

Publisher's Note

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CANADIAN CRIMINAL PROCEDURE

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What's New in this Update:

This release features updates to the case law and commentary in Chapter 1 (Classification of Offences), Chapter 3 (Arrest and Seizure of Property), Chapter 4 (Bail), Chapter 5 (The Preliminary Inquiry), Chapter 6 (Trial on Indictment), Chapter 8 (Sentencing), Chapter 9 (Appeals), and Chapter 10 (Extraordinary Remedies), including important new developments from the Supreme Court of Canada.

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Highlights include:

- **Trial on Indictment—XII. Adjournments—Trial Within a Reasonable Time**—The Supreme Court explained that case complexity can justify delay in excess of a Jordan ceiling through a two-stage analysis: *Vrbanic*, 2026 SCC 19; *Jacques-Taylor*, 2026 SCC 20.
- **Sentencing—X. Forfeiture—Forfeiture of Proceeds of Crime**—Forfeiture proceedings are distinct from criminal liability proceedings and do not engage double jeopardy protections as they do not involve charges or place liberty in jeopardy: *Nguyen*, 2026 SCC 10.
- **Arrest and Seizure of Property—I. Arrest—D. Arrest Without Warrant—Limitations on the Power of Arrest**—The Supreme Court was asked to consider the s. 495(2) and s. 495(3) powers of peace officers under s. 495(1) to make arrests without a warrant: *Carignan*, 2025 SCC 43.
- **Arrest and Seizure of Property—II. Search and Seizure of Property**—General Principles The scope of the common law “implied licence” which permits police to approach a dwelling to communicate with the occupant. Such conduct is not considered a “search” under s. 8 of the Charter as long as the police activity falls within a communicative purpose: *Silver*, 2026 SCC 8.

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, Table of Statutes 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
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