



democracy Watch
émocratie en surveillance

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John Corelli, Director
Complex Prosecutions Bureau
Ministry of the Attorney General
393 University Ave., 19th floor
Toronto, Ontario
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Via email

September 29, 2025

RE: Response to your stay of the private prosecution of former Prime Minister Justin Trudeau for alleged obstruction of justice and breach of trust (Ontario Court of Justice file #25-11400135 and #25-11400134), and request that you reverse your stay given it is based on an incorrect legal standard

Dear Mr. Corelli:

I am writing on behalf of Democracy Watch concerning the stay you have imposed on the two applications it has filed in the Ontario Court of Justice in Ottawa for approval from the court to proceed with a private prosecution of former Prime Minister Justin Trudeau for pressuring, and directing others to pressure, then-Attorney General Jody Wilson-Raybould to stop the prosecution of SNC-Lavalin in 2018 (now operating under the name "AtkinsRéalis").

As you know, the applications alleged that Mr. Trudeau violated the obstruction of justice provision in the *Criminal Code* (s. 122, Ontario Court of Justice case file #25-11400135) and also the breach of trust provision (ss. 139(2), Ontario Court of Justice case file #25-11400134).

The evidence that Democracy Watch has gathered show that the RCMP's investigation was weak, incomplete, delayed and buried for years, ignored key evidence and continues to hide key evidence. The RCMP only interviewed four

of 15 key witnesses, and is hiding key testimony from Wilson-Raybould, her Chief of Staff Jessica Prince, and her friend and confidante Jane Philpott. The RCMP also accepted the Trudeau Cabinet hiding key internal communication records, and trusted without question the biased, self-interested public statements of the PM and everyone else who pressured the AG.

In addition, and importantly, the RCMP applied an incorrect legal standard for proving obstruction of justice, and didn't even consider prosecuting anyone for the general violation of breach of trust.

In addition to the application form and list of witnesses, the application included:

1. The "will say" document which summarizes the evidence and the arguments supporting the private prosecution, which can be seen at: https://democracywatch.ca/wp-content/uploads/DConacher_WillSay_Feb192025.pdf.
2. A document summarizing how the RCMP's investigation was weak, incomplete, delayed, ignored key evidence and used an incorrect legal standard concerning obstruction of justice when deciding whether Mr. Trudeau should be prosecuted, which can be seen at: https://democracywatch.ca/wp-content/uploads/SummaryOfActionsByRCMP_Feb192025.pdf.
3. A legal opinion by a retired superior court justice detailing the clear evidence and legal arguments supporting prosecuting Mr. Trudeau for obstruction of justice and possibly also breach of trust, which can be seen at: <https://democracywatch.ca/wp-content/uploads/RetiredSuperiorCourtJusticeOpinion.pdf>.
4. A Part 1 set of RCMP internal investigation records totaling 1,815 pages obtained through a federal *Access to Information Act* request. [Click here to see](#) the List of records and links to the records, and [click here to see](#) a Summary of the records.
5. A Part 2 set of RCMP internal investigation records totaling 1,832 pages also obtained through a federal *Access to Information Act* request. [Click here to see](#) a Summary of the Part 2 set of records, and [click here to see](#) the records.

It is clear that the RCMP never should have been investigating the allegations concerning Mr. Trudeau given the RCMP Commissioner, Deputy Commissioner and head of every RCMP Division are chosen by, and serve at the pleasure of, the Prime Minister and federal Cabinet (under ss. 5(1), 6(3) and 6.1(1) of the *Royal Canadian Mounted Police Act* ([R.S.C. 1985, c. R-10](#))).

As a result, in this situation the RCMP was investigating a politician who had appointed the top RCMP officials, and therefore the RCMP was in a direct and significant conflict of interest, and its investigation lacked independence, impartiality and integrity in ways that clearly violate the *Code of Conduct of the Royal Canadian Mounted Police* (*Royal Canadian Mounted Police Regulations, 2014* ([SOR/2014-281](#))).

A provincial or municipal police force should have handled the investigation. As you very likely know, in response to the Greenbelt scandal involving Ontario Premier Doug Ford's PC Party government, the Ontario Provincial Police (OPP) transferred the case to the RCMP because of a perceived conflict of interest given Premier Ford chose the OPP Commissioner.

As you know, in June you requested that the Regional Sr. Justice have a judge oversee the next step in the [private prosecution application process](#), called a pre-enquête hearing, at which DWatch would present the evidence it pried out of the RCMP, and key witnesses would be questioned such as Wilson-Raybould, her former Chief of Staff Jessica Prince, and her friend and confidante former Liberal Cabinet minister Jane Philpott. Democracy Watch supported that request. The Regional Sr. Justice had not yet made that decision.

Very unfortunately, in your letter staying the private prosecution process, you cite the same incorrect legal standard for proving obstruction of justice that the RCMP used as part of their reasons for deciding not to prosecute Mr. Trudeau. Your letter claims that:

“there is no reasonable prospect the Crown could prove that Mr. Trudeau acted with the requisite criminal intent for either alleged offence.”

As you very likely know, the Supreme Court of Canada clarified in *R. v. Beaudry*, [2007 SCC 5 \(CanLII\)](#) that, in order to prove obstruction of justice, the Crown is only required to prove that an alleged offender acted “willfully” to frustrate the course of justice. Proof of “criminal” (i.e. deceitful or corrupt) intent is not required.

In addition, the case against Mr. Trudeau is unprecedented – so there is no way that you as Crown counsel could determine that there is no chance of proving that Mr. Trudeau committed a crime.

Your letter also says that you have concluded that it is not “in the public interest to hear any evidence that may be adduced by the informant” at the hearing, and that “new evidence” is unlikely to become available because the RCMP did its own review.

Your conclusion ignores the clear evidence you had in the case file showing that the RCMP's investigation was weak, incomplete, delayed and buried for years, that the RCMP accepted the Trudeau Cabinet keeping key records secret, that the RCMP only interviewed four of 15 key witnesses, that the RCMP hid key testimony from former Attorney General Jody Wilson-Raybould, her former Chief of Staff Jessica Prince, and her friend and confidante former minister Jane Philpott, and that the RCMP trusted without question the biased, self-interested public statements of Trudeau and everyone else who pressured the AG.

It is completely unacceptable for you to reach your conclusion concerning the possibility of proving either offence had been committed by Mr. Trudeau given

you utilized an incorrect legal standard, and given had in the case file a detailed legal opinion by a retired superior court justice that sets out the correct legal standard and all of the clear evidence supporting a prosecution of Mr. Trudeau for obstruction of justice, and given you provide no reasons at all to back up your conclusion.

It is also completely unacceptable for you to reach your conclusion concerning the public interest of a court hearing the evidence contained in Democracy Watch's application, evidence that has never been heard by any court, and that includes more than 3,600 pages of internal RCMP investigation records that contain clear and ample evidence of obstruction of justice by Mr. Trudeau, and summaries and analyses of those records that show the RCMP redacted, without any legal justification, key, relevant evidence and answers to questions by Ms. Wilson-Raybould, Ms. Prince and Ms. Philpott, and that answers to those questions would be entirely relevant and important new evidence that could have been adduced at the pre-enquête hearing.

You owe the public, and the administration of justice, a full and public explanation of why you have used an incorrect legal standard as the basis for staying this proceeding, and the actual reason(s) why you have stayed this proceeding.

In addition, given your stay is based on a legal standard that is clearly incorrect, Democracy Watch requests that you reverse your stay and allow the process of the applications for approval of a private prosecution continue so that a judge can hear and review the evidence in a court and make a decision, based on correct legal standards, whether there is enough evidence on the elements of either offence for a *prima facie* case to be made that an offence has been committed, and that a charge or charges should be laid and a prosecution commenced.

We hope that such a full and public explanation will be forthcoming very soon.

Sincerely,



Duff Conacher, Co-founder of Democracy Watch
on behalf of the Board of Directors of Democracy Watch

cc. Ellen Weis, Crown Counsel, Complex Prosecutions Bureau