Index

ADMINISTRATIVE TRIBUNALS	CONFERENCES
Access, 3:46, 3:47	Generally, 3:51
Appeals, 3:49	CONFIDENTIALITY, ORDER
Openness of, 3:50	Delayed reporting, potential for, 1:14
Privacy legislation and, 3:50	Discovery, effect on, 8:18
Publication bans, 3:48	Secrecy, challenging total, 8:20
CIVIL COURT PUBLICATION BANS	Variation of, 8:19
Arbitrations on appeal, 2:15	CONSTITUTIONAL VALIDITY OF
Commercial interests, protection of, 2:13 ,	BAN
3:10	Bail, 4:2
Dagenais/Mentuck test, 2:11	Delayed reporting and, 1:14
Implied undertaking rule, 2:12	Freedom of the press and, 1:14
Privileged information, 2:14, 3:10	Investigations, 4:36
CIVIL COURT STATUTORY BANS	Police complaints and discipline, 4:82
General, 3:1 to 3:28	Preliminary inquiry, 4:54
Alberta, 3:2	Section 486.4, 4:15
British Columbia, 3:3	Section 486.5, 4:18
Federal	Sex offences
Courts martial, 3:28	complainant, 4:8
Federal Court, 3:21	witnesses, 4:8
"counsel's eyes only" order, 3:24	Timeliness and, 1:14
immigration, 3:23	Youth crime, 5:13 , 5:14
legal tests, 3:22	CRIMINAL PUBLICATION BANS
timing of request, 3:25	Fair trial rights, 2:1, 2:2
Supreme Court of Canada, 3:20	Dagenais/Mentuck test, 2:1, 2:3
Tax Court, 3:27	jury considerations, 2:2
Manitoba, 3:4	Holdback information, 2:10
New Brunswick, 3:5	Personal safety
Newfoundland and Labrador, 3:6	informants and victims, 2:7
Northwest Territories, 3:7	prisoners and detainees, 2:8
Nova Scotia, 3:8	Section 486.4, 4:14
Nunavut, 3:7	Section 486.5, 4:17
Ontario, 3:9	Sex offences
commercial information, 3:10	complainants and witnesses
motions, 3:15	ban on accused's identity, 4:10
personal privacy, 3:11	child pornography cases, 4:13
privileged information, 3:10	consequences of breach, 4:12
sealing orders, 3:14	constitutional validity, 4:8
Prince Edward Island, 3:16	personal records, 4:23
Quebec, 3:17	scope of ban, 4:9
Saskatchewan, 3:18	sexual history, 4:22
Vukon 3.10	varying or revoking ban 4.11

CRIMINAL PUBLICATION BANS	CRIMINAL STATUTORY BANS
—Cont'd	—Cont'd
Undercover police operations	Mental disorder—Cont'd
operational methods, 2:5	publication bans, 4:71 , 4:72
police identities, 2:6	Pardon, 4:73
Witnesses, 4:5	Police complaints and discipline
Youth criminal justice proceedings, 4:6	constitutional validity, 4:82
CRIMINAL STATUTORY BANS	federal, 4:81
Charges	provincial, 4:80
information, 4:46	Pre-trial proceedings
pre-enqu?te or pre-inquiry, 4:47	bail, 4:48 to 4:52
Extradition	disclosure, 4:52.50
exclusion order, 4:79	preliminary inquiry, 4:53
publication bans, 4:78	wrongful convictions, 4:50.50
Investigations	Proceeds of crime
Dagenais/Mentuck test, 4:24	income tax information, disclosure,
intercepted private communications,	4:76
4:44, 4:45	legal expenses, 4:75
search warrants	money laundering, 4:77
generally, 4:25 to 4:42	security investigation, 4:77
CSIS, 4:26	terrorist financing, 4:77
detention of things seized, 4:40	Terrorist list, 4:74 Trials
investigative techniques	111415
generally, 4:32	exclusion orders
materials covered, 4:28	generally, 4:1 to 4:6 maintenance of order, 4:3
procedures, 4:35	
tax information, 4:38	proper administration of justice, 4:1
terms, 4:27	provincial offences, 4:4
jurisdictions	public morals, 4:2 witnesses, 4:5
provincial laws, 4:42	Victims, 4:83 to 4:85
sealing order	Youth crime, 5:1 et seq.
generally, 4:26	_
"any other sufficient reason,"	see Statutory bans
4:34	ELECTRONIC ACCESS
constitutional validity, 4:36	Blogs, 9:8
courts martial, 4:37	Freedom of expression, 9:1, 9:2
grounds, 4:29	Inside courtroom, 9:2
informant, 4:30	Ontario, 9:10
"innocent" persons, 4:33	Outside courtroom, 9:1
investigations, ongoing, 4:31	"Public" trial, 9:3
search information, ban on, 4:39	Recording for broadcast
termination or variation, 4:35.50	appellate court positions
terrorism investigative hearing, 4:43	federal, 9:5
Jury trials	provincial, 9:6
deliberations, 4:68	Canadian Bar Association, 9:7
jurors' identities, 4:67	Canadian Judicial Council, 9:7
voir dires, 4:62	trial courts, 9:4
Mental disorder	Recording for note-taking, 9:9
exclusion order, 4:70	Tweets, 9:8
CACIUSIOII OIUCI, 7./U	1 WCC13, 7.0

FAMILY PROCEEDINGS	INQUESTS AND INQUIRIES—Cont'd
Adoption	Public inquiries—Cont'd
access, 6:28	procedure, 3:38
publication bans, 6:29	standard of review, 3:39
Adult abuse and protection	JURIES
access, 6:24	Deliberations, 3:36
Manitoba, 6:26	Voir dire, 3:35
publication bans, 6:25	
Child abuse and protection	LIMITS
access, 6:15	Anonymity orders
child abuse registers, 6:19	generally, 1:13
offences, 6:18	openness, 1:6 to 1:13
publication bans, 6:16	practical, 1:3
records, 6:17	private hearings, 1:11
Child prostitution	publication bans, 1:7 to 1:10
access, 6:20	sealing orders, 1:12
publication bans, 6:21	OPEN COURTS
Family violence	
access, 6:22	Interest in
publication ban, 6:23	accused's interest, 1:2
Important cases, 6:1	practical limits, 1:3
Openness of proceedings	public interest, 1:1
Alberta, 6:2	PROCEDURE, DISCRETIONARY
British Columbia, 6:3	PUBLICATION BANS
Manitoba, 6:4	Accused
New Brunswick, 6:5	generally, 8:16
Newfoundland and Labrador, 6:6	collateral attack, relaxation of rule,
Northwest Territories, 6:7	8:17
Nova Scotia, 6:8	Crown, 8:16
Ontario, 6:9	media and other third parties, 8:15
Prince Edward Island, 6:10	Notice to media
Quebec, 6:11	consent orders, 8:13
Saskatchewan, 6:12	interim between notice and hearing,
Yukon, 6:13	8:12
FREEDOM OF EXPRESSION	jurisdictions
Delays and, 1:14	Alberta, 8:3
Media role in, 1:5	British Columbia, 8:7
Public interest in, 1:4	Manitoba, 8:9
Timeliness and, 1:14	Northwest Territories, 8:8
INQUESTS AND INQUIRIES	Nova Scotia, 8:5
Exhibits, 3:44	Ontario, 8:11
Fatalities	Prince Edward Island, 8:10
generally, 3:40 to 3:44	Saskatchewan, 8:6
access, 3:40	lower court authorities, 8:2
exhibits, 3:44	media standing, 8:14
publication bans, 3:43	Supreme Court of Canada authority,
Fires, 3:45	8:1
Public inquiries	victims, criminal code ban on, 8:4
generally, 3:37	witnesses, criminal code ban on, 8:4
generally, 3.31	withesses, criminal code ban on, 6:4

PUBLICATION BANS	PUBLICATION BANS—Cont'd
Access to trial exhibits	Witnesses, 4:5
copying and disseminating, 2:32, 2:33	Youth crime, 6:16
generally, 2:32	STATUTORY BANS
internet, 2:33	Administrative tribunals
lower court authority, 2:31	access
Supreme Court of Canada authority, 2:30	Charter right of public access, 3:47
Administrative tribunals, 3:48	statutory authority, 3:46
Adoption, 6:29	publication bans, 3:48
Adoption, 6:29 Adult abuse and protection, 6:25	statutory appeals, 3:49
Child prostitution hearing, 6:21	Business information
Child protection hearing, 6:16	protection of
Civil, see Civil court publication bans	court applications for investigations,
Criminal, see Criminal publication bans	7:5
Electronic dissemination, 1:9 , 1:10	court-ordered investigations, 7:6
Extradition, 4:78	financial institutions, 7:7
Family violence hearing, 6:23	patents, 7:8
Informer privilege	Civil courts, see Civil court statutory bans
existence of, 2:28	Criminal code, see Criminal statutory
open courts and, 2:27	bans 5.21
minimal intrusion, 2:29	Elections, 7:21 Extradition
Inquests and inquiries, 3:43	
Judicial councils, 3:32	exclusion order, 4:79
Jury trials, 4:71 , 4:72	publication bans, 4:78 Family proceedings, see Family proceed-
Mental disorder, 4:71 , 4:72	ings
Negative aspects, 1:8	Fatalities
Positive aspects, 1:8	access
Privacy	generally, 3:40
affidavit evidence, cross-examination	exhibits, 3:44
on, 2:26.50	media standing, 3:42
court authorities, 2:16, 2:17	procedure, 3:41
evidence, 2:26	publication bans, 3:43
lower court authority	fires, 3:45
accused, 2:20	public, 3:37
infants and mentally challenged,	Government held information
2:21	court review of access
involuntary litigants, 3:13	confidential documents, disclosure to
non-parties, 2:19	party counsel, 7:2
personal, 3:11	restrictions on public disclosure, 7:1
personal health records, 2:25.50	customs information, 7:3
professionals, 2:23	excise information, 7:3
victims, 2:18, 3:12	income tax information, 7:3
"vulnerable" persons, 2:22	Health information, personal
physician assisted death, 2:24	protection of, 7:4
recounts of votes, judicial, 2:25	Judicial councils
Supreme Court of Canada authority,	federally appointed judges, 3:30
2:16	provincially appointed judges
Types, general, 1:7	generally, 3:31 to 3:34
Victims, 4:83 , 4:85	access, 3:31

STATUTORY BANS—Cont'd STATUTORY BANS—Cont'd Judicial councils-Cont'd Taxes provincially appointed judges—Cont'd customs, 7:3, 7:19 Justices of the Peace in Ontario, 3:34 excise, 7:3, 7:19 publication bans, 3:32 income tax, 7:3, 7:19 Juries oil and gas royalties, 7:20 deliberations, 3:36 revenue taxes, 7:20 voir dires, 3:35 Youth crime National security criminal code and federal offences charities, 7:16 confidentiality requested by other non-disclosure than young person, 5:18 general legal proceedings, 7:13 constitutional validity, 5:13, 5:14 immigration proceedings, 7:14, 7:15 court records, 5:10 Private sector exclusion order, 5:1 protection of personal information, 7:4 offences, 5:15 Privileged information publication bans, 5:2 protection of parental responsibility, 5:20 public interest, 7:10 solicitor-client, 7:9 provincial and territorial offences, 5:19