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The Honorable Arif Virani
Minister of Justice of Canada
Department of Justice
284 Wellington Street
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Mr. Minister

Congratulation for your promotion as Minister of Justice. Since your predecessors, the Honorable David Lametti, never cared answering my questions to his attention until now, except for a couple empty replies from his staff, I'll reiterate my request to you.

Since you are not aware of the facts, let's take a moment to address that. It is now well documented that RCMP members have perjured themselves about the circumstances surrounding the death of RCMP Cpl. Derek Flanagan. If you entertain any doubt about the evidence to that effect, please see the document titled Analysis of RCMP Flanagan's death, which is in the possession of the Attorney General of Canada, since September 2013 and contains 174 pages of RCMP lies, contradictions, false statements and perjuries related to this tragic event. The said Analysis can also be found in the section document of my website at alainolivier.ca, as well as all the related evidence ignored by the Court to that effect.

That the RCMP lied in all impunity about the circumstances surrounding the death of Cpl. Derek Flanagan is one thing in itself and a matter of public interest. Although all matters related to RCMP members' conduct are under the responsibility of the Public Safety Minister, this letter to your attention rather concerns what can be construed as illicit conduct by the Court and has nothing to do with the Public Safety Minister.

The fact that Judges of the Court have allowed RCMP members to lie, while under oath, about the death of a police officer adds another dimension to this case. As such, it becomes a matter of public order. Now, you will agree me that if judges of the court did this consciously, it would be unprecedented and an event that would make the Court accomplice of cover up into the death of a RCMP member.

On the other end, you cannot ignore either that if this was an omission, it would signal another serious problem. This time, a problem related to credibility and the work ethic of

the judges assigned to my case. Whichever way one looks at it, it is the unfortunate truth that won't go away and what brings me to write you.

As expressed in my prior letters to the Honorable David Lametti, to make a complaint to the Judicial Council, as his staff members proposed to me, is unrealistic. It would amount to a complete waste of time and taxpayers' money. I did go through the whole exercise in the past and it led to nothing, but for judges protecting judges from any criticism.

Let me be clear, M. Minster. In the present case, such process would encompass asking a panel of judges to investigate the conduct, among others', of the very individual presiding over the Judicial Council; namely, the Honorable Supreme Court Justice Richard Wagner.

In light of his long friendship with the trial judge, Justice Michel A. Caron, I had requested for his recusation before the Appeal Court, in order to avoid any perception or appearance of bias or conflict of interest. Interestingly, although the audience before open court was recorded, my oral demand for his recusation disappeared from court records held at the Register's Office of the Appeal Court, while the rest of it was there. My oral demand for the recusation of Justice Wagner was rather replaced by a letter stating that I had dropped my request, without revealing the nature of the said request. But it doesn't end there.

After a recommendation to the cabinet of the prime minister by the Office of the Minister of Justice and the Attorney General, Justice Richard Wagner was then promoted to the Supreme court, while "**en délibéré**" in his decision in my \$47,400,000 lawsuit against the RCMP and the Attorney General responsible for his nomination. (See: Alain Olivier v. Attorney General of Canada: 500-05-058936-004\500-09-018408-808.)

In such context, it would be naive to expect any kind of objectivity and fairness to ensure the due process of my complaint. Anyone believing otherwise should go look at the statistic related to the settlement of complaints filed at the Judicial Council.

The other Justices involved are: the trial Judge, the Honorable Justice Michel A. Caron, who was appointed Role Director of the court in Terrebonne afterward, as well as director of the Judicial Council comity responsible for the selection of new judges; Appeal Court Judges; the Honorable Justice François Pelletier (retired); the Honorable Justice Claude C. Gagnon (ad hoc).

As mentioned to the Honorable David Lametti previously, it isn't the fact that a lay person has been added to the complaint review panel that will change the imbalance of equality in place. For the reason explained hereabove, without a public inquiry into the conduct of those judges, it would be living out of touch with reality to expect any kind of unbiased process, in light of the individuals involved and responsible for the present situation.

As found on the Liberal Party website, at IV.1. under the title of Ministerial Conduct, it is stated that:

- All Ministers must act with honesty and must uphold the highest ethical standards, so that public confidence and trust in the integrity and impartiality of government are maintained and enhanced.

In your role as Minister of Justice and public servant, you act in an official capacity on behalf of the Canadian government. I doubt very much, Mr. Minister, that allowing judges to make the Court accomplice of covering up of the truth into the death of a RCMP officer, that it reaches the level of conduct that upholds these highest ethical standards. As you know, lying about the death of a police officer, while under oath, is a serious offense under the criminal code. In the same manner, and even more reprehensible; so, is the covering up of such conduct by the Court and the office of the Minister of Public Safety responsible for the conduct of the RCMP, who refuse to even acknowledge receipt of my letters.

Under PART II of the Inquiries and Procedures Act, in your role as the Minister of Justice, under the authority of the Governor in Council, you do hold the necessary powers to assign a commissioner or more to investigate the conduct of all employees under your aegis, which includes judges of the court.

In all due respect, Mr. Minister, to have staff members at the Justice Department telling me that the Minister of Justice has no authority to look at the conduct of judges of the Court is not only misleading, but contradicts PART II of the Inquiries & Procedures Act. Clearly, when the conduct of certain judges comes into play, to a point of affecting the reputation of the Court, as well as public confidence in the judiciary, you do have the abilities and all the authorities required to intervene and to initiate an investigation.

Since the evidence establishes beyond any doubt that RCMP members have lied about the death of Corporal Derek Flanagan, a number of things remain essential to address, in order to protect the integrity of the court. In light of the aforementioned, I am reiterating my request made to your predecessors to open a public inquiry. At issue:

- What motivated judges of the court to close their eyes to what amounts to 174 pages of RCMP's lies, perjuries, false statements and contradictions into the death of RCMP Cpl. Derek Flanagan?
- More importantly, did judges of the Court have intentionally, thoughtfully and deliberately closed their eyes, while RCMP members were lying in all impunity about the death of RCMP Cpl. Derek Flanagan?

With your background in law, Mr. Minister, needless telling you what this would imply, if this was the case. And if it is not, then how to explain the silencing by the Court in their decisions of what amounts to 174 pages of RCMP's lies, perjuries, false statements and contradictions related to the death of RCMP Cpl. Derek Flanagan's death?

That being said, I am kindly asking you to use your authority to make the light into the conduct of all judges involved and ensure that my case will receive a fair and honest review.

Needless reminding you that under the Crown Liability & Proceeding Act, s. 3(a)(i), the federal Crown can be held liable for the fault of its servants, including its ministers. As it stands under the jurisprudence and the law, liability may be established on a failure to act, when a person, including a public servant, is **under a legal duty to act**, and more importantly, when he is **reasonably capable** of doing so; as you are empowered to do under PART II of the Inquiries and Procedures Act.

In other words, any failure to perform a duty without a lawful excuse, especially, an obligation attached to your job, would be improper. The decision in *R v. Hinse* makes that clear and confirms the parameters of ministerial obligations under the law, which were established to end what the Supreme Court describes as government indifference.

Considering the mountain of evidence gathered to the effect that RCMP members, while under oath, were allowed by the court to lie in all impunity, telling me that the court has spoken is not an option. Had judges of the court involved in this case done their job honestly, the situation would be quite different and I would not be here writing you about it, today. And if the judges honestly missed out on all the evidence found throughout the content of the Analysis of RCMP Flanagan's death (174 pages of it), perhaps, you will have to agree that it would then raise serious questions about their competences.

In both cases, it signals the existence of a real and serious problem. It is either one scenario, or the other. Whichever way, it is sufficient ground for you to order a complete review of my case to delineate the truth and what else the Court closed their eyes to at trial.

After decades of my life dedicated at fighting for justice, I can tell you that the truth will inevitably come out and thinking otherwise would be an error. To put it bluntly, Mr. Minister, with all the evidence available to you and supporting the need for your intervention, it would be a grave mistake to refuse investigating what went wrong. For the simple reason that it would amount to an attempt at covering up what amounts to illicit conduct of judges of the court.

Surely, RCMP Cpl. Derek Flanagan, as well as his family, deserves better than having the circumstances surrounding his death and his memory tarnished by the lies of a few dishonest cops.

Thank you kindly for your time and looking forward to the pleasure of a reply soon.

Sincerely

Mr. Alain Olivier

C/c: Pearl & Associates