

Updated materials for review by roster members



(excerpt: new ORB materials for review; expanded general criminal materials for review)

Material for review by roster members authorized to provide legal aid services in Ontario Review Board matters

Legislation and Court and Tribunal Resources:

- Criminal Code Part XX.1 (Mental Disorder), as well as sections 16 and 2 of the Code;
- *Youth Criminal Justice Act* sections 34 and 146;
- *Mental Health Act* sections 21 and 22 (orders for a mental disorder examination);
- NCR and fitness hearings, treatment and “keep fit” orders, and applications to assess:
 - fitness to stand trial
 - not criminally responsible on account of mental disorder (NCR);
- Ontario Review Board (ORB) Rules of Procedure¹ ;
- Patient rights under the Ontario *Mental Health Act* (including Forms 1, 2, 6 and 8), *Health Care Consent Act*, *Personal Health Information Protection Act* and *Substitute Decisions Act*;
- The processes, programs and services of Mental Health Court and associated court support workers;
- *Criminal Code* Part XVII (Language of Accused), sections 530 - 533.

Community Resources:

- The availability of local resources, including alternative treatment options and the extent of institutional services; the Psychiatric Patient Advocate Office and other organizations such as ConnexOntario;

- General familiarity with the essential types of mental disorders so as to allow for the practical application in the law, including sufficient knowledge to allow for review of diagnostic tools, medical/expert evidence and mental health resources

Jurisprudence:

Roster members who are authorized to provide criminal mental health legal services must be familiar with significant leading and current criminal law jurisprudence.

The following list highlights several important cases that criminal mental health lawyers should review:

- **Disease of the mind and criminal responsibility:**
 - *Cooper v. The Queen* [1980] 1 S.C.R. 1149
 - *R. v. Swain*, [1991] 1 S.C.R. 933 (NCR)
- **Assessments**
 - *R. v. John Doe*, 2011 ONSC 92
 - *R. v. Sun*, [1999] O.J. No. 2821 (S.C.J.)
 - *R. v. Muschke* (1997), 121 C.C.C.(3d) B.C.S.C.
 - *R. v. Matthews*, 2014 CarswellOnt 15031 (C.J.)
 - *Phaneuf v. Ontario*, 2019 ONCA 901
- **Fitness**
 - *R. v. Taylor*, [1992] 77 C.C.C. (3d) 551 (Ont. C.A.)
 - *R. v. Whittle* (1994), 92 C.C.C. (3d) 11 (S.C.C.)
 - *R. v. Morrissey* 2007 ONCA 770
 - *R. v. Szostak*, 2012 ONCA 503
 - *R. v. Michael*, 2016 ONSC 2957
 - *R. v. Jaser*, 2015 ONSC 4729
 - *R. v. Walker*, 2019 ONCA 765
 - *R. v. Adam*, 2013 ONSC 373
 - *R. v. Bharwani*, 2023 ONCA 203
 - *R. v. Edwards*, [2020] O.J. No. 5207 (Ont.C.J.)
 - *R. v. Karimian-Kakolaki*, 2016 ONSC 8013

- **Treatment Orders**
 - *Fleming v. Reid* (1991), 4 O.R. (3d) 74
 - *Starson v. Swayze*, [2003] 1 S.C.R. 722 (S.C.C.)
 - *R. v. Walker*, 2016 ONSC 2299
 - *Centre for Addiction v. Mental Health v. R.*, 2014 SCC 60
- **Not Criminally Responsible**
 - *R. v. Szostak*, 2012 ONCA 503
 - *R. v. Dobson*, 2018 ONCA 589
 - *R. v. Bouchard-Lebrun*, 2011 SCC 58
 - *R. v. Stone* (1999), 134 C.C.C. (3d) 353 (S.C.C.)
 - *R. v. Cooper* (1980), 1 S.C.R. 1149
 - *R. v. Luedecke* (2008), 236 C.C.C. (3d) 317 (Ont.C.A.)
 - *R. v. Chaulk* (1990), 62 C.C.C. (3d) 193 (S.C.C.)
 - *R. v. Mann*, 2019 ONSC 1949
 - *R. v. J.F.*, 2019 ONCA 432
 - *R. v. Guidolin*, 2011 ONCA 264
 - *R. v. Richmond*, 2016 ONCA 134
- **Ontario Review Board case law**
 - *Mazzei v. British Columbia (Director of Forensic Psychiatric Services)* (2006), 206 C.C.C. (3d) 161 (S.C.C.)
 - *Winko v. British Columbia (Forensic Psychiatric Institute)*, [1999] 2 SCR 62521
 - *Pinet v. St. Thomas Psychiatric Hospital* [2004] 1 SCR 528
 - *R. v. Demers* (2004), 185 C.C.C. (3d) 257 (S.C.C.)
 - *R. v. Lynn*, 2020 ONSC 4581
 - *R. v. Raza*, 2017 ONSC 7090
 - *R. v. Owen*, 2003 SCC 33
 - *Penetanguishene Mental Health Centre v. Ontario (Attorney General)*, 2004 SCC 20
 - *R. v. Conway*, 2010 SCC 22
 - *Re Chaudry*, 2015 ONCA 317

- *Re Starz*, 2015 ONCA 318
- *Re Krivicic*, 2018 ONCA 535
- *Ontario (Attorney General) v. G.*, 2020 SCC 38
- *R. v. Breitwieser*, 2009 ONCA 784
- *Re Shortt*, 2020 ONCA 651
- *Re Ohenhen*, 2017 ONCA 960
- *R. v. Robertson*, 2011 ONSC 1945
- *Re Davies*, 2019 ONCA 738
- *Re Saikaley*, 2012 ONCA 92
- *Re Campbell*, 2018 ONCA 140
- *Re Tran*, 2020 ONCA 722
- *R. v. C.(M.L.)*, 2010 ONCA 843

High Risk Accused Designation

- *R. v. Carter*, 2015 CarswellOnt 15574 (Ont.C.J.)
- *R. v. Grant*, 2018 ONSC 3581

Material for review by roster members authorized to provide legal aid services in general criminal law matters

Legislation

Roster members should have knowledge of the following legislation:

Canadian Evidence Act

Cannabis Act

Contraventions Act

Controlled Drugs and Substances Act

*Criminal Code of Canada**

**be aware of language rights at Part XVII (Language of Accused), sections 530 - 533 Part XX.1 (Mental Disorder), as well as ss.16 and 2 of the Code;*

Canadian Charter of Rights and Freedoms

Corrections and Conditional Release Act and Regulations

Courts of Justice Act

Criminal Records Act and Regulations

DNA Identification Act

Extradition Act

Firearms Act
Highway Traffic Act
Identification of Criminals Act
Interpretation Act
Mental Health Act, sections 21 and 22 (orders for a mental disorder examination);
Mutual Legal Assistance in Criminal Matters Act
Prisons and Reformatories Act
Proceeds of Crime (Money Laundering) and Terrorist Financing Act
Provincial Offences Act
Seized Property Management Act (and Regulations)
Sex Offender Information Registration Act
Youth Criminal Justice Act, S.C. 2002, c.1, in particular:

- Preamble
- Section 3: principles
- Sections 1-12: unique definitions
- Section 25 - 33: right to counsel, notice to parents, attendance, bail
- Section 35: Referral to Child Welfare Agency
- Section 38-42: Sentencing provisions
- Section 48: reasons have to be given for sentence
- Section 55: Conditions that can be in the order
- Sections 59-60: sentence reviews
- Section 82: proper advice to young person after sentence
- Sections 114-120: primary records sections
- Sections 146- 147: statements

Court Rules

Criminal Rules of the Ontario Court of Justice
Criminal Proceedings Rules of the Superior Court of Justice
Criminal Appeal Rules
Ontario court protocols and practice directions

Significant Leading and Current Jurisprudence

Roster members who are authorized to provide criminal law services must be familiar with significant leading and current criminal law jurisprudence.

The following list highlights several important cases that criminal lawyers should review:

Classification of Offences and Trial Jurisdiction Election

-Summary Conviction/Indictable Proceedings

R. v. Dudley, 2009 SCC 58

Libman v. R., 1985 CanLII 51 ((S.C.C.))

Investigative Powers

Arrest

Fleming v. Ontario, 2019 SCC 45

R. v. Storrey, 1990 CanLII 125 (S.C.C.)

Entry of premises

R. v. Evans, 1996 CanLII 248 (S.C.C.)

Search and seizure

Hunter v. Southam Inc., 1984 CanLII 33 (S.C.C.)

R. v. Collins, 1987 CanLII 84 (S.C.C.)

R. v. Edwards, 1996 CanLII 255 (S.C.C.)

R. v. Belnavis, 1997 CanLII 320 (S.C.C.)

R. v. Telus Communications Company, 100 C.R. (6th) 290 (S.C.C.)

R. v. Jones, 2017 SCC 60

R. v. Patrick, 2009 SCC 17

Search warrants

R. v. Griffith, 2021 ONCA 302

R. v. Pileggi, 2021 ONCA 4

R. v. Debot, 1989 CanLII 13 (S.C.C.)

R. v. Brown, 2021 ONCA 119

R. v. Garofoli, 1990 CanLII 52 (S.C.C.)

R. v. Plant, 1993 CanLII 70 (S.C.C.)

R. v. Morelli, 2010 SCC 8

Blood samples

R. v. Laba, 1994 CanLII 41 (S.C.C.)

Review of search warrants

General warrant

R. v. Ha, 2009 ONCA 340 (Ont.C.A.), leave to appeal refused, 2009 CanLII 63926 (S.C.C.)

R. v. Villaroman, 2018 ABCA 220

Tracking Device Warrants

R. v. Wise, 1992 CanLII 125 (S.C.C.)

R. v. Edwards, 2014 ONSC 6323

Transmission Data Recorder Warrants

R. v. Cody, 2007 QCCA 1276

R. v. Nguyen, 2004 BCSC 76

DNA Warrants

R. v. Rodgers, 2006 SCC 15 *R. v. Beare*, 1988 CanLII 126 (S.C.C.)

Wiretaps

R. v. Garofoli, 1988 CanLII 3270, rev'd 1990 CanLII 52 (S.C.C.)

R. v. Dersch, 1990 CanLII 3820 (S.C.C.)

R. v. Crevier, 2015 ONCA 619

R. v. Green, 2015 ONCA 579 *R. v. Lising*, 2005 SCC 66

s.8 and 24(2)

Warrantless searches

R. v. Boulanger, 2022 SCC 2

R. v. Nolet, 2010 SCC 24

R. v. Canfield, 2020 ABCA 383

R. v. Vu, 2013 SCC 60

R. v. Fearon, 2014 SCC 77

R. v. Al-Askari, 2021 ABCA 204

R. v. Hudson, 2005 SCC 34

R. v. Caslake, 1998 CanLII 838 (S.C.C.)

R. v. Golden, 2001 SCC 83

R. v. Saeed, 2016 SCC 24

Investigation and questioning of suspects

R. v. Simpson, 1993 CanLII 3379 (Ont.C.A.)

R. v. Mann, 2004 SCC 52

R. v. Le, 2019 SCC 34

R. v. Thomson, 2020 ONCA 264

Voluntariness

R. v. Oickle, 2000 SCC 38 *R. v. Moore-McFarlane*, 2001 CanLII 6363 (Ont.C.A.)

Detention

R. v. Therens, 1985 CanLII 29 (S.C.C.)

R. v. Thomsen, 1988 CanLII 73 (S.C.C.)

R. v. Grant, 66 C.R.(6th) 1 (S.C.C.)

s.10(a) Rights

R. v. Evans, 1991 CanLII 98 (S.C.C.)

R. v. Borden, 1994 CanLII 63 (S.C.C.)

s. 10(b) (Right to Counsel)

R. v. Thompson, 2020 ONCA 264
R. v. Tutu, 2021 ONCA 805
R. v. Mann, 2021 ONCA 103
R. v. Brydges, 1990 CanLII 123 (S.C.C.)
R. v. Bartle, 1994 CanLII 64 (S.C.C.)
R. v. Prosper, 1994 CanLII 40 (S.C.C.)
R. v. Manninen, 1987 CanLII 67 (S.C.C.)
R. v. Willier, 2010 SCC 37
R. v. Sinclair, 2010 SCC 35
R. v. McCrimmon, 2010 SCC 36
R. v. Leclair, 1989 CanLII 134 (S.C.C.)

Right to silence

R. v. Hebert (1990), 77 C.R.(3d) 145 (S.C.C.)
R. v. Singh (2007), 51 C.R.(6th) 199 (S.C.C.)
R. v. McCrimmon, 2010 SCC 36
R. v. Sinclair, 2010 SCC 35
R. v. Henry, 2005 SCC 76 (1988), 68 C.R. (3d) 123 (Ont.C.A.)
R. v. Nedelcu, 2012 SCC 59
R. v. Noel, 2002 SCC 67

s.15 equality rights

Andrews v. Law Society of British Columbia, 1989 CanLII 2 (S.C.C.)

Pre-Trial Release

Bail Hearings

Antic, 2017 SCC 27
R. v. E.B., 2020 ONSC 4383
R. v. L.W.B., 2021 ONSC 6152
R. v. Ismail, 2020 ONSC 5519
R. v. Elliott, 2020 ONSC 2976
R. v. J.L., 2020 ONSC 3038

Bail Reviews

R. v. St-Cloud, 2015 SCC 27
R. v. Myers, 2019 SCC 18
R. v. Zora, 2020 SCC 14

Disclosure

R. v. Stinchcombe, 1991 CanLII 45, [1991] 3 S.C.R. 326
R. v. McNeil, 2009 SCC 3
R. v. Quesnelle, 2014 SCC 46
R. v. O'Connor, 1995 CanLII 51, 44 C.R.(4th) 1 (S.C.C.)
R. v. Mills, 1999 CanLII 637, 28 C.R.(5th) 207 (S.C.C.)

R. v. Carosella, 1997 CanLII 402, 4 C.R.(5th) 139 (S.C.C.)

Third Party Records

R. v. J.J., 2022 SCC 28

Preliminary Inquiries

Test on Committal

United States of America v. Shephard, 1976 CanLII 8 (SCC), [1977] 2 SCR 1067

R. v. Arcuri, 2001 SCC 54, 44 C.R.(5th) 213 (S.C.C.)

Mezzo v. R., 1986 CanLII 116, 52 C.R. (3d) 113 (S.C.C.)

R. v. Monteleone, 1987 CanLII 16, 59 C.R.(3d) 97 (S.C.C.)

R. v. Deschamplain, 2004 SCC 76, 196 C.C.C.(3d) 1 (S.C.C.)

R. v. Sazant, 2004 SCC 77

R. v. R.S., 2019 ONCA 906

Pre-trial Applications in Criminal Proceedings

Constitutional Applications

Challenging legislation (s.52(1))

R. v. Lloyd, 2016 SCC 13

R. v. Nur, 2015 SCC 15

R. v. Oakes, 1986 CanLII 46, 50 C.R.(3d) 1(S.C.C.)

R. v. Ferguson, 2008 SCC 6, [2008] 1 S.C.R. 96 (S.C.C.)

Ontario (Attorney General) v. G., 2020 SCC 38

Canada (Attorney General) v. Bedford, 2013 SCC 72, [2013] 3 S.C.R. 1101

Carter v. Canada (Attorney General), 2015 SCC 5, [2015] 1 S.C.R. 331

Court of Competent Jurisdiction (s.24)

Mills v. R., 1986 CanLII 17, 52 C.R. (3d) 1 (S.C.C.)

Mooring v. Canada (National Parole Board), 1996 CanLII 254 (S.C.C.)

R. v. Hynes, 2001 SCC 82 (S.C.C.)

Exclusion of Evidence (s.24(2))

R. v. Grant, 2009 SCC 32 (S.C.C.)

R. v. Harrison, 2009 SCC 34, 66 C.R.(6th) 105 (S.C.C.)

R. v. Suberu, 2009 SCC 33 (S.C.C.)

R. v. Collins, 1987 CanLII 84 (S.C.C.)

Applications to stay proceedings for unreasonable delay (s.11(b))

R. v. Jordan, 2016 SCC 27

R. v. K.G.K., 2020 SCC 7 (S.C.C.)

R. v. Ste Marie, 2022 SCC 3

R. v. Charity, 2022 ONCA 226

R. v Boulanger, 2022 SCC 2

Stay of Proceedings for Abuse of Process (s.24(1))

R. v. Zarinchang, 2010 ONCA 286 (Ont.C.A.) rev'g 2007, ONCJ 470 (Ont.C.J.)

R. v. Power, 1994 CanLII 126

Sentence Reduction

- *R. v. Nasogaluak*, 2010 SCC 6, 251 C.C.C.(3d) 293 (S.C.C.)

Mental Disorder

Assessments

R. v. John Doe, 2011 ONSC 92 (Ont.S.C.J.)

R. v. Capano, 2014 ONCA 599

Fitness to stand trial

R. v. Taylor, 1992 CanLII 7412, 17 C.R. (4th) 371 (Ont.C.A.)

R. v. Morrissey, 2002 CanLI 20074, 169 C.C.C.(3d) 256 (Ont.S.C.J.)

R. v. Bharwani, 2023 ONCA 203

R. v. Balliram, 2003 CarswellOnt 774 S.C.J.)

R. v. Walker, 2019 ONCA 765

R. v. Ta (2002), 164 C.C.C.(3d) 97 (Ont.C.A.)

Treatment Orders

Fleming v. Reid (1991), 4 O.R. (3d) 74

Starson v. Swayze, [2003] 1 S.C.R. 722 (S.C.C.)

R. v. Walker, 2016 ONSC 2299

Centre for Addiction v. Mental Health v. R., 2014 SCC 60

Defence of mental disorder/Not Criminally Responsible (NCR)

R. v. Swain, 1991 CanLII 104, 5 C.R. (4th) 253 (S.C.C.)

Winko v. British Columbia (Forensic Psychiatric Institute), 1999 CanLII 694, [1999] S.C.J. No. 31
R. v. J.F., 2019 ONCA 432

R. v. Szostak, 2012 ONCA 503

R. v. Dobson, 2018 ONCA 589

R. v. Stone (1999), 134 C.C.C. (3d) 353 (S.C.C.)

R. v. Cooper (1980), 1 S.C.R. 1149

R. v. Luedecke (2008), 236 C.C.C. (3d) 317 (Ont.C.A.)

R. v. Chaulk (1990), 62 C.C.C. (3d) 193 (S.C.C.)

R. v. Bouchard-Lebrun, 2011 SCC 58

R. v. Guidolin, 2011 ONCA 264

R. v. Richmond, 2016 ONCA 134

R. v. Pietrangelo, 2008 CarswellOnt 3286 (C.A.), application for leave to appeal to S.C.C. dismissed [2008] S.C.C.A. No. 309

R. v. Mann, 2019 ONSC 1949

Protected statements

R. v. G.(B.), 1999 CanLII 690, (1999), 135 C.C.C.(3d) 303 (S.C.C.)

Post-verdict sentencing

R. v. Priorello, 2012 ONCA 63

R. v. Batisse, 2009 CarswellOnt 580 (C.A.)

The trial

R. v. Garofoli, 1988 CanLII 3270 (Ont. C.A.), revd on other grounds 1990 CanLII 52 (S.C.C.).

R. v. T. (R.), 1992 CanLII 2834 (Ont. C.A.)

R. v. Davis, 2020 ONCA 326 (Ont. C.A.),

Expert evidence

R. v. Mohan, 1994 CanLII 80 (S.C.C.)

R. v. Abbey, 2009 ONCA 97

R. v. Abbey, 2017 ONCA 640

R. v. Sekhon, 2014 SCC 15

R. v. Graat, 2014 SCC 15

White Burgess v. Abbott and Haliburton Co., 2015 SCC 23

Confessions

R. v. Oickle, 2000 SCC 38

Charge to Jury

W.D., 1991 CanLII 93, 63 C.C.C.(3d) 397, 3 C.R.(4th) 302 (S.C.C.)

Directed verdicts

R. v. Rowbotham, 1993 CanLII 56, 85 C.C.C. (3d) 575n, additional reasons 1994 CanLII 93, 90 C.C.C. (3d) 449 (S.C.C.).

R. v. Charemski, 1998 CanLII 819, 123 C.C.C. (3d) 225 (S.C.C.).

Mistrial

R. v. Chiasson, 2009 ONCA 789

R. v. Burke, [2002] 2 S.C.R. 857

Section 276

R. v. Seaboyer, 1991 CanLII 76, 7 C.R.(4th) 117 (S.C.C.)

R. v. Darrach, 2000 SCC 46

R. v. R.V., 2019 SCC 41

Defences

Self defence (ss.34-42)

R. v. Khill 2021 SCC 37

R. v. Evans, 2015 BCCA 46

R. v. Bengy, 2015 ONCA 397
Green c. R., 2015 QCCA 2109

Consent

R. v. Jobidon

Lack of Mens rea

R. v. Zora, 2020 SCC 14

Intoxication

R. v. Brown, 2022 SCC 18

R. v. Sullivan, 2022 SCC 19

Corbett Applications

R. v. Corbett, 1988 CanLII 80, [1988] 1 SCR. 670

Confessions Rule

R. v. Oickle, 2000 SCC 38, [2000] 2 SCR 3

Sexual Offences

Capacity to Consent

R. v. Barton, 2019 SCC 33

R. v. J.A., 2011 SCC 28

R. v. G.F., 2021 SCC 20

R. v. C.P., 2021 SCC 19

Jury Selection

Chouhan, 2021 SCC 26

Trial Proceedings

Trial conduct

Boucher v. The Queen, 1954 CanLII 3, 110 C.C.C. 263 (S.C.C.)

Sentencing

Secondary consequences of guilty pleas/sentences

R. v. Quick, 2016 ONCA 95

R. v. Wong, 2018 SCC 25

Tran v. Canada (Public Safety and Emergency Preparedness), 2017 SCC 50, [2017] 2 S.C.R. 289

R. v. V.N., 2022 ONCA 31

Considerations for Racialized clients

R. v. Morris, 2021 ONCA 680

Indigenous Clients

For a detailed list, please refer to Gladue roster standards

R. v. Gladue, 1999 CanLII 679, [199] 1 S.C.R. 688

R. v. Ipeelee, 2012 SCC 13

R. v. Robinson, 2009 ONCA 205

R. v. Hope, 2016 ONCA 648

Availability of non-custodial sentences

Availability of Conditional Sentences

R. v. Sharma, 2022 SCC 39

Pre-sentence Credit

R. v. Summers, 2014 SCC 26

R. v. Duncan, 2016 ONCA 7540

R. v. Downes, 2006 CanLII 3957 (Ont. C.A.)

R. v. Marshall, 2021 ONCA 344

R. v. Safarzadeh Markhali, 2016 SCC 14

Kienapple v. R., 1974 CanLII 14, [1975] 1 SCR 729

R. v. Prince, 1986 CanLII 40

Indigenous Peoples and the Criminal Justice system

For more details, please refer to the section on *Gladue matters*

R. v. Gladue, 1999 CanLII 679, 133 C.C.C.(3d) 385 (S.C.C.)

R. v. Hope, 2016 ONCA 648

Dangerous Offenders

R. v. Boutilier, 2017 SCC 64

Post Sentencing

Parole Eligibility

Shropshire, 1995 CanLII 47, 102 C.C.C.(3d) 193, 43 C.R.(4th) 269 (S.C.C.)

Dell, 2018 ONCA 674, 364 C.C.C. (3d) 419, leave to appeal refused, [2018] S.C.C.A. No. 389

R. v. Liu, 2022 ONCA 460

Sexual Offender Information Registry

R. v. Ndhlovu, 2022 SCC 38

Human Trafficking

R. v. Reginald Louis Jean, 2020 ONSC 624 (Ont. S.C.J.)

R. v. Ahmed et al., 2019 ONSC 4822 (Ont. S.C.J.)

R. v. D'Souza, 2016 ONSC 2749 (Ont. S.C.J.)

R. v. Joseph, 2020 ONCA 733 (Ont. C.A.)

Youth Criminal Justice Act (YCJA) Matters

- *R. v. D.B.* [2008] 2 S.C.R. 3; 2008 SCC 25. – diminished moral culpability
- *R. v. B.W.P.*; *R. v. B.V.N.*, [2006] 1 S.C.R. 941. – general deterrence not applicable
- *R. v. L.T.H.* 2008 SCC 49. – enhanced protections for statements
- *R. v. A.M.*, 2008 SCC 19 – school searches allowed in some contexts
- *R. v. Jarvis*, 2019 SCC 10 – privacy rights of a youth at school
- *R. v. K.J.M.*, 2019 SCC 55 – s.11(b) in youth context
- *R. v. S.A.C.*, 2008 SCC 47 – custody gateway – when is custody an available sentence
- *R. v. R.D.* 2010 ONCA 899. – bail – what is a responsible person
- *L.S. v. N.B.* (2005), 195 C.C.C. (3d) 481. – special records protections –some explanation
- *Toronto Star Newspaper Ltd v. Ontario*, 2012 ONCJ 27. – no public access to specific records
- *R. v. T.B.-J.*, 2017 ONCA 746. – young person taking substantial rehabilitative efforts on their own
- *R. v. C.D.K.*, 2005 SCC 78
- *R. v. B-S.(T.)*, 2014 253
- *R. v. Okemow*, 2017 MBCA 59
- *R. v. A.A.Z.*, 2013 MBCA 33
- *R. v. M.W. and T.F.*, 2017 ONCA 22
- *R. v. Chol*, 2018 BCCA 179

Other Criminal Law Resources

E.G. Ewaschuk, *Criminal Pleadings and Practice in Canada, 3rd ed* (Toronto: Canada Law Book, 2022).

D. Tanovich et al., *McWilliam's Canadian Criminal Evidence, 5th ed* (Toronto: Canada Law Book, 2013, looseleaf updated).

D. Watt, *Watt's Manual of Criminal Evidence* (Toronto: Thomson Reuters Ltd., 2023).

C. Sproule, *Canadian Sentencing Digest* (Toronto: Carswell, 2019) (also available on Westlaw).

B. Jones et al., *Prosecuting and Defending Youth Criminal Justice Cases*, 2nd Edition (Toronto: Emond Publishing, 2019).

M. Bloomenfeld & P. Harris, *Youth Criminal Justice Act Manual* (Toronto: Thomson Reuters Ltd., 2023).

A. Szigeti and R. Dhand, *Law and Mental Health in Canada: Cases and Materials* (Toronto: LexisNexis Canada Inc., 2022)

J. Barrett and R. Shandler, *Mental Disorder in Canadian Criminal Law* (Toronto: Thomson Reuters Ltd., 2023)