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### WORKING MANUAL OF CRIMINAL LAW

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This manual summarizes the current law on issues arising in criminal practice. The expert commentary integrates the statutory provisions and case law relevant to a particular topic. The commentary is divided into six sections: defences, evidence, substantive offences, procedure, sentencing, and *Canadian Charter of Rights and Freedoms*. This publication facilitates preparation and is of assistance in the courtroom. Regular releases ensure that the text is current, accurate and reliable.

This release features updates updates to the case law and commentary in Chapters 1 (Defences) and 2 (Evidence).

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## Release Highlights

New entries introduced with this release include the following:

- **Defences – Entrapment – Constituent Elements: Reasonable Suspicion** – The Court of Appeal for Ontario found that, while the accused bears the onus of proving entrapment, the Crown must prove that, prior to the offer of opportunity to commit a crime, the police had a reasonable suspicion that the accused was already involved in criminal activity: *R. v. Krawczyk*, 2024 ONCA 196, 2024 CarswellOnt 3632 (Ont. C.A.).
- **Evidence – Video-Recorded Evidence – Pre-requisites to Admissibility: Adopts** – According to the Court of Appeal in British Columbia, where a child has sworn an affirmation instead of a promise to tell the truth as required by s. 16.1(2) of the *Canada Evidence Act*, the court may nevertheless find the child’s statement to be admissible, provided the circumstances of the case demonstrate that the affirmation could be seen as the functional equivalent of such a promise: *R. v. K.A.*, 2024 BCCA 251, 2024 CarswellBC 1908 (B.C. C.A.).