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CANADIAN CRIMINAL CODE OFFENCES

John L. Gibson

Release No. 7, October 2025

This publication is an acclaimed practice manual for Crown counsel, defence counsel, judges and police. The manual brings together in one place essential information about more than 50 commonly charged *Criminal Code* offences. The offences are organized alphabetically into individual, tabbed chapters for immediate access. Each chapter contains the full text of the *Criminal Code* sections and any other statutory provisions that relate to the offence, available defences, the best wording of the charge, the elements to be proved, procedural considerations, up-to-date case law, recent, significant changes in the law, and forms.

This release features updates to the commentary and case law in the following chapter: 39 (Sexual Assault).

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Release Highlights

New cases discussed with this release include the following:

- **Sexual Assault** – According to the Supreme Court of Canada, sexual inactivity and the complainant’s communications of general disinclination to engage in sexual activity with the defendant qualifies as evidence of “sexual activity” for the purpose of s. 276(1) of the *Criminal Code* and the common law: *R. v. Kinamore*, 2025 SCC 19, 2025 CarswellBC 1704 (S.C.C.).
- **Sexual Assault** – The Court of Appeal for Ontario found the trial judge to have erred by relying on the inference that no real victim of sexual assault would return to sleep alongside the defendant in the same bed where he had allegedly assaulted her: *R. v. Singh*, 2025 ONCA 460, 2025 CarswellOnt 10241 (Ont. C.A.).

ProView Developments

Your ProView edition of this product now has a new, modified layout:

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- 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
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