

**SUPREME COURT OF CANADA**

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| **Citation:** R. *v.* Picot, 2012 SCC 54, [2012] 3 S.C.R. 74 | **Date:** 20121019  **Docket:** 34499 |

**Between:**

**Charles Picot**

Appellant

and

**Her Majesty The Queen**

Respondent

**official english translation**

**Coram:** LeBel, Fish, Rothstein, Cromwell and Karakatsanis JJ.

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| **Reasons for Judgment:**  (para. 1) | LeBel J. (Fish, Rothstein, Cromwell and Karakatsanis JJ. concurring) |

R. *v.* Picot, 2012 SCC 54, [2012] 3 S.C.R. 74

Charles Picot *Appellant*

*v.*

Her Majesty The Queen *Respondent*

**Indexed as: R. *v*. Picot**

**2012 SCC 54**

File No.:  34499.

2012:  October 19.

Present:  LeBel, Fish, Rothstein, Cromwell and Karakatsanis JJ.

on appeal from the court of appeal for new brunswick

*Criminal law — Appeals — Evidence — Accused acquitted at trial of alleged indecent assault committed in 1975, on basis of reasonable doubt — Trial judge’s failure to consider testimony on collateral matters which may have bolstered credibility of complainant does not constitute an error of law — Criminal Code, R.S.C. 1985, c. C-46, s. 676(1)(a).*

APPEAL from a judgment of the New Brunswick Court of Appeal (Richard, Bell and Quigg JJ.A.), 2011 NBCA 70, 395 N.B.R. (2d) 29, [2011] N.B.J. No. 516 (QL), 2011 CarswellNB 806, setting aside the accused’s acquittal and ordering a new trial on a charge of indecent assault. Appeal allowed.

Charles M. Gibson and Ian B. Houle, for the appellant.

*François Doucet*, *Q.C.*, and *Pierre F. Roussel*, *Q.C.*, for the respondent.

English version of the judgment of the Court delivered orally by

1. LeBel J. — We agree with Richard J.A., who dissented in the Court of Appeal, that the trial judge had acquitted the accused on the basis of a reasonable doubt and that he had committed no fatal error of law in reaching that decision. For these reasons, the appeal of the appellant Picot is allowed, the judgment of the New Brunswick Court of Appeal ordering a new trial is set aside and the acquittal of the appellant entered by Ouellette J. of the New Brunswick Court of Queen’s Bench is restored.

*Judgment accordingly.*

*Solicitors for the appellant:  Vincent Dagenais Gibson, Ottawa.*

*Solicitor for the respondent:  Attorney General of New Brunswick, Campbellton.*