

Publisher's Note

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CANADIAN CRIMINAL CODE OFFENCES

John L. Gibson

Release No. 6, July 2022

Publisher's Special Release Note 2021

The pages in this work were reissued in July 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the July 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

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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 Chapters 4 (Assault), 7 (Breach of Bail, Probation and Other Court Orders), 11 (Criminal Negligence), 13 (Dangerous Operation), 18 (Failure to Stop at Scene of Accident), 21 (Fraud), 23 (Impaired Operation of a Conveyance), 24 (Incest), 28 (Kidnapping and Unlawful Confinement), 30 (Murder and Manslaughter), 33 (Party Liability), and 34 (Perjury).

Release Highlights

New cases discussed with this release include the following:

- **Fraud** – British Columbia’s Court of Appeal upheld the fraud conviction of the translator who had slipped the correct examination answers to driver’s licence applicants – by effectively putting unqualified drivers on the road, the accused increased the risk of collisions caused by bad driving and, thereby, heightened the risk of economic loss suffered by the government-run vehicle insurance company: *R. v. Jamo*, 2022 BCCA 73, 2022 CarswellBC 434 (B.C. C.A.).
- **Murder and Manslaughter** – According to the Supreme Court of Canada, the defence of provocation may have no air of reality where the evidence establishes that the defendant had prepared to use force in advance of the provocative act: *R. v. Alas*, 2022 SCC 14, 2022 CarswellOnt 5265 (S.C.C.).

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 and Index are now in PDF with no searching and linking
- The now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages