

Mr. Alain Olivier
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Montréal, August 9, 2023

The Hon. Dominic Leblanc
Public Safety Minister
269 Laurier Avenue West
Ottawa, Ontario
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Ref: My unanswered letters and requests to your predecessors for the institution of a public inquiry under Section 24.1 of the RCMP ACT, into the death of RCMP Cpl. Derek Flanagan.

Mr. Minister

As it stands, RCMP members were able to perjure themselves in all impunity about the circumstances surrounding the death of RCMP Cpl. Derek Flanagan. Now, you will agree me that if this is true, it would be an unprecedented offence and an event that would make the RCMP guilty of cover up into the death of a RCMP member.

But, what about the Public Safety Minister and his staff, if at their turn, they choose to close their eyes and to ignore such matter in an attempt to protect the RCMP? Most certainly, since you have graduated in Law, you do understand what amounts to cover up. Thereof, you can also appreciate and comprehend that if you were to allow RCMP members to lie about the death of a colleague, this would make your office accomplice of cover up into the tragic death of a RCMP officer.

To put it bluntly, admitting that RCMP members were to have lied under oath and to cover up the true circumstances surrounding the death of a RCMP officer in a foreign country, this would be an act considered unlawful and highly reprehensible. Unless being wrong, and correct me if I am, Mr. Minister; it should be forcefully condemned by you and your office.

Since your predecessor, the Honorable Marc Mendicino, as well as his staff, did not care answering or even acknowledging receipt of my past recommended letters, it raises countless questions. Such lack of courtesy, Mr. Minister, can only contribute to enhance the appearance of wrongdoing entertained by the Canadian public towards your office. It not only generates a cloud of doubts, but undermines public confidence in the institution that you are now heading as Minister in charge of Public Safety.

As exposed lately through the media, with staff members withholding information from your predecessor, the Honorable Marc Mendicino and keeping him in the dark, it becomes a big irritant for anyone trying to communicate information to the person at the top and responsible for the good functioning of the Public Safety Ministry. And such irritant grows much more, when deprived of a response, because staff members may be withholding information from the minister to protect him.

- Would you have the amiability to confirm me in writing that such practice is now over and won't happen again under your watch?

The Public Safety Ministry Code of Conduct clearly states that the purpose of public servants employed at Public Safety Canada is **to maintain public confidence** in the integrity of all public institutions. So far, if the aforementioned is taken to the letter, the conduct of staff members at Public Safety, in this case, is most definitely contrary to the spirit of their code of conduct. When ignoring the concerns and complaints of Canadian citizens, members of your staff are not doing you any favor, Mr. Minister. Perhaps, it would be urgent to remind all of them of that and to invite them to read the Crown Liability & Proceeding Act, since any decision they do make without your consent doesn't discharge you from liability and responsibility for their actions and omissions.

Under s. 3(a)(i) of the Act, it states that 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 Section 24.1 of the RCMP Act.

In other words, any failure to perform a duty without a lawful excuse, especially, an obligation attached to your job, would be unlawful. 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.

In an official capacity as Minister of Public Safety and public servant, you act on behalf of the Canadian government. Although you must be aware of this, the liberal party motto "Open and Accountable Government" on the Canadian government website, at IV.1. under the title of Ministerial Conduct, states 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.

I doubt very much, Mr. Minister, that covering up the truth related to the conduct of RCMP members; (lying under oath about the death of a RCMP officer), reaches the level of conduct that upholds these highest ethical standards, which your ministry is supposed to

support and enforce. Moreover, lying about the death of a police officer, while under oath, is a serious offense under the criminal code. In the same manner, and perhaps even more unacceptable; so, is the covering up of such conduct.

Since Corporal Derek Flanagan's tragic death in Chiang Mai Thailand, the night of February 19, 1989, it is well documented that RCMP members involved in the operation have lied extensively about it. To dissipate any doubt that you may have about my sayings, I do invite you to acknowledge the content of the Analysis of RCMP Flanagan's death. It contains 174 pages of RCMP's lies, perjuries, false statements and contradictions related to Corporal Flanagan's death. All the information and evidence found in said document emanate exclusively from the RCMP and the Attorney General of Canada. That way, no one will be able to say that I am making this up.

Another important point to make is the fact that the document titled Analysis of RCMP Flanagan's Death has been in the possession of your office for several years. Yet, neither staff members or the previous ministers dared acknowledging its receipt, nor the veracity of the information found throughout its content.

Keeping in mind that you have just been promoted in this new role, as Public Safety Minister of Canada, I have enough decency and consideration, Mr. Minister, to give you the opportunity, at your turn, to acknowledge the content of the Analysis of RCMP Cpl. Flanagan's death. It may also be found on my website in the document section at alainolivier.ca with all the corroborating evidence.

As you will have to concur, the mountain of evidence is overwhelming. It establishes beyond any doubt that RCMP members involved in Operation Deception have lied extensively about the circumstances surrounding Corporal Flanagan's death. And that they did so, in an attempt at covering up the truth related to these tragic events that led to me being wrongly convicted and subjected to the death penalty in Thailand.

My question is:

- Do you and your office agree or disagree with the veracity of the information found in the content of the analysis of RCMP Derek Flanagan's death that repertoires RCMP members' lies, perjuries, false statements and contradictions surrounding this tragic event?

This being said, I am once again, in all due respect, reiterating to you my request to initiate a public inquiry under Section 24.1 of the RCMP Act.

At stake:

- What led RCMP members to lie in all impunity about the death of their colleague?

In the present case, Corporal Derek Flanagan was killed. Surely, as a matter of respect, his family deserve better than having his memory tarnished by the lies of a few rogue and unscrupulous RCMP members. You and your staff may choose to ignore my letter again, as well as my requests for a public inquiry under Section 24.1 of the RCMP Act, but doing so won't resolve the situation, nor make the unfortunate truth go away.

Even if unearthing the past can be unkind, Mr. Minister, in the present case, it is essential if ever you wish to bring a closure to what has been, thus far, a complete aberration of justice. If I don't get to hear from you, it'll be interpreted as an admission from your part that you knowingly accept to have your office being accomplice of cover up into the death of a RCMP officer.

Thank you for your time and concerns for the truth, Mr. Minister and looking forward to the pleasure of a reply. I remain...

Sincerely

Mr. Alain Olivier

C/c: Pearl & Associates