

Whistleblower ruined by Ottawa

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(English Translation by DEEPL)



The years spent at the Canada Border Services Agency (CBSA) were a nightmare for Luc Sabourin (Patrick Woodbury/Le Droit).

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He was harassed, denigrated and muzzled while working at the Canada Border Services Agency. Alerting the federal government to practices he considered reprehensible led him to attempt suicide. Today, Luc Sabourin is alive and well, and wants politicians to protect whistleblowers like him.

The first time Luc Sabourin set foot in a federal government office, he was under 23, working on a farm in Luskville, Outaouais, with only a high school diploma and cowboy boots.

It was at National Defence, in Ottawa, and he coveted a position as a messenger of secret documents.

"One of the soldiers said to me: 'If you're coming to work, are you going to have a different outfit?'" he recalls with a laugh.

Luc Sabourin never wore cowboy boots again.

His attire may have been out of place, but he still looked the part.

He was a nobody, apolitical, discreet and straightforward. He was hired and spent the next 26 years in government.

The first 12 were a honeymoon at National Defence. Those spent at the Border Services Agency (CBSA), a nightmare.

The Gatineau native says he came across public servants who had allegedly committed serious and potentially criminal offences.

Denouncing them cost him his career. He had a "stain" that followed him everywhere and was never able to get a new job elsewhere in government.

The pressure became unbearable. He lost weight, experienced anxiety, panic attacks and insomnia.

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A failed suicide attempt on the banks of the Ottawa River convinced him he'd had enough.

In 2016, he was diagnosed with work-related post-traumatic stress disorder and major depressive disorder. Two years later, he officially took a medical retirement.

He claims this was a constructive dismissal and that he had to wait until winter 2022 to get his federal pension.

"The CBSA cannot provide details on the files of its employees or ex-employees. We can, however, confirm that Mr. Sabourin has not been dismissed by the CBSA," wrote CBSA senior spokesperson Rebecca Purdy.

The agency declined to be interviewed for this story. In recent months, Le Droit has consulted dozens of documents and government sources that have corroborated many elements of his testimony.

"I'm ruined financially, mentally and physically," says Mr. Sabourin.

Top secret

Luc Sabourin spent his first decade in the federal public service at National Defence headquarters in Ottawa. Photo: Le Droit, Patrick Woodbury

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In the 1990s, Luc Sabourin worked at the Department of National Defence in Ottawa, transporting "secret" or "top secret" documents.

After a decade, he wanted a new challenge. And so he landed in the CBSA's National Documents Division, where all seized or lost foreign passports end up.

As a junior program officer, he had to register them in various databases that can be consulted by Canadian police forces and, in some cases, foreign allies. Everything is then examined by analysts.

A passport on his desk, for example, could end up as evidence in a criminal trial.

Mr. Sabourin was respected. Our sources describe him as "straightforward", "conscientious", "diligent", "dedicated", "honest" and "motivated".

Luc fit the definition of a "hard-working" civil servant. He was proud. He's a credible guy, he has integrity," says a former colleague who is not authorized to speak publicly.

When he saw irregularities, he could hardly remain silent. And he says he's seen plenty: passports thrown in the trash, others altered by agency employees or disappearing altogether from the desks of employees who process them.

"There are serious breaches of procedure. I regretted going to work there every day," confides Mr. Sabourin.

Harassment

From the heights of CBSA headquarters, Luc Sabourin describes his life as a "nightmare". Photo: Le Droit, Patrick Woodbury

In the heights of CBSA headquarters, Luc Sabourin says he lived a "nightmare". Photo: Le Droit, Patrick Woodbury (Patrick Woodbury/Le Droit)

In 2009, his troubles began in the form of harassment perpetrated by a document specialist: angry outbursts, shouting, intimidation, sabotage and even vandalism in the offices, he says.

Several sources corroborate that interpersonal problems were omnipresent.

Mr. Sabourin began documenting incidents. He has thousands of pages in his archives. When he complained, the situation immediately escalated. Again, others saw the same thing.

"You can't say anything. Because if you speak up, you're out," says a source who worked with Sabourin.

"These are places of power. People are very, very imbued with power and they take advantage of it at every level," recounts a former team leader in this unit, Julie Dion.

One day, Mr. Sabourin fell ill. He vomited and felt weak. At his workstation, he took a sip of coffee and noticed that his cup was sticky.

It was hand sanitizing gel," he says. Ingestion of even a small amount of hand sanitizer "can be dangerous or fatal", according to Health Canada.

In April, Mr. Sabourin testified before the House of Commons Parliamentary Committee on Bill C-290 to modernize the Public Servants Disclosure Protection Act. He swore to MPs that someone tried to poison him.

"I asked CBSA Professional Standards to install cameras in my office to identify wrongdoers, but they refused," he said.

We asked the CBSA to respond to Mr. Sabourin's testimony to the communes. The response we received made no mention of his allegations.

A complaint

Luc Sabourin followed the official channels and filed a harassment complaint against the civil servant.

An investigation conducted by Quintet Consulting Corporation in 2013, a copy of which we have obtained, vindicated Mr. Sabourin by concluding that he had been a victim of harassment. The employee and a director were deployed elsewhere in government.

This report does not mention the hand gel incident.

Luc Sabourin

Luc Sabourin (Patrick Woodbury/Le Droit)

The public servant under investigation testified that she did not understand "Mr. Sabourin's reality or why he continues to act" against her, even asking for "help" in dealing with the situation.

In the report, colleagues asserted that Mr. Sabourin could "react strongly when under stress" and that he could overstep his bounds by "still thinking of himself as an investigator".

Mr. Sabourin's manager at the time alleges that the civil servant had "performance problems" and believes that "Mr. Sabourin exhibited psychological disorders or paranoia". He believed that the things that happened to him were caused by "someone else, but never by his own actions".

Mr. Sabourin refutes these allegations, saying they are unfounded.

A story about passports

When the CBSA gets hold of a foreign passport, it has to decide whether to send it to the embassy of the issuing country or to Immigration Canada. Passports are never destroyed without prior evaluation and consultation.

Yet, in 2015, Luc Sabourin and his colleague Shannon Stinner were asked to destroy foreign passports and indicate in federal databases that they had been returned to the embassies of the issuing countries. The order, they allege, is to produce a false document, which is prohibited under the Criminal Code.

"I was told to clean up my act and destroy them," says Mr. Stinner in an interview with Le Droit.

The two men refused to do the job, and Mr. Sabourin was quick to report them to his superior.

A young employee, whom Le Droit tried to contact in vain, decided to follow the instructions. The passports were destroyed. And the databases indicate that the passports have been returned to the embassies, according to Mr. Sabourin.

"If our allies find out about this, it could be an embarrassment for the Canadian government," he says.

He recounts checking dozens of passports that were about to be destroyed to understand who they belonged to.

"There were two individuals who had serious criminality on their files, with departure and deportation notices and also the words 'Wanted'", he assures us.

On two occasions, by e-mail, Le Droit sought comment from the Border Services Agency on these allegations. We received no response.

The whistleblower mentioned the passport incident during his testimony before a parliamentary committee. At the time, he enjoyed parliamentary immunity.

The end

By 2020, it had been four years since Mr. Sabourin left the federal government.

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Luc Sabourin says he paid dearly for his decision to report the irregularities.

The tasks multiplied, and the orders from his superiors were firmer. For days, he says, he would be given no work to do, then at the last minute be assigned the equivalent of a week's work.

Mr. Sabourin soon realized that he had become an undesirable, no longer welcome at work. His health deteriorated. He will never set foot in government again.

The politician

"When you walk in his shoes, it's easy to see how, in good faith, he thought he was doing good things," says Hull-Aylmer MP Greg Fergus.

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The new President of the Commons gave us an interview two weeks ago, when he was still Parliamentary Secretary to the President of the Treasury Board. At the time, he said he had been shaken by Mr. Sabourin's testimony, and has believed him to be sincere since their first meeting in 2016.

Mr. Fergus's team admitted to him in an email we obtained that there are "people who go to a lot of trouble to harm you and who know the law very well".

At the time, the MP directly challenged Public Safety Minister Ralph Goodale.

"He rightly referred the matter to his department. As politicians, we delegate day-to-day management to deputy ministers. Otherwise, you're going to have a politicized public service," he explains.

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Disappointed, Mr. Sabourin contacted his union, Minister Goodale, the Attorney General of Canada, the Prime Minister's Office and even the Royal Canadian Mounted Police.

No one took up his case.

In a report published in September, Public Sector Integrity Commissioner Joe Friday stated that a cultural change was imperative at the federal level. In particular, the report states that when federal public servants are surveyed, only 49% of employees believe they can initiate a redress procedure without fear of reprisal.

"This finding," writes Friday, "underscores the need for any senior leader to create environments where whistleblowers feel supported and safe."

At CBSA, they say the current Act ensures all that. "The Act provides employees with a safe and confidential process for disclosing serious wrongdoing in the workplace, as well as protection from any reprisals," we're told.

A new law

Bloc Québécois MP Jean-Denis Garon says many public servants are afraid to blow the whistle because of employer reprisals.

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In 2020, the Bloc Québécois believed Luc Sabourin. Two years later, MP Jean-Denis Garon tabled Bill C-290. Mr. Sabourin testified in favor of the bill before a parliamentary committee. Since then, he has received dozens of testimonials from whistle-blowers.

"At one point, I said to a whistleblower, 'There's a whistleblower law, disclose! The person replied that there was no way they would do that because the consequences are too serious,'" he says.

According to Mr. Garon, the Public Servants Disclosure Protection Act is "a path with so many potholes" that it never gets to the end. That's why he has tabled a bill to strengthen it.

The MP wants to protect witnesses of wrongdoing from any form of reprisal, allow a protected disclosure to be made even within the public sector to which the public servant belongs, and add an obligation to provide support to public servants.

"It's a good bill and we want to get it passed, but with modifications," says Greg Fergus.

Luc Sabourin believes that this bill is a "step in the right direction" and wants public servants to have different options for denouncing. He's waiting patiently at home. Without his cowboy boots.