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<p style="text-align: center;">SANAGAN'S ENCYCLOPEDIA OF WORDS & PHRASES, LEGAL MAXIMS, CANADA (5th EDITION) Susan Donahue, B.A. (Hons.) LL.B. Release No. 3, March 2026</p>

What's New in this Update:

Sanagan's Encyclopedia of Words & Phrases compiles entries consisting of a summary of judicial comments and/or relevant questions relating to the particular word or phrase.

This release features new and updated judicial interpretations to Words & Phrases as found in recent case law affecting Letters A, B, C, D, E, F, H, I, K, Y and Z.

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Highlights:

- **CERTIFIED BY AN ANALYST—Supreme Court of Canada**—When s. 320.31(1)(a) [of the *Criminal Code*, R.S.C. 1985, c. C-46] is read in the context of ss. 320.34(1)(e) and 320.4(c), it is clear that Parliament intended the phrase “certified by an analyst” to carry the same meaning as “suitable for use”. Parliament has simply changed where the relevant wording is found, but has not changed the meaning of the provision. The textual difference between the current scheme and its predecessor is not a substantive change that requires the Crown to prove that the alcohol standard was certified through the analyst’s evidence: per Rowe and Moreau JJ. (Wagner C.J. and Karakatsanis, Martin, Kasirer, Jamal and O’Bonsawin JJ. concurring) at para. 112 of *R. v. Rousselle*, 2025 CarswellNB 576, 2025 CarswellNB 577, 2025 CSC 35, 2025 SCC 35, 2025 W.C.B. 1505 (S.C.C.).
- **EXTINCTIVE PRESCRIPTION —Supreme Court of Canada**—Extinctive prescription is described by the [*Civil Code of Québec*, L.Q. 1991, c. 64] as a means of “being released by the lapse of time” (art. 2875); as such, it brings about the extinction of a right owing to its non-use or allows for the raising of a peremptory exception to an action (art. 2921). Different periods for extinctive prescription are established by law to fit different circumstances, including differently sourced debts: per Kasirer J. (Wagner C.J. and Karakatsanis, Côté, Rowe, Martin, Jamal, O’Bonsawin and Moreau JJ. concurring) at para. 47 of *Mohawk Council of Kanesatake v. Sylvestre*, 2025 CarswellQue 10228, 2025 CarswellQue 10227, 2025 CSC 30, 2025 SCC 30 (S.C.C.).
- **FACILITATING—Supreme Court of Canada**—To obtain a conviction in respect of the inchoate offence under s. 171.1(1)(b) of the *Criminal Code* [R.S.C. 1985, c. C-46], the Crown had to prove that the appellant transmitted sexually explicit material “for the purpose of facilitating” one or more of the listed offences. It was not necessary to show that the appellant intended to commit one of the enumerated offences. This Court has held that “facilitating” means “helping to bring about” the child’s participation in prohibited conduct by “making [it] easier or more probable” that this will come about. It includes “grooming” the child by reducing their inhibitions or by exploiting their immaturity (see *R. v. Legare*, 2009 SCC 56, [2009] 3 S.C.R. 551, at para. 28): per Kasirer J. at para. 3 of *R. v. W.W.*, 2025 CarswellOnt 18771, 2025 CarswellOnt 18772, 2025 SCC 37, 2025 CSC 37, 2025 W.C.B. 1544 (S.C.C.).