

**Criminal Code
Private Prosecution Application
Ontario Court of Justice**

**Summary of Actions by the RCMP
in response to complaint
for Application filed by Duff Conacher on February 19, 2025 re:
allegations of obstruction of justice and breach of trust by Prime
Minister Justin Trudeau
(electronic Record #4)**

The RCMP only interviewed former Attorney General Jody Wilson-Raybould (JWR), JWR's former Chief of Staff Jessica Prince, JWR's former Deputy Minister Nathalie Drouin, and former Treasury Board President Jane Philpott.

The RCMP did not interview other members of JWR's staff, Prime Minister Justin Trudeau ("PM") or any other Cabinet ministers or federal government officials who were involved in pressuring JWR, even though it is reasonable to conclude that each would have relevant evidence of the alleged offences, , and even though JWR urged the RCMP to interview other witnesses (Part 2 of RCMP Records, page 144).

Instead of interviewing key witnesses as part of a criminal investigation, the RCMP relied unquestioningly on the public statements made by all the people who were involved in pressuring JWR (at House of Commons Committee hearings and in news conferences and news releases). These public statements, of course, were all aimed at trying to make it seem like none of them had done anything wrong.

The RCMP's investigation records show that the RCMP characterized all of the statements by these people in a favourable way whenever possible, and always argued in favour of doubts concerning the success of a prosecution (Part 1 of RCMP Records, Record #2, paras. 259, page 117; para. 278, page 121; paras. 295-299, pages 125-126; paras. 313-334, pages 130-134 – especially paras. 318, 320-32, 323-326, 328-330; Record #3, subparas. 9(e), (g) and (h), pages 3-4; paras. 15-18, pages 5-6; and paras. 19-20, pages 6-7).

The RCMP accepted the Trudeau Cabinet's [restricted disclosure order](#) and did not apply to court for a warrant to obtain internal communication records of the PM and other Cabinet officials, which would have provided evidence concerning both intent and also details of the actions of the PM and other government officials (Part 1 of RCMP Records, Record #2, para. 300-301, p. 126; paras. 331-334, p. 134; Record #3, paras. 5 (p. 2) and 21-23 (p. 7)).

The RCMP's own investigation records show that the investigating officer initially established that, to prove obstruction of justice in court, pressure must have been placed on someone to obstruct a proceeding in the justice system, and that such pressure had been put on JWR by the PM and his officials (Part 1 of RCMP Records, Record #2, para. 234, page 87; para. 239, pages 88, and; para. 249, page 111). However, the investigating officer then switched the standard to require proof of “a corrupt intent to interfere” to pursue an obstruction prosecution, even though that is not the correct legal standard (Part 1 of RCMP Records, Record #2, paras. 250-301 (pages 111-126 – especially paras. 287-290)).

The RCMP did not even consider the charge of breach of trust during its investigation (Part 1 of RCMP Records, Record #2, paras. 10-11, page 9; Record #3, para. 3, page 1; para. 10, page 4; and para. 12-14, pages 4-5).

The RCMP's decision not to prosecute the PM for obstruction of justice was based in part on the clearly self-interested and biased statement by JWR before a House of Commons Committee, when JWR was still a member of the Trudeau Cabinet, and therefore bound to express confidence in the Cabinet and PM, that while the PM pressuring her was wrong it was not illegal (Part 1 of RCMP Records, Record #2, paras. 287-290, pages 122-123).

The RCMP is also hiding part of the statement of JWR during her third meeting with RCMP officers in February 2020 concerning whether, after learning more about what happened, she thought the actions of the Prime Minister amounted to obstruction of justice (Part 2 of RCMP Records, pages 373 and 395-397).

The RCMP is also hiding part of the statements of Prince during her interview with RCMP officers on October 25, 2020 concerning the pressuring by federal government officials to have JWR stop the prosecution (Part 2 of RCMP Records, pages 472-474, 478, 487-488, 498, 519, 527, 528 and 532).

The RCMP is also hiding part of the statements of Philpott during her interview with RCMP officers on October 25, 2020 concerning what JWR communicated to her re: the pressuring by federal government officials to have JWR stop the prosecution (Part 2 of RCMP Records, pages 1792, 1796-1797, 1803, 1804, 1806-1808, 1810-1816).

After a years-long delay, the RCMP disclosed 3,647 pages of investigation records in response to Democracy Watch's request under the federal *Access to Information Act* (Part 1 disclosure of 1,815 pages on September 22, 2023, and Part 2 disclosure of 1,832 pages dated April 26, 2024). However, approximately 1,630 pages of the records were documents that were already publicly accessible. So, in total, the RCMP only disclosed 2,017 pages of records. In addition, the records contain many pages that detail how many other pages the RCMP is withholding, citing various exemptions under the *ATIA*. In total, the RCMP is still withholding approximately 300 pages of investigation records, including every record that refers to the actual legal advice the RCMP received concerning whether anyone should be prosecuted.

Finally, the RCMP's investigation records show that the RCMP's national command took from March 2021, when it received the final investigation report from the investigating officer, until January 2023 to make its decision to conclude the investigation without prosecuting anyone. Other than a brief, vague letter from the current RCMP Commissioner to the House of Commons Standing Committee on Access to Information, Privacy and Ethics dated April 26, 2024 that is included with this application (in both hard copy form, and also electronic form (Record #9)), the RCMP has still not explained what exactly happened during this delay of one year, nine months between the national command receiving the final report and the final decision being made not to prosecute anyone. This delay raises serious questions concerning the RCMP's decision-making process during that one-year, nine-month period.