



Case in Brief: **R. v. P.B.**

Judgment of March 21, 2025 | On appeal from the Court of Appeal for Saskatchewan  
Neutral citation: 2025 SCC 8

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***The Supreme Court confirms a man’s conviction for sexual assault.***

P.B. was charged with sexual assault. The complainant was the only witness called to testify at trial. She testified that she had spent New Year’s Eve at a friend’s house, where they drank, socialized and smoked marijuana. She said that P.B., her friend’s boyfriend, then sexually assaulted her three times throughout the night.

P.B. argued that the complainant’s testimony was not sufficiently credible or reliable to prove the case against him beyond a reasonable doubt. In particular, he said that her evidence was unreliable because she claimed that her memory of the relevant events was based on “flashbacks”. The trial judge accepted the complainant’s evidence and found P.B. guilty.

P.B. appealed his conviction on the basis that the trial judge failed to give sufficient reasons for his decision. P.B. argued that the judge had failed to make concrete factual findings about which parts of the complainant’s evidence he accepted and which he did not. He also argued that the trial judge erred in evaluating the credibility and reliability of the complainant’s evidence, notably her “flashback” memory.

A majority of the Court of Appeal dismissed the appeal. On the first issue, the majority found that the trial judge’s reasons were sufficient. Having read the trial judge’s reasons in a functional and contextual manner, the majority concluded that there is no difficulty discerning what the trial judge decided, from a factual standpoint, and why. The majority found the reasons also contained enough detail to permit review for error on an appeal. As for the second issue, the majority found that the trial judge’s conclusion on the credibility and reliability of the complainant’s evidence is one that a reasonable view of the evidence supports. As such, the majority concluded that there was no proper basis to interfere.

A dissenting judge of the Court of Appeal would have allowed the appeal, set aside the conviction, and ordered a new trial. He said that the trial reasons were insufficient to permit effective review on an appeal and that the trial judge’s analysis on the reliability issues arising from the evidence was too brief in the circumstances of this case.

**The Supreme Court dismissed the appeal.**

As such, the conviction for sexual assault is confirmed.

Justice Rowe 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:** The Court dismissed the appeal (Justices [Rowe](#), [Martin](#), [Kasirer](#), [Jamal](#) and [Moreau](#))

**More information:** [Case information \(41422\)](#).

**Lower court rulings:** Conviction (Court of King’s Bench for Saskatchewan) (not available online) | [Appeal](#) (Court of Appeal for Saskatchewan)

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