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LAW OF FRAUD AND RELATED OFFENCES

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This work examines the complexities of criminal fraud together with the full range of related offences, including frauds in relation to the stock market and securities, fraudulent conveyances, fraudulent concealment and welfare fraud. This work will assist defence counsel, Crown prosecutors and trial judges in applying the principles of fraud, and the doctrines of mistake, recklessness and wilful blindness to fraud cases being adjudicated.

This release features new discussions on bust out fraud and the collection and presentation of evidence in fraud cases.

What's New in this Update:

THE CONCEPT OF FRAUD—OTHER CONSIDERATIONS—Fraud in the 21st Century—In Ontario, a recent arrest was made in a case of “bust out fraud”, a scheme where a perpetrator methodically builds a credit profile to obtain significant credit, then makes large purchases or cash advances with no intention of repaying. This type of fraud is challenging to prosecute due to the difficulty in proving the intent to default on the credit obtained. The suspect in the 2024 case allegedly accrued over one million dollars in purchases, and such cases are expected to rise alongside increasing identity thefts and data breaches.

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THE CONCEPT OF FRAUD—OTHER CONSIDERATIONS—Fraud in the 21st Century—Cryptocurrency has introduced new challenges in fraud cases, as evidenced in *R. v. Holtby*, 2023 CarswellBC 1974, where a judge acknowledged the difficulty of tracing and establishing control over digital assets. Authorities are urged to adapt to these challenges without compromising the burden of proof. As cryptocurrency becomes more prevalent in legal proceedings, adjustments in evidence collection, expert testimonies, and potentially legislative changes are being considered to effectively manage such cases.

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 Table of Contents 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