



Case in Brief: **R. v. Hanrahan**

Judgment of January 21, 2025 | On appeal from the Court of Appeal of Newfoundland and Labrador  
Neutral citation: 2025 SCC 1

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***The Supreme Court confirms that a man was properly acquitted of sexual assault.***

Lucas Hanrahan was found not guilty of sexual assault following a jury trial. The central issue was whether the complainant had consented to sexual activity when she was sleeping at Mr. Hanrahan's home.

The Crown appealed Mr. Hanrahan's acquittal, asking for a new trial. It said that the trial judge had wrongly restricted Crown counsel's examination of the complainant on text messages exchanged between her and Mr. Hanrahan. The Crown said the trial judge's restrictions went beyond what was necessary to ensure the jury used the text messages properly and were unfair.

The Crown also said that the trial judge was wrong to allow the jury to hear certain evidence related to the complainant's prior sexual history. The trial judge had allowed this evidence because he found it was relevant to a material inconsistency between the complainant's testimony and her statement to police. That inconsistency was about the degree to which she was close to Mr. Hanrahan. The Crown said that the trial judge was wrong to conclude that there was an inconsistency and that in any event the evidence was irrelevant, and should not have been admitted.

A majority of the Court of Appeal dismissed the Crown's appeal. It agreed with the Crown that the trial judge restricted the use of the text messages during the complainant's testimony more than was needed to prevent the jury from improperly using them. However, it said the trial judge's interventions were a reasonable exercise of his power to manage the trial, and therefore that there was no basis for a new trial.

The majority also concluded the trial judge made no error in finding that the prior sexual history evidence could be considered by the jury. There was no error regarding the judge's finding of an inconsistency between the complainant's evidence on cross-examination and her prior statement to the police. Further, the trial judge made no error in ultimately allowing the jury to consider the prior sexual history evidence in the circumstances and no error in refusing to allow Crown counsel to question the complainant about the inconsistency.

The dissenting judge at the Court of Appeal would have allowed the appeal and ordered a new trial. She concluded that the trial judge made an error in his treatment of the text messages and therefore improperly restricted the Crown's direct examination of the complainant, resulting in a distorted presentation of her evidence.

The dissenting judge also concluded the trial judge had made an error in admitting evidence of the complainant's previous sexual history for the purpose of cross-examining her on alleged inconsistencies. The complainant's testimony was not inconsistent with what she had stated to police and she had not raised her previous sexual history with Mr. Hanrahan. Finally, the trial judge also made an error by denying Crown counsel's ability to ask the complainant further questions about the inconsistency. According to the dissenting judge, these errors required a new trial.

**The Supreme Court dismissed the appeal.**

As such, Mr. Hanrahan's acquittal has been confirmed.

Chief Justice Wagner read the judgment of a majority of the Court. You can watch a recording of it [here](#).

A print version of the judgment that was read out will be available here once finalized.

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**Breakdown of the decision:** A majority of the Court dismissed the appeal (Chief Justice [Wagner](#) and Justices [Côté](#), [Rowe](#), [O'Bonsawin](#) and [Moreau](#)) | In dissent, Justices [Kasirer](#) and [Jama](#) would have allowed the appeal and ordered a new trial.

**More information:** [Case information](#)

**Lower court rulings:** [Decision](#) (Supreme Court of Newfoundland and Labrador, General Division – not available online) | [Appeal](#) (Court of Appeal of Newfoundland and Labrador – not available online)

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