



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

Judgment of February 19, 2025 | On appeal from the Court of Appeal of Alberta
Neutral citation: 2025 SCC 2

The Supreme Court upholds a man’s conviction for manslaughter.

In March 2020, Mr. Bilodeau and his two sons were involved in a confrontation with two men. After seeing the two men stop in a truck in front of their property, Mr. Bilodeau and his younger son chased them in their truck, believing them to be thieves. During the chase, Mr. Bilodeau spoke to his older son over the phone about what was happening and asked him to come and bring a gun. When the two trucks stopped at a T-intersection, one of the two victims approached the Bilodeau’s truck, broke a window by punching it, and threw punches at Mr. Bilodeau. Mr. Bilodeau’s older son, who had followed in his own vehicle, arrived at the scene shortly after and fatally shot the two victims.

At trial, Mr. Bilodeau was found guilty by a jury of two counts of manslaughter as a “party” under s. 21(2) of the *Criminal Code*. Section 21(2) allows a defendant to be found guilty of an offence if they share a common intent to commit an unlawful act with another person, and that person commits an offence that the defendant knew or ought to have known was a probable consequence of the plan. Mr. Bilodeau’s son was convicted as a “principal” of second degree murder and manslaughter. Mr. Bilodeau appealed his convictions, arguing that the trial judge had made mistakes in his instructions to the jury, including regarding whether Mr. Bilodeau formed an intention in common with his son to commit an unlawful act.

A majority of the Alberta Court of Appeal dismissed the appeal. It concluded that while there were errors in the jury instructions, many of them benefited Mr. Bilodeau, often by imposing an overly onerous burden on the Crown, and could not have had any impact on the verdict. The dissenting judge would have allowed the appeal and ordered a new trial. In her view, there were legal errors in the charge not identified by the majority judges. She was not convinced that the evidence was so overwhelming that a reasonable and properly instructed jury would inevitably have convicted.

The Supreme Court dismissed the appeal.

As such, Mr. Bilodeau’s conviction 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.

Breakdown of the decision: The Court dismissed the appeal (Chief Justice [Wagner](#) and Justices [Karakatsanis](#), [Côté](#), [Rowe](#), [Martin](#), [Jamal](#) and [O’Bonsawin](#))

More information: [Case information \(41320\)](#).

Lower court rulings: [Decision](#) (Court of King’s Bench for Alberta) | [Appeal](#) (Court of Appeal for Alberta)
