

Publisher’s Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

<p>CRIMES AGAINST CHILDREN Rebecca S. Zaretsky Release No. 4, October 2024</p>

What’s New in this Update:

This release features the addition of a new section 1:4 — Chronological Age — Which discusses Section 13 of the *Criminal Code*: Child Under Twelve with case law that makes clear that this section defines criminal culpability based on chronological age.

Highlights:

● **Part V. Miscellaneous Offences and Defences — Sentencing — Child Pornography** — The courts need to account for *Friesen* and the legislative increase to the maximum sentence, and also “exceptional circumstances” in *M.M.* warrants further clarification: *R. v. Pike*, 2024 ONCA 608.

THOMSON REUTERS®	Customer Support 1-416-609-3800 (Toronto & International) 1-800-387-5164 (Toll Free Canada & U.S.) E-mail CustomerSupport.LegalTaxCanada@TR.com
-------------------------	---

This publisher’s note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

● **Part V. Miscellaneous Offences and Defences — Sentencing — Child Pornography** — Good character, employment, and stigma are less significant factors in sentencing people who possess child pornography and cannot function as disguised class discrimination. Prior good character and employment receive only limited weight because many perpetrators are people of otherwise good character who secretly commit the offence, and possession usually involves repeated conduct over a significant period rather than an out-of-character isolated act, and it is very blameworthy for people of otherwise prior good character to fail to appreciate the wrongfulness of their actions: *R. v. M.V.*, 2023 ONCA 724.