Publisher's Note

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SEXUAL OFFENCES IN CANADIAN LAW

By: Hamish C. Stewart Release No. 2, August 2025

What's New in this Update:

This release features updates to case law and commentary in Chapters 3 (Sexual Assault), Chapter 4 (Offences Involving Children), 6 (General Rules of Evidence), 7 (The Rules of Evidence in Sexual Cases: Historical Background), 8 (Rules Protecting the Complainant), 9 (Sentencing) and 10 (DNA Identification, Registration of Sexual Offenders and Prohibition Orders). Important cases to note include:

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Highlights

- Rules Protecting the Complainant The Sexual History of the Complainant Evidence of the Complainant's Prior Sexual Activity Led by the Crown The Supreme Court's groundbreaking ruling establishing a new two-stage procedure for Crown-led evidence of a complainant's sexual history: *R. v. Kinamore*, 2025 SCC 19.
- Rules Protecting the Complainant Introduction Generally The Ontario Court of Appeal confirmed that s. 276 does not categorically apply to sexual services offences: *R. v. A.M.*, 2024 ONCA 661.
- DNA Identification, Registration of Sexual Offenders, and Prohibition Orders IV. Prohibition Orders Prohibition Orders Under Section 161 A judge has jurisdiction to impose a prohibition order only in relation to places specified in s. 161 itself: *R. v. Veringa*, 2024 BCCA 295.