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Legal Brief*

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Participating in an Offence: Encouraging and Aiding

John, Felix and Annabelle are talking to each other as they leave school. Felix is thinking about stealing a bag of chips from the local convenience store.

John encourages him to do it and then leaves to go home.

Felix and Annabelle enter the convenience store. They agreed that Annabelle would chat with the clerk to distract him while Felix hid a bag of chips in his bag. As the two teenagers are about to leave, police officers, who have been alerted by the clerk, arrive on the scene.

Can Annabelle be charged with theft even if she only distracted the convenience store clerk?

What about John?

Both of them can be charged since they participated in the theft. Indeed, a person may be found guilty of an offence in any of the following cases:

They actually commit it (Felix).

They do or omit to do anything for the purpose of aiding any person to commit it (Annabelle).

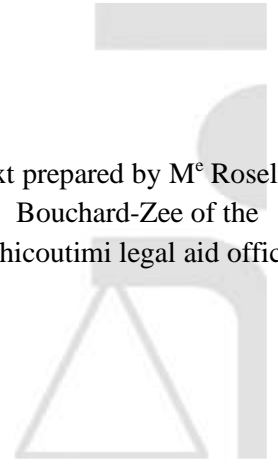
They abet (encourage) any person in committing it (John).

If you have any questions about this, don't hesitate to contact a legal aid lawyer.

Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you.

To find the contact information for your legal aid office, please visit our website at www.csj.qc.ca.

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* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.