REDACTED VERSION

Canadian Judicial Council
Conseil canadien de la magistrature

DECISION OF THE REVIEW PANEL
IN THE MATTER OF
THE HONOURABLE CLAUDE VILLENEUVE
OF THE SUPERIOR COURT OF QUEBEC

CJC FILE 25-1263

The text of this decision has been translated from the original decision in French.

Review Panel Members:

The Honourable Tracey DeWare
The Honourable Anne Turner
Mr. Pierre Riopel

October 30, 2026

1. Procedural Context

[1] On December 17, 2025, the Honourable Claude Villeneuve self-reported a matter of conduct to the Canadian Judicial Council ("the Council"), following an incident that occurred on December 12, 2025.

[2] Justice Villeneuve was appointed to the Superior Court of Quebec on June 19, 2015. He has been the coordinating judge for the judicial districts of the Estrie region since 2022.

[3] On December 12, 2025, Justice Villeneuve was arrested and charged with a criminal offence under section 286.1(1)(b) of the *Criminal Code*, R.S.C. (1985), c. C-46 (communication for the purpose of obtaining sexual services for consideration). Justice Villeneuve self-reported the incident to the chair of the Council's Judicial Conduct Committee on December 17, 2025 (the "complaint"). Justice Villeneuve had previously discussed the circumstances surrounding his arrest with the Honourable Marie-Anne Paquette, Chief Justice of the Superior Court of Quebec, on December 13, 2025.

[4] The complaint filed by Justice Villeneuve was first reviewed by a screening officer and then submitted to a Council member to serve as the reviewing member. The Honourable Marc Richard, then Chief Justice of New Brunswick, served as the reviewing member. After reviewing the complaint and requesting comments from Justice Villeneuve and from Chief Justice Paquette, the reviewing member determined that it was necessary to refer the matter to a review panel, as he could not conclude that the complaint was wholly without merit. The reviewing member further found that there were no grounds for dismissing the complaint under the provisions of subsection 90(1) of the *Judges Act*, R.S.C. (1985), c. J-1 ("the *Act*"), which provides as follows:

> 90 (1) Subject to subsection (2), a screening officer may dismiss a complaint if they are of the opinion that it:
>
> (a) is frivolous, vexatious or made for an improper purpose or is an abuse of process;
>
> (b) was not made for a reason referred to in paragraphs 80(a) to (d); or
>
> (c) does not meet the other screening criteria specified by the Council.

[5] In a decision dated March 20, 2026, the reviewing member therefore referred the complaint to the Council for the establishment of a review panel in accordance with section 95 of the *Act*.

[6] In accordance with subsection 98(1) of the *Act*, the Council established a review panel to review the complaint and appointed the following individuals to the panel:

(1) The Honourable Tracey DeWare, as a member of the Council;
(2) The Honourable Anne Turner, as a judge on the list of puisne judges; and
(3) Mr. Pierre Riopel, as a person listed in the roster of lay persons.

[7] Once the review panel was established, all documents related to the complaint in the reviewing member's possession were provided to the review panel, in accordance with section 97 of the *Act*.

[8] Pursuant to section 100 of the *Act*, the review panel made the present decision only on the basis of the substance of the complaint, any information provided by the reviewing member under section 97 of the *Act*, any written submissions provided by the judge in question and the chief justice under section 99 of the *Act*, and any other document that it considered relevant.

[9] Accordingly, in the course of its deliberations, the review panel was able to rely, among other things, on the following information:

(1) Self-reporting letter from Justice Villeneuve dated December 17, 2025;
(2) Written submissions by Justice Villeneuve dated June 4, 2026, and August 14, 2026;
(3) Correspondence from Chief Justice Paquette dated January 12, 2026, July 6, 2026, and August 14, 2026;
(4) Correspondence sent on behalf of Justice Villeneuve by his counsel, dated June 4, 2026, and August 14, 2026;
(5) Numerous letters of support from Justice Villeneuve's fellow judges, legal professionals, as well as his wife and children;
(6) Medical reports from Justice Villeneuve's forensic psychiatrist dated June 3, 2026, July 18, 2026, and August 12, 2026;

(7) Medical reports from Justice Villeneuve's psychologist dated June 1, 2026, and July 20, 2026;

(8) Medical notes from Justice Villeneuve's attending physician dated February 12, 2026, and May 13, 2026;

(9) Medical report from Justice Villeneuve's attending physician, including proposed measures for his return to work, sent by email on July 23, 2026;

(10) Correspondence from a staff member of the C3ESSES program (Behaviour change, awareness-raising, education, and sensitization on sexual exploitation) – specialized services for sexual offending and sexual addiction – dated May 26, 2026.

2. *Ethical Principles for Judges*

[10] The Council's *Ethical Principles for Judges* do not constitute a code of conduct, but they do provide guidance on the standards of behaviour expected of judges. One of the fundamental pillars of these *Ethical Principles for Judges* is the obligation to maintain public confidence in the administration of justice. Comment 1.C.1 of the *Ethical Principles for Judges* states the following:

> 1.C.1 Judicial independence and judicial ethics are interrelated. Judges should exemplify and promote high standards of judicial conduct as one element of assuring the independence of the judiciary. In turn, the independence and integrity of the judiciary preserves public confidence in the rule of law and acceptance of court decisions. Unethical conduct by judges erodes that confidence. Thus, judges share a collective responsibility to promote and observe high standards of conduct.
>
> [Emphasis added]

[11] Section 2.A., which deals with integrity and respect, is particularly relevant:

> 2.A. Judges comply with the law and conduct themselves both inside and outside the courtroom in a manner that is above reproach in the view of reasonable and informed persons.

[12] Comment 2.A.3 of the *Ethical Principles for Judges*, titled "Behaviour in Private Life," is also relevant to this case. This comment provides as follows:

> 2.A.3 Public expectations of judges are not limited to the actions of judges in their judicial capacities. Judges should exhibit respect for

> the law and act with integrity in their private lives and should avoid the appearance of impropriety.

3. Role of the Review Panel

[13] Section 101 of the *Act* sets forth the circumstances under which the review panel must refer a complaint to the Council for the establishment of a full hearing panel:

> 101. The review panel shall refer the complaint to the Council for the establishment of a full hearing panel if it determines that the judge's removal from office could be justified.

[14] If the review panel does not refer the complaint to a full hearing panel, it may dismiss the complaint or take one or more of the actions provided for in section 102 of the *Act* if it considers it appropriate to do so in the circumstances.

[15] Once the review panel concludes that the judge's removal from office could be justified and refers the complaint to the Council pursuant to section 101 of the *Act*, it is not required to determine whether one or more of the actions provided for in section 102 would be appropriate. These actions are reviewed only if the review panel decides not to refer the complaint to a full hearing panel.

[16] Although the *Judges Act* was amended in 2023 and significant reforms were introduced at that time regarding the procedures and processes for handling complaints against federally appointed judges in Canada, the decisive test for determining whether a judge's removal from office "could be justified" remains the one set forth in the *Marshall* decision. The *Marshall* test, as set forth on page 28 of the *Report to the Canadian Judicial Council of the Inquiry Committee in the Marshall case, dated August 27, 1990*, can be formulated as follows:

> Is the conduct alleged so manifestly and profoundly destructive of the concept of the impartiality, integrity and independence of the judicial role, that public confidence would be sufficiently undermined to render the judge incapable of executing the judicial office?

[17] A review panel does not determine whether removal is justified. Its role is to determine whether the alleged conduct, if proven, "*could*" justify the judge's removal from office, such that the complaint should be referred to a full hearing panel for a full examination.

This threshold is higher than that of a "slim to none" probability, but short of "on a balance of probabilities". (*Report of the Review Panel Constituted by the Canadian Judicial Council Regarding the Honourable D.E. Spiro, Justice of the Tax Court of Canada,* report dated April 13, 2021, para. 13-14; Confirmed by *National Council of Canadian Muslims v. Canada (Attorney General)*, 2022 FC 1087, para. 38, 155-156). The review panel must determine whether there is any chance – however slim – that a full hearing panel would conclude that the judge's removal is justified. Indeed, the same analysis was recently adopted by the review panel constituted in the matter of the Honourable Bernard Tremblay of the Superior Court of Quebec, in a decision dated September 14, 2026 (CJC files 25-0227 and 25-0426).

[18] The *Act* sets forth four grounds for the removal of a judge. Section 80 of the *Act* provides that the removal from office of a judge is justified only if, for any of the following reasons, "the judge's continuation in office would undermine public confidence in the impartiality, integrity or independence of the judge or of their office to such an extent that it would render the judge incapable of executing the functions of judicial office":

a) infirmity;

b) misconduct;

c) failure in the due execution of judicial office;

d) the judge is in a position that a reasonable, fair-minded and informed observer would consider to be incompatible with the due execution of judicial office.

[19] The four grounds for removal remain essentially the same as those set forth in subsection 65(2) of the previous version of the *Judges Act*. In the past, when a judge's conduct was deemed to fall under one of the four grounds, the full councils, inquiry committees, and review panels applied the test commonly known as the "*Marshall* test," to which we referred above.

[20] Counsel for Justice Villeneuve reminded the review panel that the question of whether the conduct in question is likely to undermine public confidence in the administration of justice must be assessed objectively. They submitted that the test to be considered by the review panel must be evaluated according to an objective standard. What conclusion

would a reasonable person, who is properly informed of the situation and the circumstances, reach after reviewing all the relevant information available?

[21] Justice Villeneuve referred the review panel to the analysis of the objective nature of the review contained in the *Report of the Inquiry Committee concerning the Honourable P. Theodore Matlow, dated May 28, 2008*, in paragraph 111:

> [111] Counsel for Justice Matlow submits, and we agree, that the test for removal is appropriately expressed in the reports of both the Marshall Inquiry and the Flynn Inquiry. The following excerpt from the report of the Flynn Inquiry expresses it clearly. At paragraph 35 of its report, the inquiry committee stated:
>
> > The accepted test for removal is that suggested by the Canadian Judicial Council inquiry committee in the Marshall report in 1990. The members of the Committee, who were unanimous on this point, stated the reasons underlying the test they were suggesting:
> >
> > > The standard, in our view, must be an objective one based in part, at least, on conduct which could reasonably be expected to shock the conscience and shake the confidence of the public as opposed to conduct which is, and often must be, unpopular with part of that public.
> > >
> > > The test we would propose to apply, as applicable to this case, is an amalgam of these many considerations and takes the following form:
> > >
> > > Is the conduct alleged so manifestly and profoundly destructive of the concept of the impartiality, integrity and independence of the judicial role, that public confidence would be sufficiently undermined to render the judge incapable of executing the judicial office?
> >
> > [Emphasis added]

[22] As confirmed by the inquiry committee in the *Report to the Canadian Judicial Council of the Inquiry Committee Constituted Pursuant to Section 63 of the Judges Act to Inquire into the Conduct of Justice Gérard Dugré of the Superior Court of Quebec (June 2022)*, in paragraphs 27 and 28 (application for judicial review pending before the Federal Court of Appeal), it is not necessary for all elements of the *Marshall* test to be met in order to

conclude that the judge's continued tenure could undermine public confidence in the judicial system:

> [27] First, it should be noted that the *Marshall* test does not require that the alleged conduct directly undermine all three concepts mentioned in the test, namely, the impartiality, integrity and independence of the judicial role. Each one of these concepts is essential to maintaining public confidence in the justice system.
>
> [28] Second, the Committee considered whether limiting the *Marshall* test to these three concepts would make it too restrictive, given that it had been developed for use in a specific factual context and that its elements do not appear in subsection 65(2) of the *Judges Act*. In the course of the inquiry into the conduct of Justice Déziel, the minority members of the CJC suggested that, depending on the circumstances, the test for removal could sometimes be reformulated to include other fundamental concepts relating to the judicial role. That said, they also noted it was likely that any judicial misconduct could be subsumed under one of the three concepts in the *Marshall* test:
>
> > [84] The starting point must be with the *Marshall* test itself. According to that test, for public confidence to be "sufficiently" undermined to render the judge incapable of executing the judicial office, the conduct in issue must be:
> > • "destructive";
> > • of a "fundamental" concept relating to the judicial role (impartiality, integrity and independence); and
> > • "manifestly" and "profoundly" so.
> >
> > [85] The first line of inquiry should be to identify the fundamental concepts or values that are at stake in the case under consideration. What fundamental judicial characteristic is threatened by the occurrence of the impugned conduct? The *Marshall* test focuses on three: impartiality, integrity and independence. Whether there are further values or characteristics which, if affected adversely by the misconduct, could be regarded as destroying the fundamental nature of the judicial role is an open question that need not be decided here. **That said, it is likely that anything that strikes at the fundamental nature of the judicial role to the extent of undermining public confidence in the continuing ability of the judge to execute his or her office could be subsumed under one of the three characteristics mentioned.**

[Emphasis added in the Report of the Inquiry Committee concerning Justice Dugré]

[23] These are the principles that guided the review panel's analysis in the present matter.

4. Submissions by Justice Villeneuve

[24] Justice Villeneuve provided an explanation regarding his actions on December 12, 2025, which he unreservedly acknowledges constituted professional misconduct. Justice Villeneuve cited the deterioration of his mental health and his burnout in the weeks leading up to these events, which triggered the behaviour that led to his arrest. Justice Villeneuve submitted the following five points to the review panel, which he considers relevant with regard to his actions on December 12 and the final decision that the review panel must render at this stage of the process:

(1) Justice Villeneuve immediately took responsibility for his actions and cooperated fully with the authorities at all times;

(2) Justice Villeneuve immediately reported the situation to the Council on his own initiative, and he informed Chief Justice Paquette of the events of December 12, 2025, as soon as he was able to;

(3) The criminal act committed by Justice Villeneuve was an isolated incident, entirely out of character and in contrast to his exemplary conduct as a lawyer and judge prior to December 12, 2025;

(4) Justice Villeneuve pointed out that the offence with which he was charged was a summary conviction offence. It is also an offence for which an alternative measure is available. Justice Villeneuve participated in a diversion program and successfully completed all of its requirements, after which a judge of the Quebec Provincial Court dismissed the charges, leaving Justice Villeneuve with no criminal record;

(5) In the months leading up to the events of December 12, 2025, Justice Villeneuve was working more than 100 hours a week and showing signs of burnout. Justice Villeneuve acknowledged that his friends and family had pointed out to him that he was working too hard and that he needed to manage his stress level, but he did not

want to ask for help and believed he could continue to handle his workload without assistance.

5. Analysis

[25] The review panel conducted its analysis of the matter in light of the principles set forth above and the information provided by Justice Villeneuve.

a. Acknowledgment of Responsibility

[26] There is no doubt that Justice Villeneuve immediately took responsibility for his acts by informing Chief Justice Paquette of the situation and self-reporting to the Council as soon as possible. In his letter dated December 17, 2025, he stated:

> [TRANSLATION]
>
> I consider it my responsibility to report myself to the *Judicial Conduct Committee*, given that I have been serving as a judge on the Superior Court of Quebec since June 19, 2015.
>
> […] in my view, integrity requires the utmost transparency, and that is exactly what I am about to do by revealing the entire sequence of events […]

[27] In his letter dated June 4, 2026, Justice Villeneuve expressed his sincere remorse for his actions as follows:

> [TRANSLATION]
>
> I deeply regret my actions, and once again, I would like to offer my most sincere apologies, in particular, to my family, the Canadian judiciary, and the Canadian public.
>
> I am well aware that the office of judge requires conduct that commands the public's respect and, therefore, that a judge must cultivate an image of integrity, impartiality, and sound judgment. In this regard, I agree that the public has high expectations.

b. Isolated Nature of the Conduct

[28] The extensive information provided to the review panel by fellow judges, professional colleagues, friends, and family members underscores the isolated nature of the events of

December 12, 2025. Prior to these events, there was absolutely no indication that Justice Villeneuve had behaved in any way other than as an exemplary and dedicated member of the Superior Court of Quebec.

[29] In her initial remarks following Justice Villeneuve's self-reporting, Chief Justice Paquette highlighted his significant contributions to the Court. Chief Justice Paquette noted the following in her email dated January 12, 2026:

> [TRANSLATION]
>
> Professionally, Judge Villeneuve has so far distinguished himself through his remarkable dedication. He is a competent judge who is well liked by everyone, efficient, dedicated, and a team player. He has made a significant contribution to the operations of the Superior Court.

c. Nature of the Offence at Issue

[30] Justice Villeneuve was charged with an offence punishable by summary conviction. Although a charge of this nature falls toward the lower end of the spectrum of offences under the *Criminal Code*, it is nonetheless an offence. Justice Villeneuve has acknowledged that his actions on December 12, 2025, constitute judicial misconduct and do not meet the standards of conduct expected of judges in Canada.

[31] Justice Villeneuve cooperated fully with the court following his arrest and met all the requirements of the C3ESSES program (Behaviour change, awareness-raising, education, and sensitization on sexual exploitation). The C3ESSES program representative also confirmed Justice Villeneuve's cooperation in her letter dated May 26, 2026, as follows:

> [TRANSLATION]
>
> Furthermore, Mr. Villeneuve fully acknowledges his responsibility for the acts he committed, without downplaying or justifying them. Although he identifies certain factors that may have influenced his decision to act, these factors are presented from the perspective of understanding, not as an excuse. This attitude demonstrates, once again, a capacity for self-reflection, an awareness of the consequences of his actions, and a willingness to reflect and change. Mr. Villeneuve has also mentioned that he is pursuing therapy outside the program to deepen his self-reflection and better understand the underlying factors behind his behaviour, which, in

> our opinion, constitutes an important protective factor and demonstrates a sincere desire to proactively continue his personal growth.
>
> […]
>
> Consequently, we consider that Mr. Claude Villeneuve has successfully completed the C3ESSES program and has complied with all the procedures and requirements associated with it. His sustained commitment, his capacity for self-reflection, and the authenticity of his participation are evidence of a serious and meaningful progression through the program. We believe that the thought process and steps undertaken by Mr. Villeneuve are positive developments in his ongoing process of taking responsibility and engaging in self-reflection.

d. Medical Condition

[32] Justice Villeneuve maintains that the events that occurred on December 12, 2025, were the result of significant mental health issues. The medical reports provided by the various health care professionals who have been treating Justice Villeneuve since December 2025 confirm the existence of these issues and conclude that they explain the events that occurred and their isolated nature. Justice Villeneuve suggests that his situation is now being addressed and that appropriate treatment and support measures will enable him to fully carry out his duties.

[33] Justice Villeneuve provided significant medical evidence to support his claim that his actions on December 12, 2025, were completely out of character for him and resulted from the serious mental health issues he was experiencing at the time.

[34] The review panel has summarized the relevant elements of these reports below, taking care not to include information that is confidential or personal, or that is not in the public interest to disclose, in accordance with subsection 103(3) of the *Act*. To that end, certain information has been omitted, generalized, anonymized, or redacted. In doing so, the review panel is also guided by the principle of transparency underlying the *Council Policy on the Publication of Judicial Conduct Decisions*, as well as by the open court principle, which promotes public access to decisions and the reasoning behind them in order to maintain public confidence in the administration of justice.

[35] In her preliminary report dated June 1, 2026, Justice Villeneuve's psychologist concluded that the events occurred against a backdrop of significant work overload and occupational stress, which gradually affected Justice Villeneuve's health. According to her, this situation had worsened over time to the point of becoming particularly difficult to bear and had contributed to the emergence of the behaviours that led to the misconduct. She wrote:

> [TRANSLATION]
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[36] In response to questions from the review panel, Justice Villeneuve's psychologist provided additional comments on July 20, 2026. In her opinion, the risk of recurrence is low. This conclusion is based, in particular, on the improvement in Justice Villeneuve's health, the elimination or reduction of the main stressors identified, changes to certain professional responsibilities that contributed to the difficulties he experienced at the time

of the events, and the continuation of measures that promote a healthy work-life balance. In particular, she noted:

[TRANSLATION]

[37] In her initial medical report dated June 3, 2026, Justice Villeneuve's forensic psychiatrist noted that he had been facing a heavy workload, which led to gradual exhaustion and a strong sense of helplessness. In her view, the persistent stress he was facing caused him significant distress and contributed to the events in question. She explained that this situation led to a phenomenon of "moral disengagement," which can cause a person to engage in behaviour that is in stark contrast to their usual values. She believes that Justice Villeneuve's actions can be understood from this perspective. She pointed out, however, that Justice Villeneuve knew that his actions were illegal and was aware of the consequences. She thus arrived at the following diagnoses:

[TRANSLATION]

[38] In her follow-up report dated July 18, 2026, the forensic psychiatrist provided additional information in response to questions from the review panel regarding the phenomenon of "moral disengagement." In particular, she explained that this phenomenon can develop gradually and manifest itself cognitively and behaviourally, temporarily leading a person to adopt behaviours that are inconsistent with their usual values in a specific context. She noted that outside of this context, the behaviour does not manifest itself. She also emphasized that Justice Villeneuve had expressed ambivalence just before the events took place, and that he subsequently expressed feelings of guilt and remorse. The forensic psychiatrist stated:

[TRANSLATION]

[39] In her final report dated August 12, 2026, the forensic psychiatrist added that during the fall of 2025, Justice Villeneuve had increased his working hours in the face of reduced resources. According to her, the difficulties he was experiencing at the time had some impact on his attention and concentration, though they did not compromise his competence or intellectual abilities during the fall of 2025 or while he was drafting judgments related to hearings held through December 10, 2025. She noted the following:

[TRANSLATION]

[40] Justice Villeneuve's attending physician confirmed, in her report dated July 23, 2026, that he was fit to gradually resume his duties. She emphasized that he was actively engaged in his rehabilitation over the past few months and noted a marked improvement in his health. In her opinion, Justice Villeneuve implemented appropriate strategies to address the factors that contributed to the events in question and to prevent their recurrence. Justice Villeneuve's attending physician made the following statement regarding his ability to return to work:

> [TRANSLATION]
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[41] Chief Justice Paquette explained in her letter dated July 6, 2026, that she was not aware of any concerning situations involving stress, pressure, or burnout reported by Justice Villeneuve prior to December 12, 2025. Chief Justice Paquette provided the following explanation:

> [TRANSLATION]
>
> In this regard, I note that, despite the culture of goodwill that exists among colleagues within the Superior Court, despite the existence of a peer support program within the Court to enable colleagues to speak openly about issues of this kind and avoid isolation, and despite the closeness and mutual support that prevail particularly among colleagues in the Estrie region – who form a close-knit team – and despite the open and fluid communication between Justice Villeneuve and the Court's administration, to my knowledge, no concerning situations involving stress, pressure, or burnout were reported to or detected by anyone.

> The absence of any signs that would have given reason to suspect the circumstances that may have led to Justice Villeneuve's actions therefore makes it difficult to identify such situations and implement measures to prevent them in the future.

[42] In his letter dated June 4, 2026, Justice Villeneuve explained the situation that unfolded in 2025 as follows:

> [TRANSLATION]
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> From 2022 until I was relieved of all my judicial responsibilities, I also served as coordinating judge in three judicial districts: Saint-François, Bedford, and Mégantic.
>
> During that time, the pressure was intense. I was responsible for coordinating these three judicial districts, and – largely due to a shortage of judges – I had to preside over many cases outside of my regular assignments.
>
> In 2025, I regularly worked more than 100 hours a week.
>
> Looking back, I realize that I was completely exhausted and that I didn't listen to the people around me, who regularly told me that I was working too hard and that I needed to take care of myself. Clearly, I was suffering from burnout.

e. Assessment of the Circumstances as a Whole

[43] As Justice Villeneuve candidly acknowledged in his correspondence with the Council, his actions on December 12, 2025, constitute professional misconduct. Justice Villeneuve attempted to hire someone to provide him with sexual services, which is a crime in Canada – a fact of which he was fully aware. Such conduct clearly violates the *Ethical Principles for Judges* and undermines the essential role that each judge plays in ensuring public confidence in the administration of justice – a confidence that rests on the integrity of each judge. Despite clearly acknowledging his professional misconduct and the corresponding breach of the *Ethical Principles for Judges*, Justice Villeneuve asserts that allowing him to remain in office will not undermine public confidence in the administration of justice.

[44] Justice Villeneuve's professional ethics, his contributions to the Court, and the high regard in which he is held within the legal community are clearly established in the

numerous documents submitted to the review panel. Furthermore, the existence of health issues that have affected Justice Villeneuve's health and well-being is also well documented. The review panel does not question the conclusions of the medical experts regarding the difficulties Justice Villeneuve was experiencing at the time of the events of December 12, 2025. However, the question the review panel must answer is this: Would a reasonable member of the public, fully informed of all these factors and circumstances, believe that the conduct in question is such as to undermine public confidence to the extent that Justice Villeneuve is unable to perform his judicial duties? The review panel's answer is that this *could* certainly be the case.

[45] There is no doubt that expectations placed on judges in Canada are high. In the *Report of the Canadian Judicial Council to the Minister of Justice in relation to the inquiry into the conduct of the Honourable Gérard Dugré, dated December 19, 2022,* the Council explained in paragraph [2] the key importance of each judge's role in maintaining public confidence in the administration of justice:

> The public's confidence in the judiciary is inextricably linked to an effective judicial system, one that exists to support the rule of law. From the moment of their appointment, judges hold positions of deep trust, confidence and responsibility. It is a fact that the loss of public confidence in a judge can translate into a loss of confidence in the judiciary as a whole, a loss that threatens the entire justice system, upon which the rule of law rests.

[46] The work of a Superior Court judge is extremely demanding and often overwhelming. Unfortunately, burnout and health problems resulting from professional pressures are not uncommon among members of the judiciary, just as they are among many other professionals. These factors may help explain conduct that would otherwise be difficult to understand. However, they do not excuse or justify it.

[47] There are many ways to cope with stress, burnout, and personal or professional challenges. Even taking into account the difficulties cited by Justice Villeneuve, the analysis must remain focused on how his conduct would be perceived by a reasonable and well-informed observer. From this perspective, communication for the purpose of obtaining sexual services cannot be viewed in isolation from its social and legal context,

particularly the concerns regarding exploitation and the harms associated with prostitution that underpin the applicable legal framework.

[48] Under these circumstances, it is reasonable to expect that Justice Villeneuve's actions will be perceived as inconsistent with the high standards of conduct that the public is entitled to expect from the judiciary. A reasonable and well-informed observer might conclude that allowing the judge to remain in office could undermine public confidence in the administration of justice.

[49] At this stage, it is not the review panel's role to determine whether Justice Villeneuve's removal from office is justified. The issue, rather, is whether there is any possibility – however slim – that a full hearing panel, after hearing and reviewing all the evidence and arguments, might conclude that Justice Villeneuve's conduct is serious enough to warrant his removal from office. In this case, the review panel believes that such a conclusion cannot be ruled out.

6. Conclusion

[50] Accordingly, the review panel concludes – taking into account the relevant provisions of the *Act* and the *Marshall* test, as well as all the documentation in the record – that the removal of Justice Villeneuve "could" be justified. Consequently, the review panel has decided to refer the complaint to the Council for the purpose of constituting a full hearing panel, in accordance with section 101 of the *Act*.

[51] Given the review panel's decision to refer this complaint to a full hearing panel, the panel need not consider whether to impose actions provided for in section 102 of the *Act*.

DATED this 30th day of October, 2026.

Original signed

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The Honourable Tracey DeWare

Original signed

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The Honourable Anne Turner

Original signed

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Mr. Pierre Riopel