

**UNIFORM LAW CONFERENCE OF CANADA
CRIMINAL SECTION RESOLUTIONS
August 2025**

Results of votes are listed as (Votes in Favour) – (Votes Opposed) – (Abstentions)

Alberta

AB2025-01

It is recommended that the restriction on the mistake of age defence in subsection 150.1(5) of the *Criminal Code* be amended to include the trafficking of persons under the age of eighteen offences (ss. 279.011, 279.02(2) and 279.03(2)).

Carried: 25-4-5

AB2025-02

That Justice Canada, in consultation with the Provinces and Territories, examine the DNA regime to determine whether the definition of “primary designated offence” in section 487.04 of the *Criminal Code* should be:

- 1) harmonized with the offences set out under paragraph 109(1)(b) (mandatory weapons prohibition order), and
- 2) amended to add certain other firearms offences.

Carried as amended: 22-0-11

AB2025-03

Subsection 516(2) of the *Criminal Code* should be amended to include proceedings under subsection 503(3).

Carried: 30-1-1

British Columbia

BC2025-01

That Justice Canada, in consultation with provinces and territories, review section 810.03 of the *Criminal Code* with a view to amendments to align its procedural provisions with those in section 810.

Carried: 28-4-1

BC2025-02

That *Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited or Restricted*, SOR/98-462 be amended to redefine “Brass Knuckles” to include weapons not made of metal.

Carried: 27-2-3

BC2025-03

That Justice Canada review the *Youth Criminal Justice Act* with a view to amendments to address the access period for police records of investigations into young persons where no charges have been laid, and which have not been dealt with by extra judicial sanctions.

Withdrawn

Canada

Canada – Canadian Bar Association

Can-CBA2025-01 / Can-ABC2025-01

That Justice Canada, in consultation with the provinces and territories, consider amending section 718.2 of the *Criminal Code* to add a principle that the use of custody cannot be a substitute for mental health or other social measures.

Withdrawn after discussion

Canada – Public Prosecution Service of Canada

Can-PPSC2025-01 / Can-SPPC2025-01

That Justice Canada consider legislative amendments to address the issue of smuggling unauthorized items into correctional institutions, which may include:

- creating a new offence applying to this conduct; and
- enacting reforms to improve the ability of correctional services to investigate smuggling offences.

Carried as amended: 25-3-1

Can-PPSC2025-02 / Can-SPPC2025-02

That Justice Canada study, in consultation with the provinces and territories, amending section 348 of the *Criminal Code* to include a summary conviction offence.

Carried as amended: 29-1-3

Manitoba

MB2025-01

That section 722 of the *Criminal Code* be amended to clarify:

- a) whether improper content in a victim impact statement should be redacted before the statement is filed as an exhibit with the court; and
- b) if it should, whose responsibility it would be to do so.

Carried as amended: 16-9-11¹

New Brunswick

NB2025-01

That the French version of subparagraph 561(1)(b)(ii) of the *Criminal Code* be amended to reflect the English version of the text and specify that consent of the prosecutor be written.

Carried: 33-0-0

Newfoundland and Labrador

NL2025-01

That Justice Canada consider amending section 2 of the *Criminal Code* so that both the Supreme Court of Newfoundland and Labrador and the Court of Appeal (NL) are included as superior courts of criminal jurisdiction.

Carried as Amended: 28-0-2

Nova Scotia

NS2025-01

That Justice Canada, in consultation with the provinces and territories, review the structure of the offence elements and sentencing provisions of the fraud offence in the *Criminal Code* (s. 380) with a view of providing increased flexibility to account for the wide range of criminal conduct covered by this section, particularly in relation to paragraph 380(1)(a).

Carried as Amended: 34-0-0

¹ Resolution passed pursuant to a jurisdictional vote

NS2025-02

That section 753(1)(a) of the *Criminal Code* be amended by adding the underlined phrase as follows:

“...(a) that the offence for which the offender has been convicted is a serious personal injury offence described in paragraph (a) of the definition of that expressions in section 752, or an offence under subsection 753.3(1) committed while the offender was subject to a long-term supervision order, and the offender constitutes a threat to the life, safety or physical or mental well-being of other persons on the basis of evidence establishing....”.

And that section 753(1)(b) of the *Criminal Code* be amended by adding the underlined phrase as follows: “...(b) that the offence for which the offender has been convicted is a serious personal injury offence described in paragraph (b) of the definition of that expression in section 752, or an offence under subsection 753.3(1) committed while the offender was subject to a long-term supervision order, and the offender by his or her conduct in any sexual matter including that involved in the commission of the offence for which he or she has been convicted, has shown a failure to control his or her sexual impulses and a likelihood of causing injury, pain or other evil to other persons through failure in the future to control his or her sexual impulses.”

Withdrawn

Ontario

ON2025-01

That the *Criminal Code* be amended to criminalize the possession, distribution, and making available of specialized tools – such as 3D printers and metal milling machines – when such tools are possessed, distributed, or made available for the purpose of manufacturing or trafficking a firearm or prohibited device unlawfully.

Defeated: 12-16-4

ON2025-02

That Justice Canada, in consultation with the provinces and territories, study the possibility of amending the *Criminal Code* to expand the use of *in absentia* proceedings for transnational financial crimes in exceptional circumstances while maintaining necessary and appropriate safeguards for accused persons.

Carried as amended: 16-4-10

ON2025-03

That Justice Canada, in consultation with the provinces and territories, review section 525 of the *Criminal Code* and consider amendments, including to clarify the onus that applies at the hearing.

Carried as amended: 32-0-2

ON2025-04

That the *Criminal Code* be amended to increase the maximum sentence for exposure (s. 173(2)) when prosecuted by indictment and on summary conviction.

Carried: 25-2-6

ON2025-05

That the *Criminal Code* should be amended to ensure that a *Sex Offender Information Registration Act* (SOIRA) order may be imposed in all cases where a person has committed a first degree murder involving a sexual assault (ss. 231(5)(b), 231(5)(c), 231(5)(d)).

Carried: 22-7-3

Saskatchewan

SK2025-01

Withdrawn after discussion²

SK2025-02

It is recommended that Parliament amend the *Criminal Code* to provide that a person found guilty of an offence under section 708 is liable to the maximum penalties prescribed by s. 787.

Carried: 21-9-2

SK2025-03

That subsection 320.24(4) of the *Criminal Code* should expressly include the offences of manslaughter and criminal negligence causing death or bodily harm when committed by means of a motor vehicle.

Carried: 27-1-4

² A correction was desired to be made to SK2025-01 after it had already been voted on by ULCC delegates. With unanimous consent of ULCC delegates, SK2025-01 was withdrawn notwithstanding the original vote on the resolution. A motion was then brought to allow the Jurisdictional Representative from Saskatchewan to bring forward a resolution from the floor, which passed (32-0-0). The corrected resolution was then brought forward as SK2025-03. To reduce confusion, only SK2025-03 is reported in this document.

Quebec

QC2025-01

That Justice Canada review the definition of « public place / endroit public » in section 150 of the *Criminal code* with a view of better harmonizing the English and French versions.

Carried as amended: 33-0-1

QC-AQAAD2025-01

That Justice Canada bring to the attention of the Department of Citizenship and Immigration Canada, the need for an amendment to the French version of paragraphs 36(1)(a), (b), 36(2)(a) and (b) of the *Immigration and Refugee Protection Act* to clarify that inadmissibility applies in the event of a conviction (for example, by replacing “déclaré coupable” with “condamné” as the English version uses “convicted”).

Carried as amended: 30-0-2

QC2025-02

That Justice Canada, in consultation with the provinces and territories, study the order revocation regime set out in subsections 730(4) and 732.2(5) of the *Criminal Code* to make it more effective and useful.

Carried as amended: 17-5-9

QC-AQAAD2025-02

It is therefore recommended that the following provision be added to the *Evidence Act*:

In criminal or penal proceedings, an apology by the accused cannot constitute a confession.

Nor may it be admitted in evidence or have any bearing on the determination of guilt.

An apology includes any express or implied expression of sympathy or regret.

Withdrawn after discussion

QC2025-03

We recommend that section 479 of the *Criminal Code* be amended to include the possibility of a judicial district transfer without the need for a guilty plea. We also recommend that this possibility be sufficiently circumscribed to respect the spirit of the section. It could be specified that a transfer of judicial district without a guilty plea is only possible in cases where the accused is participating in a program adopted under sections 717 and following of the *Criminal Code*.

Withdrawn

QC2025-04

That Justice Canada, in consultation with Health Canada, consider creating a general offence of unauthorized sale of cannabis regardless of the age of the purchaser and retain the equivalent of the current regime for sale to an individual under the age of eighteen and for sale to an organization.

Carried as amended: 24-0-6

QC2025-05

That Justice Canada, in consultation with the provinces and territories, study the possibility of amending the *Criminal Code* to add a new provision granting a provincial court judge, exercising jurisdiction under Part XIX of the *Criminal Code*, the power to declare a provision of the *Criminal Code* unconstitutional, in order to address the issue raised in *Denis v. R.*, 2024 QCCA 647, paras 60-68.

Withdrawn after discussion

REPORTS

Criminal Section Working Group Reports

Working group on the restriction of the publication of the name and other identifying information of an accused person

Be it resolved that:

1. The Status Report of the Working Group on the restriction of the publication of the name and other identifying information of an accused person be accepted; and
2. The Working Group provide its next report to the Criminal Section at the 2026 annual meeting.

Carried as Amended: 31-0-1

Working Group on Section 672.26 and Related Sections of the Criminal Code (juries and fitness hearings)

Be it resolved that:

1. The Status Report of the Working Group on section 672.26 and related sections of the *Criminal Code* be accepted; and
2. The Working Group provide its next report to the Criminal Section at the 2026 annual meeting.

Carried: 30-0-0

Working Group on Statutory Exemptions to Mandatory Minimum Penalties of Imprisonment

Be it resolved that:

1. The Status Report of the Working Group on Statutory Exemptions to Mandatory Minimum Penalties of Imprisonment be accepted;
2. The Working Group will continue its work; and
3. The Working Group will endeavor to provide a Final Report at the 2026 annual meeting.

Carried: 31-0-0

Working Group on Sections 278.1-278.94 of the Criminal Code (“Records Regime” Provisions)

Be it resolved that:

1. The Final Report of the Working Group on Sections 278.1-278.94 of the *Criminal Code* be accepted; and
2. The recommendations in the Final Report of the Working Group on Sections 278.1-278.94 of the *Criminal Code* be approved.

Carried: 31-0-0