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**1. Charge to Jury: SCC**

A narrow majority of the Supreme Court (5-4) held in [R. v. Daley](#), 2007 SCC 53 that the preferable approach in charging a jury with respect to intent where an intoxication defence has been raised is the one-step approach taken by the trial judge, focusing only on "...whether the accused possessed actual intent." The Court dismissed the appeal of the jury's guilty verdict.

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**2. Right to Counsel: MBCA**

In [R. v. M. \(E.A.D.\)](#), 2007 MBCA 158 (CanLII), the court considered an appeal from a conviction for failure to comply with an undertaking. The appellant argued that his right to counsel was breached, in that he was not provided prompt access to counsel before he was provided with a Young Person Waiver Form to complete. In dismissing the appeal, the court found that:

In the circumstances of this case, because the accused, immediately upon arrest, indicated his desire to speak to counsel it would have been preferable if that opportunity had been provided to him shortly after his arrival at the police station and prior to the completing of the waiver form. The failure to do so, however, is not critical in this case because nothing meaningful or prejudicial to the accused's interests occurred before he was provided access to counsel during the waiver form procedure. The principle set out in *Manninen* was not breached because the accused was provided with access to counsel before he was questioned or otherwise provided evidence.

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**3. Update on Criminal Code Amendments**

[Bill C-2](#), *An Act to amend the Criminal Code and to make consequential amendments to other Acts (Tackling Violent Crime Act)* has received 2nd Reading in the Senate and is now before the Senate Legal and Constitutional Affairs Committee. [Bill C-13](#), *An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)* is in debate before the Senate, preceding 3rd reading.

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**4. Amendments to Manitoba's Criminal Property Forfeiture Act**

Manitoba introduced Bill 14, [The Criminal Property Forfeiture Amendment Act](#) on December 6, 2007. The amendments would make changes to administrative procedures under [The Criminal Property Forfeiture Act](#), C.C.S.M. c.C306 and would change how applications to forfeit property are conducted.

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