# Table of Contents

PREFACE ................................................................. 1

PART ONE: Writs of Assistance ......................... 3

1. Introduction ......................................................... 5
2. The Writ as a Licence to Search without Warrant .... 10
3. The Writ of Assistance in Canada ...................... 13
   (a) Formal Modifications ..................................... 14
   (b) Writ Issuance Procedures .............................. 17
   (c) Substantive Modifications ............................ 21
4. The Writ as an Instrument
   of Unconstitutional Search and Seizure .............. 27
5. The Writ as an Affront to Common-Law Tradition .... 32
6. The Writ as an Unnecessary Instrument
   of Search and Seizure ....................................... 36
7. Conclusion and Recommendations ..................... 44

APPENDIX: Sample Writs of Assistance .............. 45

ENDNOTES ............................................................... 51

PART TWO: Telewarrants ................................. 77

1. Introduction ......................................................... 79
2. Recommendations and Commentary .................. 82

ENDNOTES ............................................................... 99

PART THREE: Summary of Recommendations ............ 103