



HON. ANDREW SCHEER, P.C., M.P.
L'HON. ANDREW SCHEER, C.P., DÉPUTÉ
LEADER OF THE OFFICIAL OPPOSITION / CHEF DE L'OPPOSITION OFFICIELLE

February 10, 2019

The Rt. Hon. Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Office of the Prime Minister
Ottawa, ON K1A 0A2

Dear Prime Minister,

Media reports have revealed very troubling allegations with respect to possible interference by your office in a criminal prosecution of SNC-Lavalin.

On February 8, 2019, former Attorney General Jody Wilson Raybould stated, "As the former Minister of Justice and Attorney General of Canada, I am bound by solicitor-client privilege in this matter."

This statement is telling in two ways: first, it confirms that the former Attorney General is of the view that there is indeed a "matter" related to the criminal prosecution of SNC-Lavalin on which she provided legal advice to a client. Second, and more importantly, as the Attorney General has only one client – the Government, with you as its Head – you and/or your staff members acting at your behest are the client to whom the duties of solicitor-client privilege and confidentiality are owed. As you well know, any client may choose to waive his or her right to solicitor-client privilege or confidentiality. In this case, Prime Minister, you are in a position to waive the duties owed to you by the former Attorney General of Canada.

Canadians deserve answers on this "matter", as the allegations surrounding it strike at the very heart of fair and impartial law enforcement and prosecutorial functions, themselves vital to the rule of law and to our democracy.

Therefore, I call on you to immediately waive solicitor-client privilege in respect of any advice given to you or your staff in relation to the prosecution of SNC-Lavalin. Additionally, I call on you to also waive any and all rights to confidentiality in respect of communications to or from yourself or any member of your staff (previous or current) in relation to the prosecution of SNC-Lavalin.



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Solicitor-client privilege and the duty of confidentiality are important values in our legal system. But in the present situation, they must be subordinated to a higher value: the confidence of Canadians in the integrity, fairness, and impartiality of our criminal justice system. You have a duty to restore this confidence through transparency, honesty, and a full-accounting for your actions and those of your staff. If you do not meet this obligation, Canadians can only conclude that there is something you wish to keep hidden.

I would note that Prime Minister Stephen Harper waived solicitor-client privilege to cooperate with the investigation of Senator Mike Duffy and waived Cabinet confidence in relation to the trial of Vice Admiral Mark Norman and that Prime Minister Paul Martin waived Cabinet confidence to cooperate with the Gomery commission.

It is fundamentally important that judicial proceedings be allowed to proceed free from the cloud of scandal and accusation. I hope that you will fulfill your duty to Canadians and bring clarity to this matter immediately.

Sincerely,

The Hon. Andrew Scheer, P.C., M.P.
Leader of the Official Opposition