

Publisher's Note

2018 — Release 8

Previous release was 2018-7

From Your Library:

John L. Gibson

Canadian Criminal Code Offences

This publication is an acclaimed practice manual for Crown counsel, defence counsel, judges and police. The manual brings together in one place essential information about more than 50 commonly charged *Criminal Code* offences. The offences are organized alphabetically into individual, tabbed chapters for immediate access. Each chapter contains the full text of the *Criminal Code* sections and any other statutory provisions that relate to the offence, available defences, the best wording of the charge, the elements to be proved, procedural considerations, up-to-date case law, recent, significant changes in the law, and forms.

This release features updates to the case law and commentary in the following chapters: 1 (Abduction), 2 (Accessory after the Fact), 12 (Conspiracy), 12A (Contempt of Court), 21 (False Pretenses), and 25 (Impaired, Over .08 and Refusal). As well, this release introduces new Chapter 27A (Indignities to Human Remains).

Release Highlights

New and significant case law discussed with this release includes the following:

Impaired, Over .08 and Refusal — Roadside Screening Demands — Conducting the Test “Forthwith” — According to Saskatchewan’s Court of Appeal, “the possibility that a driver has consumed alcohol within 15 minutes is not enough to negate the objective reasonableness of the officer’s reliance on

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an ASD fail to form her belief”: *R. v. Schlechter*, 2018 SKCA 45, 2018 CarswellSask 300 (Sask. C.A.).

New Chapter 27A centers on the indictable offences in the Code’s ss. 182 (Indignities to Human Remains) and 243 (Concealing the Body of a Child), with new commentary and precedents that include the following:

Charge precedents:

- Neglect in Disposition of Human Remains
- Indignities or Interference with Human Remains
- Concealing the Body of a Child

Commentary and case law discussing each of:

- Definitions: “Indignities”, “Offer indignity”, “Interference”, and “Dispose”
- Neglect of a Duty
- Mens Rea — Offering Indignities
- Offences Resembling Obstruction of Justice
- Concealing Body of a Child