

Topical Research Guide: Criminal Law

This guide is prepared to help readers do legal research on Canadian criminal law. Note that in Canada criminal law is governed by federal law, most often the [Criminal Code, R.S.C. 1985, c. C-46](#), unlike the situation in the United States where criminal law is often a matter of state, not federal law. The focus of this guide is Canadian, although some foreign countries as well as international sources are mentioned at the end.

Canada

Primary Sources

1. Statutes and Regulations
2. Case law

Secondary Sources

1. Books
2. Articles & Other Documents

Internet Resources

United States

Other Countries:

International:

Canada

Primary Sources

1. Statutes and Regulations

The major criminal statutes are:

[Criminal Code](#), R.S.C. 1985, c. C-46

[Youth Criminal Justice Act](#), S.C. 2002, c. 1

To **browse** a more complete list of statutes and regulations on criminal law:

- a. Use *Canadian Encyclopedic Digest* (CED) (Toronto : Carswell, 1973-) Call number DIG A242: Title 39, Criminal Procedure; Title 39.1, Criminal Law-Offences; Title 39.2, Criminal Law-Defences. The CED is also electronically available through WestlaweCarswell. Under each title, the CED has included tables of statutes and regulations.
- b. Use *Martin's Related Criminal Statutes* (Toronto : Canada Law Book, 2006), call number: KF 9219 C3 M32 (on reserve)

Other Internet resources such as [CanLII](#), [Justice Canada Web site](#) can also be used to search federal statutes and regulations, and use [E-laws](#) for Ontario provincial statutes and regulations

2. Case law

Some reporters of Canadian criminal cases are:

Criminal reports. Toronto : Carswell, 1946- REP-CAN D32 C868

Canadian Criminal Cases. Toronto : Canada Law Book, 1898- REP-CAN D32 C16

Motor Vehicle Reports. Toronto : Carswell, 1979- REP-CAN D84 M67

Weekly Criminal Bulletin. Toronto : Canada Law Book, 1976- DIG C68 Summaries of caselaw only.

Canadian Sentencing Digest . Toronto : Carswell, 1985- KF 9685 A6 N23 Summaries only.

and regional reporters such as the *Supreme Court Reports*, *Dominion Law Reports*, *Ontario Reports* also contain criminal cases

Annotated versions of the Criminal code also provide case citations to locate relevant cases citing a particular part of the code. Here are a few good examples:

Martin's Annual Criminal Code. Toronto : Canada Law Book, [1955]- Published annually since 1955. Also available on the internet from Canada Law Book as *Martin's Archival Criminal Code*. KF 9219 C3 M3

Snow's Annotated Criminal Code. Toronto : Carswell, 1980- KF 9219 C3 S6 1980

The ... annotated Tremear's criminal code Toronto : Carswell, c1989- Published annually. KF 9219 C3 T7 1964 CODE

Crankshaw's criminal code of Canada. Toronto : Carswell, 1993- 7 v. (loose-leaf) This multi-volume loose-leaf service is updated. Good when doing historical research on the code. Available online on eCarswell.

Online Databases of Criminal law

Quicklaw/LexisNexis—criminal topical databases include caselaw, legislation and some commentary; search “criminal law” in the source directory for more sources.

eCarswell—Criminal Law Source Includes caselaw, legislation and commentary. Includes Carswell publications such as Criminal reports, Motor Vehicle Reports, Tremear’s, Crankshaw’s and Canadian Sentencing Digest

Criminal Spectrum—A database by Canada Law Book which includes caselaw, legislation and commentary. Includes Canada Law Book publications such as Canadian Criminal Cases, Martin’s Criminal Code, the Criminal Law Quarterly, Canadian Criminal Procedure, 6th by R.E. Salhaney and McWilliams’ Canadian Criminal Evidence, 4th ed.

Secondary Sources

1. Books

Some leading Canadian textbooks on criminal law are as follows:

Delisle, Ron and Don Stuart. *Learning Canadian Criminal Procedure*. 8th ed. Toronto: Carswell, 2005. KF 9619 D395 2005

Gibson, John L. and Henry Waldcock. *Criminal Law : Evidence, Practice and Procedure*. Toronto : Carswell, 1988-[looseleaf] KF 9215 G522 1988

Mewett, Alan and Morris Manning. *Criminal Law*. 3d ed. Toronto: Butterworth, 1994. KF 9219 M48 1994

Roach, Kent. *Criminal Law*. 3d ed. Toronto :Irwin Law, 2004. KF 9220 ZA2 R63 2004

Roach, Kent et al. *Criminal Law and Procedure : Cases and Materials*. 9th ed. Toronto: Emond Montgomery, 2004. KF 9218 F7 2004

Stuart, Don. *Canadian Criminal Law: A Treatise*. 4th ed. Toronto: Carswell, 2001. KF 9220 ZA2 S84 2001

Stuart, Don and Ron Delisle. *Learning Canadian Criminal Law*. 10th ed. (Toronto: Carswell, 2006), Call Number: KF 9219 A2 L42 2006

Canadian Encyclopedic Digest has 3 Criminal law titles including Criminal Law – Defences, Criminal law – Offences and Criminal Procedure.

To search other books on criminal law:

- a. Search [York Library Catalogue](#) use "Criminal law - Canada" and "Criminal procedure - Canada."
- b. Search [Worldcat](#): Use similar keywords in either subject or title field to retrieve a wider range of books. Books found through WorldCat may not be available at York libraries. They may be obtained through [Interlibrary Loans](#) service.
- c. [Selected bibliography on Criminal law](#): available through Queen’s University Law Library website.

2. Articles & Other Documents

Some leading Canadian criminal law journals are as follows:

Canadian criminal law review. Toronto : Carswell, 1996- PER C16987

Canadian journal of criminology and criminal justice. Ottawa : Canadian Criminal Justice Association, 1978- Before 2003 known as *Canadian journal of criminology*. PER C1733 PER C1734

Criminal law quarterly. Agincourt, Ont. : Canada Law Book, 1958- PER C88

Gold, Alan D. *Annual review of criminal law*. Toronto : Carswell, 1982- PER AN786

Article Indexes:

The main index for finding articles on Canadian criminal law is the *Index To Canadian Legal Literature*. This is available on eCarswell, as well as the ICLL database in Quicklaw. All of the above mentioned journals are indexed here.

To find papers which have been given at continuing legal education seminars, the QL database *CLSI* is helpful.

[Legaltrac](#) also indexes some Canadian journals and would pick up articles about Canada in US journals.

Internet Resources

[Duhaime’s Criminal Law Centre](#): an excellent site for Canadian criminal law. Part I contains criminal law articles; part II deals with Federal criminal law (including the Criminal Code); and Part III provides provincial legislation and other resources.

[Criminal Justice Links annotated - Canada](#): the World Criminal Justice Library Network’s mission is to develop specific ways of sharing services and criminal justice information on a global scale. This website lists specifically Canadian criminal justice links.

United States

[Jurist Criminal Law Page](#): links to criminal resources covering mainly US materials.

[Wex at Cornell](#): a good overview of US criminal law at Wex, a collaboratively-created, public-access law dictionary and encyclopedia sponsored and hosted by the Legal Information Institute at the Cornell Law School .

Lexis (Password required)

[LexisNexis](#)>>Legal>>Area of Law – By topic>> Criminal

Westlaw (Password Required)

[WestlawCarswell](#)>>Topical Materials by Area of Practice>>Criminal Justice

Other Countries:

[Buffalo Criminal Law Center Criminal Law Resources on the Internet](#): links to penal codes around the world, including all the states of the US.

[The World Factbook of Criminal Justice Systems](#): provided by U.S. Department of Justice. This source includes country reports on criminal systems worldwide. Each report was submitted to the Department of Justice by experts on the subject.

Worldlii's Criminal law by county: [WorldLII](#)>>Categories>>Subjects>>Criminal Law>>[By Country](#)

International:

[LLRX: International Criminal Law](#): a selective resources guide, by Marylin J. Raisch and Gail Partin: Provides a guide to basic research materials, in both print and electronic formats, and also includes a section specifically on crimes against humanity and human rights issues.

[Duke Law International Criminal Law Guide](#): excellent guide to to international criminal law by the library at Duke University.

[The American Society of International Law \(ASIL\) Guide to Electronic Resources for International Law](#): Provides information on the major electronic sources for researching international and transnational crime, with links to tribunals, organizations, and agencies. Chapter VI (A) is devoted to war crimes and human rights violations.

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