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## CRIMINAL CODE DRIVING OFFENCES

McLeod, Takach, Segal Release No. 10, October 2025

## What's New in this Update:

This release features updates to Chapters 2 and 5.

## **Highlights**

• The Offence of Dangerous Operation (Driving)—Sentencing—Dangerous Driving Causing Bodily Harm—As a nineteen-year-old, the accused was speeding at 200 kph when his vehicle rammed into the back of another driver's vehicle. The accused's BAC readings were 96 and 89, but he pleaded guilty and had no record and was of good character, pursuing schooling and employment. The other driver suffered a brain injury, with ongoing effects years after the collision. The court found a conditional discharge not to be appropriate in this instance, and sentenced the accused to 16 months and imposed a five-year driving prohibition: *R. v. Jaison*, 2025 CarswellOnt 11585, 2025 ONSC 3661 (Ont. S.C.J.).

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• Driving while Disqualified—Sentencing: ss. 320.19(5); 320.24(4), (5), (9), (10)—The 32-year-old Indigenous accused pleaded guilty to several offences, including dangerous driving causing death, failing to remain, and driving while prohibited. His record included 58 convictions between 2011 and 2022, for offences such as flight from police, driving while disqualified, dangerous driving, and drug offences, and his licence had been suspended indefinitely since 2016. Having considered his challenging life and addictions to alcohol and drugs, the court sentenced the accused to a global sentence of 849 days, less pre-trial custody, and imposed a DNA order and a three-year prohibition order: *R. v. Johnny*, 2025 CarswellBC 1999, 2025 BCPC 119 (B.C. Prov. Ct.).