
CASE STUDY

R v. William Majcher: Modern Exclusion in the Name of National Security

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ABSTRACT

This case study examines the prosecution and acquittal of former RCMP officer William Majcher, who was charged with preparing to assist the People's Republic of China through coercive means. It argues that the RCMP repeatedly interpreted lawful conduct as evidence of foreign interference because it was connected to China. The case exposes serious weaknesses in national security investigations, including reliance on speculation, media narratives, and guilt by association. It also highlights the risk that Canada's foreign influence transparency registry could turn disclosure into a basis for suspicion, Charter violations, and prosecution.

Introduction

Canada's national security and intelligence agencies are commonly understood to protect Canadians from foreign interference. However, in many cases they are a perpetrator of harm rather than a safeguard against it. The 2024 Public Inquiry into Foreign Interference was a prime example of this, revealing how stereotypes and unfounded assumptions led CSIS and the RCMP to treat community organizations and ordinary Canadians as suspect despite the absence of any evidence that they had done anything wrong. CUAME documented these patterns of modern exclusion in a case study, which can be found here: <https://www.cuame.ca/docs/public-inquiry-en.pdf>.

Aside from stigmatizing Canadians, the same biased mindset of CSIS and the RCMP had another

dangerous consequence: it led to a criminal investigation into William Majcher, a former RCMP officer who later became a financial and cybersecurity investigator working in asset recovery. The Quebec division of the RCMP began investigating Majcher in 2021. Two years later, he was charged under section 22(1) of the Security of Information Act for preparing to induce Hongwei (Kevin) Sun, who was wanted by the government of the People's Republic of China for financial crimes, to repatriate himself and his assets to China through threat, accusation, menace, or violence, at the direction of or for the benefit of the PRC.

In May 2026, Majcher was acquitted in the BC Supreme Court after Justice Devlin was not satisfied beyond a reasonable doubt that he had intentionally prepared to threaten Sun on behalf of the PRC. Rather, conduct that the RCMP viewed as evidence that Majcher was acting as a Chinese agent was also consistent with ordinary, lawful investigative work.

This case study reviews the evidence presented by prosecutors at trial and shows how bias shaped the RCMP's investigation. There was no clear evidence that Majcher had engaged in criminal wrongdoing. Instead, investigators appear to have inferred that coercion and threats were involved simply because China stood to benefit from the recovery of the stolen assets. This raises further questions about why prosecutors chose to charge Majcher and later appeal his acquittal, an issue explored in greater detail below.

The RCMP's Unconstitutional Searches and Arrests

The Majcher case offers a rare window into the work and mindset of national security investigators in foreign interference cases. This case study focuses on two officers: Corporal Gabriel Lemaire, who submitted the Information to Obtain ("ITO") that led to search warrants for Majcher's property, and Staff Sergeant Nicolas Ferland, who authorized Majcher's arrest.

Lemaire's ITO, a 77-page document detailing the facts and sources behind his request for a search warrant, was found by Justice Devlin to "fail to rise above mere speculation and conjecture." [1] The resulting warrant therefore violated Majcher's Charter right to be secure against unreasonable search and seizure.

Majcher's arrest in Vancouver was also found to be unlawful. Justice Devlin accepted that Ferland "sincerely held" the belief that he had formed the requisite grounds to authorize the arrest of Majcher, but that this belief was not "objectively reasonable." [2] The evidence showed at most that Majcher was involved in lawful efforts to recover assets for the PRC or its associated entities. The RCMP's conclusion based on this evidence that Majcher was a Chinese agent "amount[ed] to speculation, suspicion, and guesswork rather than a reasonable belief in the probability of a criminal conspiracy." [3]

These two breaches of Majcher's Charter rights resulted from an investigative approach that treated

conduct connected to Chinese interests as inherently suggestive of criminal activity. The RCMP failed to distinguish between lawful asset recovery work and conduct that meets the threshold for a national security offence. Most troublingly, investigators seemed to genuinely believe that the evidence before them was enough to justify the searches and arrest, which points to deeper, systemic flaws in the RCMP's investigative mindset and practices.

The following examples show how this investigative logic operated in practice.

1. Cap Chevron

In 2019, the Australian television program *Four Corners* aired a broadcast about Cap Chevron, a company accused of investing misappropriated funds from China in the Australian real estate market. The RCMP relied on the show as evidence that Majcher had agreed to assist the PRC because it mentioned his involvement with private investigators examining the company.

Based solely on Majcher's mention in the show and without conducting any independent verification, Lemaire concluded that he was "coordinating Chinese operations" for the private investigators. Lemaire also pointed to the fact that one investigator appeared on the leadership page of Majcher's company. Neither of these facts explains what Majcher had allegedly done wrong, much less established that he was acting as a foreign agent.

2. China CITIC Bank v Yan Shibiao

Another example cited by the RCMP involved Shibiao Yan, who was accused of defrauding a Chinese bank of approximately \$10 million before fleeing to Canada. A Chinese arbitration tribunal ordered Yan to repay the funds, and the BC Supreme Court later recognized and enforced that award in 2017.

The evidence connecting Majcher to this matter is indirect and convoluted. Capital Chambers, a Hong Kong law firm, stated on its website that it was involved in the case in some capacity. One of its lawyers had previously travelled to Canada with Majcher and had appeared in the *Four Corners* broadcast. The firm's website also listed Majcher as its "Director of Investigation" in Canada. Separately, Yan's family reported receiving threatening phone calls "of an unspecified nature by unidentified persons," which the RCMP viewed as similar to methods used by Chinese operatives in other asset recovery cases.

From this chain of associations, the RCMP concluded that Majcher was involved in coercive efforts to investigate and repatriate Yan. However, none of the evidence identified Majcher as the person who made the calls, connected him to those who did, or even suggested that he knew about them. His professional relationship with a law firm involved in the case did not establish that he had worked on the matter, much less that he had acted unlawfully. The court agreed, finding that "the information could not have reasonably supported an inference that Mr. Majcher had any involvement whatsoever in the case of Mr. Yan." [4]

3. Similarities in Timing

In his ITO, Lemaire referred to a 2015 speech Majcher gave about money laundering. Majcher mentioned that he had recently been approached by someone “very close to senior state security” in China who asked to help track down money stolen by officials. He did not accept the request. Lemaire nevertheless treated this comment as significant because, in his words, the “timing of when he would have been approached by this person would also coincide more or less with the beginning of Operation Fox Hunt,” [5] the PRC’s campaign to locate and return economic fugitives.

To state the obvious, the fact that two events occurred at roughly the same time does not establish any substantive connection between them. That the RCMP would conclude from this speech that Majcher was working for the PRC was described by Justice Devlin as “purely speculative.” [6] More importantly, even if Majcher had been retained by the PRC to assist with asset recovery, that fact alone would not constitute an offence. The relevant question is not whether his work benefited or was connected to China, but whether Majcher prepared to induce someone by threat, accusation, menace, or violence in his work.

4. Meng Wanzhou

After he retired from the RCMP, Majcher remained in contact with RCMP officials and kept them informed about his work. When Anbound retained him to investigate the case against Huawei executive Meng Wanzhou, who was accused of fraud in connection with efforts to circumvent US sanctions against Iran, Majcher disclosed this work to the RCMP.

From this disclosure, Lemaire concluded that Majcher “was sent to represent Chinese interests and use his network of influence in the law enforcement and security community in Canada to obtain information and/or interfere to some level with the judicial process.” [7]

Yet Lemaire identified no evidence that Majcher had attempted to interfere with Meng’s extradition proceedings. Rather, his reasoning relied heavily on *Hidden Hand*, a book arguing that the Chinese Communist Party is undermining liberal values and expanding its influence abroad. Lemaire treated the book’s characterization of Huawei as a vehicle of Chinese state influence as evidence that Huawei was in fact operating in this manner. He then reasoned that, given Huawei’s resources and alleged backing from the PRC, “the possibility of a well-orchestrated scheme to interfere in/influence the outcome of Meng’s extradition process remains.” [8]

Justice Devlin was critical of Lemaire’s reasoning, describing it as “entirely fanciful and inflammatory.” [9] She also found it unreasonable to infer that Majcher intended to interfere with a judicial process when he had openly disclosed his involvement to the RCMP.

5. Kevin Sun

The preceding examples were used by the RCMP to support search warrants and Majcher’s arrest, but they

did not form the basis of the charge against him. That charge arose from his involvement in the case of Kevin Sun, who was alleged to have defrauded a Chinese bank of approximately \$120 million CAD before moving to Vancouver. China issued an Interpol Red Notice seeking Sun's arrest and return in 2016, but the RCMP did not receive enough information from Chinese authorities to act on the request.

The evidence against Majcher centred on two emails he sent in 2017 to an associate at his company, which were intercepted by the FBI. In one, Majcher described going “back and forth between the lawyer in Vancouver and Chinese officials” to negotiate the terms of an engagement involving the fraud. He also wrote that Chinese police were preparing to issue a global arrest warrant and that he hoped to obtain a copy before it was issued so that he could “impress upon the crook that we hold the keys to his future.”

Prosecutors characterized this as threatening and as carrying the message that “the PRC is coming for you.” [10] This formed the basis of the charge: the allegation was that Majcher had prepared to induce Sun through threat, accusation, menace, or violence at the direction of, for the benefit of, or in association with the PRC.

The problem with the prosecution's theory is that asset recovery work is not itself a crime, even if it is connected to China. Although the phrase “keys to his future” is inflammatory, it does not establish that Majcher had taken steps to obtain the warrant and use it to threaten Sun. In acquitting him, Justice Devlin noted that Majcher's conduct was also consistent with lawful activity, such as negotiating a settlement or assisting with a civil process. Majcher's openness about his work with RCMP officials further supported a reasonable inference inconsistent with guilt: if he understood his work to be unlawful or extortive, why would he proactively draw attention to it?

This example captures the broader logic of the case against Majcher. Conduct consistent with ordinary private investigative work became suspicious because it involved China. The evidence did not identify any threatening or coercive acts by Majcher. Instead, the RCMP reasoned that because Chinese authorities stood to benefit from the recovery of stolen assets, and because media reports in other cases described coercive Chinese repatriation efforts, Majcher's work must also have involved unlawful methods. This reasoning reflected a broader public narrative in which activities connected to China were interpreted through the lens of foreign interference, even when the evidence in the individual case did not support those conclusions. However, it did not withstand judicial scrutiny.

Implications for Modern Exclusion

The Majcher case raises broader concerns about how law enforcement interprets evidence in national security investigations. Although police and intelligence agencies are expected to apply the law objectively, the individuals within these institutions bring their own assumptions and biases to the evidence before

them. In national security cases, the consequences of these assumptions can be severe.

The role that CSIS plays in initiating these investigations unfortunately remains unclear, since its involvement was not disclosed in this case. Yet it was CSIS's disclosure of Majcher's involvement with Chinese entities that prompted the RCMP to begin investigating him in the first place, raising the possibility that the suspicions and assumptions that later shaped the RCMP's investigation did not originate with the RCMP alone.

The decision of the Public Prosecution Service of Canada to proceed with the charge raises further questions about whether prosecutors independently assessed the strength of the case, adopted the assumptions that shaped the RCMP's investigation, or were influenced by the broader political climate. Majcher was arrested in 2023 amid intense public and political concern about foreign interference and growing calls for a public inquiry. That context may help explain why prosecutors believed the case would be received favourably at the time. It does not, however, explain their decision to appeal the acquittal in May 2026, after the weaknesses in the evidence had been fully examined at trial.

The central lesson of the Majcher case is therefore not simply that the RCMP's evidence was weak. It is that investigators and prosecutors appeared willing to treat otherwise ordinary conduct as suspicious because it was connected to China, transforming lawful activity into evidence of foreign interference and placing Canadians' Charter rights at serious risk.

Majcher's openness with the RCMP is especially revealing. A reasonable interpretation is that he wanted to be transparent about his work involving Chinese entities. However, the RCMP treated his openness as further grounds for suspicion, suggesting that he may have been using his connections within Canadian law enforcement and security circles for China's benefit. [11] In this way, disclosure itself becomes suspicious.

This creates a troubling double bind for individuals whose work involves foreign states or foreign-linked entities. If they do not disclose their activities, and law enforcement later discovers and interprets them as harmful to Canadian interests, they may face serious suspicion or even criminal liability. Yet disclosure offers no clear protection. Whether individuals voluntarily inform law enforcement contacts, as Majcher did, or report their activities through a foreign influence transparency registry, the information they provide may later become the basis on which authorities characterize them as foreign agents.

This risk is especially significant after recent amendments to the Security of Information Act, which broaden the provisions under which Majcher was charged and create a new offence under section 20.3 for engaging in "surreptitious or deceptive conduct." The offence carries a maximum sentence of life imprisonment. [12]

The Majcher case therefore has important implications for the foreign influence transparency registry

created by the Foreign Influence Transparency and Accountability Act. The registry is described as a limited disclosure system that requires only basic information about certain arrangements with foreign principals. However, the Majcher case shows how even small pieces of information can become the starting point for intrusive investigations and criminal charges.

Transparency mechanisms assume that disclosure will help distinguish lawful activity from misconduct. But when national security agencies already view certain foreign connections as presumptively suspicious, disclosure may not protect individuals from suspicion. It may instead make them easier to target. Given the institutional weaknesses within the RCMP documented in this case study, the registry risks becoming not a transparency tool, but a pipeline for Charter violations and prosecution.

References

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