

Publisher's Note

2018 — Release 2

Previous release was 2018-1

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Trotter

The Law of Bail in Canada

This unique work provides comprehensive coverage of the *Criminal Code* bail provisions and the substantial body of case law interpreting those provisions with respect to police bail, bail hearings, bail review and forfeiture proceedings.

Release Highlights

- This release includes a new Section 9.2(b)(vi), “Bail and Sentencing — Pre-Sentence Custody and Sentencing — What Counts as PSC?” This section examines what periods of custody ought to be eligible for credit as PSC. The answer is most straightforward when an accused person is charged with one set of offences and detained in custody. When it comes time for sentencing, the principles discussed throughout Chapter 9 will be applied to that period of detention. However, many accused persons face multiple sets of charges, some occurring while released on bail, and resulting in a return to custody. The accused person may seek bail on the new set of charges and be unsuccessful. He or she may figure that it is futile to apply for bail again and decide not to seek release again. Bail on the previous set of charges may or may not be revoked. On top of all

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of this, not all of an accused person's charges may result in convictions. In these scenarios, if an accused person is found not guilty or the charges are withdrawn on the second set of charges, is he or she entitled to "use" the time spent detained on those charges when it comes time to be sentenced on the first set of charges?