R | 5.3.2 |
| Bail pending appeal - application record - summary conviction - Rule 42 of SCJ Rules | 412 | L-R | 5.3.2 |
| Bail pending appeal - procedure for obtaining bail - summary conviction - Rule 42 of SCJ Rules | 412 | L-R | 5.3.2 |
| Procedure for obtaining bail - pending appeal - summary conviction - Rule 42 of SCJ Rules | 412 | L-R | 5.3.2 |
| Application record - bail pending appeal - summary conviction | 412 | L-R | 5.3.2 |
| Appeal - judicial review - extraordinary remedies | 412 | R | 6 |
| Error of law - judicial review - extraordinary remedies | 412 | R | 6 |
| Jurisdictional error - judicial review - extraordinary remedies | 412 | R | 6 |
| Extraordinary Remedies - Judicial Review | 412 | R | 6 |
| Dagenais v Canadian Broadcasting Corp - judicial review - extraordinary remedies - interest of third party | 412 | R | 6 |
| Judicial review - extraordinary remedies - Dagenais v Canadian Broadcasting Corp - interest of third party | 412 | R | 6 |
| Judicial review - extraordinary remedies - R v Cunningham - lawyer not permitted to withdraw service | 412 | R | 6 |
| R v Cunningham - judicial review - extraordinary remedies - lawyer not permitted to withdraw service | 412 | R | 6 |
| Exceptional cases - Minister of Justice Review - post-appellant remedy - s. 696.1 CCC application - 696.4 ability to address | 412-413 | R-R | 7 |
| Inquiries Act - post-appellate remedies - minister of justice powers | 412-413 | R-R | 7 |
| Review - Minister of Justice - conviction - exceptional cases - 696.1 and 696.4 CCC | 412-413 | R-R | 7 |
| Review - Minister of Justice - dangerous, long-term offender - exceptional cases - 696.1 and 696.4 CCC | 412-413 | R-R | 7 |
| Minister of Justice - investigation - Inquiries Act | 413 | L-R | 7 |
| Minister of Justice - review - post-appellate remedies - s. 696.1 CCC | 413 | R | 7 |
| New trial - post-appellate remedies - minister of justice - exceptional cases - s 696.1 and s 696.4 CCC | 413 | R | 7 |
| New trial - review - conviction - post-appellate remedies - minister of justice - exceptional cases - s 696.1 and s 696.4 CCC | 413 | R | 7 |
| New trial - review - dangerous, long-term offender post-appellate remedies - minister of justice - exceptional cases - s 696.1 and s 696.4 CCC | 413 | R | 7 |
| Post-appellate remedies | 413 | R | 7 |
| Remedies - post-appellate | 413 | R | 7 |
| Aboriginal peoples - Jurisdiction (on reserve and off reserve) | 415 | L | 2 |
| Jurisdiction - Aboriginal peoples | 415 | L | 2 |
| Delgamuukw v British Columbia - application of Sparrow test | 415 | L | 2.1 |
| Aboriginal peoples - infringement - justification - R v Sparrow | 415 | L-R | 2.1 |
| Criminal law - Aboriginal peoples - jurisdiction - federal | 415 | L-R | 2.1 |
| Fiduciary duty - Aboriginal interests - Crown - criminal law | 415 | L-R | 2.1 |
| Aboriginal peoples - fiduciary duty - criminal law | 415 | L-R | 2.1 |
| R v Sparrow - two part test - justification - infringement of aboriginal rights | 415 | L-R | 2.1 |
| Sparrow test - justification - infringement of aboriginal rights | 415 | L-R | 2.1 |
| Aboriginal peoples - criminal law - federal jurisdiction | 415 | L-R | 2.1 |
| Constitution Act - Section 35 - Rights of Aboriginal peoples - treaty rights - no section 1 analysis | 415 | L | 2.1 |
| Federal jurisdiction - Aboriginal peoples - criminal law | 415 | L-R | 2.1 |
| Section 35 Constitution Act - Rights of Aboriginal peoples - treaty rights - infringement of by courts | 415 | L | 2.1 |
| Aboriginal peoples - non-status - jurisdiction - Daniels v Canada | 415 | R | 2.2 |
| Daniels v Canada - Metis/non-status - jurisdiction | 415 | R | 2.2 |
| Jurisdiction - Aboriginal peoples - Metis peoples - Daniels v Canada | 415 | R | 2.2 |
| Jurisdiction - Aboriginal peoples - non-status - Daniels v Canada | 415 | R | 2.2 |
| Metis peoples - jurisdiction - Daniels v Canada | 415 | R | 2.2 |
| Non-status - Aboriginal peoples - jurisdiction - Daniels v Canada | 415 | R | 2.2 |
| Provincial laws - Aboriginal peoples - application to - requirements | 415 | R/T | 2.2 |
| Aboriginal peoples - provincial laws - application to | 415 | R/T | 2.2 |
| Aboriginal peoples - Indian Act - provincial jurisdiction - s. 88 - applies only to status Indians | 415-416 | R-L | 2.2 |
| Indian Act - provincial jurisdiction - Aboriginal peoples | 415-416 | R-L | 2.2 |
| Indian Act - provincial jurisdiction - s. 88 - applies only to status Indians | 415-416 | R-L | 2.2 |
| Aboriginal peoples - Provincial jurisdiction | 415-416 | R-L | 2.2 |
| Provincial jurisdiction - Aboriginal peoples | 415-416 | R-L | 2.2 |
| Section 88 Indian Act - provincial laws - application | 415-416 | R-L | 2.2 |
| Advising the Aboriginal accused | 416 | L | 3 |
| Aboriginal peoples - Advising the aboriginal accused | 416 | L | 3 |
| Aboriginal peoples - Aboriginal and/or treaty rights - defence | 416 | L-R | 3.1 |
| Aboriginal rights - treaty rights - advising accused | 416 | L-R | 3.1 |
| Aboriginal peoples - costs of aboriginal and/or treaty defence | 416 | L-R | 3.1 |
| Costs - aboriginal/treaty rights defence | 416 | L-R | 3.1 |
| Aboriginal and/or treaty rights - defence | 416 | L-R | 3.1 |
| Treaty rights - Aboriginal peoples | 416 | L-R | 3.1 |
| Section 35 Constitution Act - Aboriginal and/or treaty rights - definition of aboriginal peoples | 416 | L | 3.1 |
| Aboriginals peoples - definition - section 35(2) Constitution | 416 | L | 3.1 |
| Quasi-criminal matters - effect of Indian Act | 416-417 | R-L | 3.2 |
| Jurisdiction - issues - Aboriginal clients | 416-417 | R-L | 3.2 |
| Jurisdictional issues - Aboriginal peoples | 416-417 | R-L | 3.2 |
| Aboriginal peoples - clients - jurisdictional issues | 416-417 | R-L | 3.2 |
| Reserve land - jurisdictional issues - charges | 416-417 | R-L | 3.2 |
| Evidence - seizure of property - Aboriginal peoples - exemption from for execution of civil judgment - does not apply for evidentiary purposes as part of criminal process | 417 | L | 3.2 |
| Indian Act - Section 89(1) - seizure of property - exemption from for execution of civil judgment - does not apply for evidentiary purposes as part of criminal process | 417 | L | 3.2 |
| Section 89(1) Indian Act - seizure of property - exemption from for execution of civil judgment - does not apply for evidentiary purposes as part of criminal process | 417 | L | 3.2 |
| Seizure of property - Aboriginal - Indian Act s. 89(1) - exemption from for execution of civil judgment - does not apply for evidentiary purposes as part of criminal process | 417 | L | 3.2 |
| Aboriginal peoples - seizure of property - Indian Act s. 89(1) - exemption from for execution of civil judgment - does not apply for evidentiary purposes as part of criminal process | 417 | L | 3.2 |
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| Exporting drugs - prohibition against - CDSA | 429 | R | 2.4 |
| Importing drugs - prohibition against - CDSA | 429 | R | 2.4 |
| Importing drugs - knowledge - element that must be proven | 429 | R | 2.4 |
| Knowledge of importing drugs - element that must be proven | 429 | R | 2.4 |
| Drug mules - wilful blindness v recklessness | 429-430 | R-L | 2.4 |
| Importing drugs - attracts high sentencing - CDSA | 429-430 | R-L | 2.4 |
| Controlled Drugs and Substances Act - s. 6(1) CDSA - importing and exporting | 429-430 | R-L | 2.4 |
| Drug mules - sentences - reducing | 430 | L | 2.4 |
| Drug mules - reducing sentence - factors | 430 | L | 2.4 |
| Marihuana - Medical Access Regulations - MMAR | 430 | L-R | 2.6 |
| Medical Marihuana - Medical Purposes Regulations - MMPR | 430 | L-R | 2.6 |
| Marihuana - medical purposes - regulations | 430 | L-R | 2.6 |
| Medical Access Regulations - Marihuana | 430 | L-R | 2.6 |
| Medical Purpose Regulations - Marihuana | 430 | L-R | 2.6 |
| Medical Marihuana - regulations - production | 430 | L-R | 2.6 |
| Medical Marihuana - R v. Smith - non-dried forms - ACMPR legislative response | 430 | L-R | 2.6 |
| R v. Smith - medical marihuana - non-dried forms - ACMPR legislative response | 430 | L-R | 2.6 |
| Medical Marihuana - Allard v. Canada - limits on licensed production violate s. 7 of the Charter - ACMPR legislative response | 430 | L-R | 2.6 |
| Allard v. Canada - medical marihuana - limits on licensed production violate s. 7 of the Charter - ACMPR legislative response | 430 | L-R | 2.6 |
| Medical marijuana - ACMPR - authorize production for personal use/allow designated person to produce | 430 | L-R | 2.6 |
| Access to Cannabis for Medical Purposes Regulations - authorize production for personal use/allow designated person to produce | 430 | L-R | 2.6 |
| Access to Cannabis for Medical Purposes Regulations - license to import or export | 430 | R | 2.6 |
| License to import or export - Access to Cannabis for Medical Purposes Regulations | 430 | R | 2.6 |
| ACMPR - license to import or export | 430 | R | 2.6 |
| Medical marihuana - license to import or export | 430 | R | 2.6 |
| Medical document - marihuana | 430 | R | 2.6 |
| Marihuana - medical document | 430 | R | 2.6 |
| Registration certificate - marihuana - not more than 1 year from date med doc signed (renewable) | 430 | R | 2.6 |
| Marihuana - registration certificate - not more than 1 year from date med doc signed (renewable) | 430 | R | 2.6 |
| Registration for production - marihuana - requirements | 430 | R | 2.6 |
| Marihuana - registration for production - requirements | 430 | R | 2.6 |
| Registration for production - marihuana | 430 | R | 2.6 |
| Marihuana - Registration for production | 430 | R | 2.6 |
| Controlled Drugs and Substances Act - s. 7(1) CDSA- production of substance | 430 | L | 2.5 |
| Production - prohibited substance - CDSA  SEE: CDSA | 430 | L | 2.5 |
| Production of drugs - definition - s. 7(1) CDSA | 430 | L | 2.5 |
| Section 7(1) CDSA - production of substance | 430 | L | 2.5 |
| Produce - definition - s. 2 CDSA | 430 | L | 2.5 |
| Definition - produce - s. 2 CDSA | 430 | L | 2.5 |
| Production of substance - prohibition - CDSA | 430 | L | 2.5 |
| Production - marijuana - license under Access to Cannabis for Medical Purposes Regulations | 430 | R | 2.5 |
| Controlled Drugs and Substances Act - s. 7.1(1) CDSA - possession for use in production or trafficking - meth or ecstasy | 430 | R | 2.7 |
| Possession for use in production or trafficking - Controlled Drugs and Substances Act - s. 7.1(1) CDSA - meth or ecstasy | 430 | R | 2.7 |
| Section s. 7.1(1) CDSA - possession for use in production or trafficking - meth and ecstasy | 430 | R | 2.7 |
| Controlled Drugs and Substances Act - Defences | 430-431 | R-L | 3 |
| Defence - drug prosecutions - CDSA | 430-431 | R-L | 3 |
| Defence - drug prosecutions - ss. 8-9 *Charter* | 430-431 | R-L | 3 |
| Charter - ss. 8-9 *Charter* - drug prosecutions - defences | 430-431 | R-L | 3 |
| Evidence - drugs or substances - obtained by undercover police officer (entrapment) | 430-431 | R-L | 3 |
| Entrapment - defences - drug prosecutions | 430-431 | R-L | 3 |
| CDSA - special procedural considerations | 431 | L | 4 |
| Bail - Controlled Drugs and Substances Act | 431 | L | 4.1 |
| Controlled Drugs and Substances Act - Bail | 431 | L | 4.1 |
| Bail - reverse onus - where maximum sentence is life | 431 | L | 4.1 |
| Reverse onus - bail - where maximum sentence is life - CDSA offences | 431 | L | 4.1 |
| Controlled Drugs and Substances Act - Proving the nature of the substance | 431 | L | 4.2 |
| Proving the nature of the substance - CDSA - certificate of analysis | 431 | L | 4.2 |
| Certificate of analysis - prove nature of substance | 431 | L | 4.2 |
| Controlled Drugs and Substances Act - Proceeds of crime | 431 | L | 4.3 |
| Forfeiture - proceeds of crime - Controlled Drugs and Substances Act | 431 | L | 4.3 |
| Proceeds of crime - CDSA - forfeiture | 431 | L | 4.3 |
| Controlled Drugs and Substances Act - s. 14 CDSA - Restraint orders - offence related property | 431 | L-R | 4.4 |
| Offence related property - restraint orders - s. 14 CDSA | 431 | L-R | 4.4 |
| Restraint orders - s. 14 CDSA - offence related property | 431 | L-R | 4.4 |
| Controlled Drugs and Substances Act - Sentencing | 431 | R | 5 |
| Sentencing - Controlled Drugs and Substances Act | 431 | R | 5 |
| Controlled Drugs and Substances Act - Sentencing - s. 10(1) CDSA - Principles and aggravating factors | 431 | R | 5.1 |
| Controlled Drugs and Substances Act - aggravating factors - sentencing | 431 | R | 5.1 |
| Aggravating factors - additional to CCC - s. 10(2) CDSA | 431 | R | 5.1 |
| Drug treatment court program - impact on sentence - CDSA | 431 | R | 5.1 |
| Sentencing - CDSA - aggravating factors | 431 | R | 5.1 |
| Sentencing - drug treatment court program- impact - CDSA | 431 | R | 5.1 |
| Controlled Drugs and Substances Act - drug treatment court program - sentencing | 431 | R | 5.1 |
| Notice - need not be written - possible mandatory minimum - CDSA - R v Alam - CDSA | 431 | R | 5.2 |
| R v Alam - notice - mandatory minimum - need not be written | 431 | R | 5.2 |
| Controlled Drugs and Substances Act - mandatory minimum - notice - need not be written - R v Alam | 431 | R | 5.2 |
| Mandatory minimum - CDSA - notice - need not be written - R v Alam | 431 | R | 5.2 |
| Controlled Drugs and Substances Act - Mandatory minimum sentences  SEE: chart 433-436 | 431-432 | R-L | 5.2 |
| Mandatory minimums - Controlled Drugs and Substances Act  SEE: chart 433-436 | 431-432 | R-L | 5.2 |
| Controlled Drugs and Substances Act - mandatory minimum - struck down - trafficking or possessing for purpose in place frequented by children - R v Dickey | 431-432 | R | 5.2 |
| Mandatory minimum - trafficking or possessing for purpose in place frequented by children - struck down - R v Dickey | 431-432 | R | 5.2 |
| R v Dickey - CDSA - mandatory minimums - struck down - trafficking or possessing for purpose in place frequented by children | 431-432 | R | 5.2 |
| Sentencing - CDSA - aggravating features | 432 | L | 5.2 |
| Controlled Drugs and Substances Act - sentencing- aggravating features | 432 | L | 5.2 |
| R v Lloyd - mandatory minimum - one year if previous drug offence conviction - violates s. 12 | 432 | L | 5.2 |
| Controlled Drugs and Substances Act - R v Lloyd - mandatory minimum - one year if previous drug offence conviction - violates s. 12 | 432 | L | 5.2 |
| Mandatory minimum - R v Lloyd - CDSA - one year if previous drug offence conviction - violates s. 12 | 432 | L | 5.2 |
| Controlled Drugs and Substances Act - Weapons prohibition - s. 109(1)(c) CCC | 432 | R | 5.3 |
| Weapons Prohibition - CDSA - s. 109(1)(c) CCC | 432 | R | 5.3 |
| Controlled Drugs and Substances Act - Forfeiture of offence-related property - sentencing | 432 | R | 5.4 |
| Application for forfeiture order - real property - Crown establish on BoP property is offence-related | 432 | R | 5.4 |
| Forfeiture application - CDSA - Crown establish on BoP property is offence-related | 432 | R | 5.4 |
| Forfeiture of offence-related property - CDSA - Crown establish on BoP property is offence-related | 432 | R | 5.4 |
| Offence-related property - definition - s. 2 CDSA - forfeiture under sentencing | 432 | R | 5.4 |
| Definition - offence-related property - CDS | 432 | R | 5.4 |
| Possession - CDSA offence - schedule, procedure, minimum penalty, maximum penalty | 433 | T | chart |
| Trafficking - CDSA offence - schedule, procedure, minimum penalty, maximum penalty | 433-434 | M-T | chart |
| Chart of Offences and Penalties - CDSA - | 433-436 |  | chart |
| Controlled Drugs and Substances Act - Chart of Offences and Penalties | 433-436 |  | chart |
| Importing/Exporting - CDSA offence- schedule, procedure, minimum penalty, maximum penalty | 434 | M | chart |
| Production - CDSA offence - schedule, procedure, minimum penalty, maximum penalty | 434-436 | B-T | chart |
| Possession of substance to be used in production - CDSA offence - schedules, procedure, minimum/maximum penalty | 436 | M | chart |
| Indictment - Direct Indictment - Increased Use - R v Jordan | B-Add 3 |  | 2.4.2 |
| Direct Indictment - Increased Use - R v Jordan | B-Add 3 |  | 2.4.2 |
| Direct Indictment - Delay - R v Jordan | B-Add 3 |  | 2.4.2 |
| Appeal - Indictable - Transcripts | B-Add 4 | M | 2.2.1(b) |
| Appeal - Transcripts - Contents of - Indictable appeals | B-Add 4 | M | 2.2.1(b) |
| Court reporter - certificate of -indictable appeals | B-Add 4 | M | 2.2.1(b) |
| Indictment - Appeal - transcripts on | B-Add 4 | M | 2.2.1(b) |
| Transcript - appeal - contents of - indictable | B-Add 4 | M | 2.2.1(b) |
| Transcript - appeal - indictment - indictable | B-Add 4 | M | 2.2.1(b) |
| Transcripts - appeal - indictable | B-Add 4 | M | 2.2.1(b) |
| Appeal factum - electronic copy - indictable | B-Add 4 | B | 2.2.1(d) |
| Electronic copy - appeal factum - indictable | B-Add 4 | B | 2.2.1.(d) |
| Stay of orders - indictable - pending appeal | B-Add 5 | T | 4 |
| Indictable - stay of order - pending appeal | B-Add 5 | T | 4 |