

CANADA / JUDGMENT

# R. v. Chicoine-Joubert

2025 SCC 3

## COURT

Supreme Court of Canada

## DECIDED

20 February 2025

Source: decisions.scc-csc.ca · Research copy typeset by Esheria. Not court-issued or certified.

R. v. Chicoine-Joubert Collection Supreme Court Judgments Date 2025-02-20 Neutral citation 2025 SCC 3 Case number 41262 Judges Wagner, Richard; Karakatsanis, Andromache; Côté, Suzanne; Martin, Sheilah; Kasirer, Nicholas; Jamal, Mahmud; Moreau, Mary On appeal from Quebec Subjects Criminal law Notes Case in Brief SCC Case Information Decision Content SUPREME COURT OF CANADA Citation: R. v. Chicoine-Joubert, 2025 SCC 3 Appeal Heard: February 20, 2025 Judgment Rendered: February 20, 2025 Docket: 41262 Between: Maxime Chicoine-Joubert Appellant and His Majesty The King Respondent Official English Translation Coram: Wagner C.J. and Karakatsanis, Côté, Martin, Kasirer, Jamal and Moreau JJ. Judgment Read By: (paras. 1 to 2) Wagner C.J. Majority: Wagner C.J. and Karakatsanis, Côté, Martin, Kasirer and Moreau JJ. Dissent: Jamal J. Note: This document is subject to editorial revision before its reproduction in final form in the Canada Supreme Court Reports. Maxime Chicoine-Joubert Appellant v. His Majesty The King Respondent Indexed as: R. v. Chicoine-Joubert 2025 SCC 3 File No.: 41262. 2025: February 20. Present: Wagner C.J. and Karakatsanis, Côté, Martin, Kasirer, Jamal and Moreau JJ. on appeal from the court of appeal for quebec Criminal law — Charge to jury — Manslaughter — Accused charged with first degree murder and assault with weapon — Accused convicted by jury of second degree murder and assault with weapon — Accused appealing conviction for second degree murder on ground that trial judge failed to mention mens rea required for offence of manslaughter in his instructions to jury and in his answer to jury's questions about that offence — Majority of Court of Appeal finding that trial judge's instructions and answer were sufficient given that trial judge did not need to instruct jury on manslaughter because accused conceded that he was guilty of that offence — Dissenting judge finding that trial judge erred by not adequately answering jury's questions about offence of manslaughter and that there was therefore reasonable possibility that jurors misunderstood what mens rea was required for second degree murder — Convictions upheld. APPEAL from a judgment of the Quebec Court of Appeal (Vauclair, Hamilton and Bachand JJ.A.), 2024 QCCA 488, [2024] AZ-52021940, [2024] J.Q. no 3061 (Lexis), 2024 CarswellQue 3729 (WL), affirming the convictions of the accused for second degree murder and assault with a weapon. Appeal dismissed, Jamal J. dissenting. Marie-Hélène Giroux, for the appellant. Robert Benoit, for the respondent. English version of the judgment of the Court delivered orally by

- 
- [1] The Chief Justice — A majority of the Court would dismiss the appeal, substantially for the reasons of the majority of the Quebec Court of Appeal.
- [2] Justice Jamal, for his part, would have allowed the appeal, substantially for the reasons of the dissenting judge. Judgment accordingly. Solicitors for the appellant: Marie-Hélène Giroux Avocats Inc., Montréal. Solicitor for the respondent: Director of Criminal and Penal Prosecutions, Montréal.
- 

### Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

**ORIGINAL SOURCE**        <https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/20861/index.do>

**CASE PAGE**                <https://chat.esheria.ai/case-law/canada/r-v-chicoine-joubert-2025>

Prepared on 28 October 2026 · Esheria