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DISCLOSURE & PRODUCTION IN CRIMINAL CASES

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What's New in This Update

Updates to the Chapters 2, 3, 4, 5, 7 and 8.

Highlights

- **Remedies for Breach—Trial—Relationship to s. 11(b) of the Charter**—The Superior Court of Ontario found that key reason for delay was the Crown having divulged to defence counsel an unredacted version of an Information to Obtain that revealed identifying information about a confidential source—this disclosure prompted defence counsel to remove himself from the case, which in turn led to an adjournment of the trial to a date falling outside of the reasonable timeframe: *R. v. Desmond*, 2024 ONSC 6246 (Ont. S.C.J.).
- **Production of Confidential Third Party Records—Threshold Ruling with ss. 278.93, 278.94**—The court found that a public filing before the Human Rights Tribunal did not attract a reasonable expectation of privacy, and thus held it not to be subject to the requirements of s. 278.92 of the *Criminal Code*: *R. v. Gordones*, 2024 ONCJ 483 (Ont. C.J.).

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ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable