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| cid:image001.jpg@01D72252.19B69DE0  **SUPREME COURT OF CANADA** | | | |
| **Citation:** R. *v.* Chatillon, 2023 SCC 7 |  | **Appeal Heard:** March 15, 2023  **Judgment Rendered:** March 15, 2023  **Docket:** 40331 |
| **Between:**  **His Majesty The King**  Appellant  and  **Olivier Chatillon**  Respondent  - and -  **Association québécoise des avocats et avocates de la défense**  Intervener  **Official English Translation** | | | |

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| **Coram:** Wagner C.J. and Karakatsanis, Côté, Rowe, Martin, Kasirer and O’Bonsawin JJ. | | |
| **Judgment Read By:**  (paras. 1 to 3) | Wagner C.J. |
| **Majority:** | Wagner C.J. and Karakatsanis, Rowe, Martin, Kasirer and O’Bonsawin JJ. |
| **Dissent:** | Côté J. |
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**Note:** This document is subject to editorial revision before its reproduction in final form in the *Canada Supreme Court Reports*.

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**His Majesty The King** *Appellant*

*v.*

**Olivier Chatillon** *Respondent*

and

**Association québécoise des avocats et avocates de la défense** *Intervener*

**Indexed as: R. *v.* Chatillon**

**2023 SCC 7**

File No.: 40331.

2023: March 15.

Present: Wagner C.J. and Karakatsanis, Côté, Rowe, Martin, Kasirer and O’Bonsawin JJ.

on appeal from the court of appeal for quebec

*Criminal law — Evidence — Admissibility —* *Admissions* *— Accused voluntarily making admissions, during treatment process, concerning acts of sexual nature committed by him against child — Admissions sent to director of youth protection and then to police with accused’s consent — Accused charged with sexual assault — Accused filing motion to exclude admissions — Trial judge dismissing motion on ground that application of Wigmore criteria did not result in admissions being inadmissible — Accused convicted of sexual assault — Majority of Court of Appeal entering acquittal on ground that admissions were inadmissible — Dissenting judge finding that admissions were admissible because accused had expressly waived their confidentiality by consenting to their disclosure — Conviction restored.*

APPEAL from a judgment of the Quebec Court of Appeal (Vauclair, Mainville and Healy JJ.A.), [2022 QCCA 1072](http://t.soquij.ca/Sg2z6), 83 C.R. (7th) 403, [2022] J.Q. no 7757 (QL), 2022 CarswellQue 11441 (WL), setting aside the conviction of the accused for sexual assault and entering an acquittal. Appeal allowed, Côté J. dissenting.

*Maxime Hébrard* and *Julien Fitzgerald*, for the appellant.

*Nicolas Lemyre‑Cossette* and *Marie‑Pier Boulet*, for the respondent.

*Cynthia Lacombe*, for the intervener.

English version of the judgment of the Court delivered orally by

1. The Chief Justice — A majority of the Court is of the view that the appeal should be allowed on the sole issue of the respondent’s consent to the disclosure of his admissions, discussed by the dissenting judge at paras. 83‑85 of the reasons. In the Court’s opinion, this is sufficient to dispose of the appeal.
2. Côté J. would have dismissed the appeal, substantially for the reasons of the majority of the Court of Appeal.
3. The appeal is allowed, the judgment of the Court of Appeal is set aside and the respondent’s conviction is restored.

*Judgment accordingly.*

*Solicitor for the appellant: Procureur aux poursuites criminelles et pénales, Longueuil.*

*Solicitors for the respondent: Poitras, Fournier, Cossette, Granby; BMD, Laval.*

*Solicitors for the intervener: BMD, Laval.*