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[With Pamela Forward- President, Whistleblowing Canada Research Society](#)



Whistleblowing is one of the most vital safeguards of integrity in public institutions, workplaces, and civic life. It is often the mechanism through which wrongdoing, misuse of power, and systemic failures are brought into the light—particularly when internal controls fall short or are compromised. Far from being an act of disloyalty, responsible whistleblowing reflects a deep commitment to accountability, transparency, and the public interest, often undertaken at significant personal risk. To explore why effective whistleblower protections matter, and how they can either succeed or fail in practice, The Hamiltonian is pleased to welcome Pamela Forward, a leading authority on whistleblower policy, governance, and institutional accountability.

Many municipalities now describe whistleblower policies as standard practice. In your view, what distinguishes a genuinely effective whistleblower program from one that exists largely on paper?

We know from recent research both in Europe, US, Canada and our own work at Whistleblowing Canada that a key component of a genuinely effective program is sincere, committed and visible leadership and attention to culture starting at implementation. There should be no gap between what leaders say and what leaders do as it is the behaviour that sends the cues to employees about what leaders really want. Leaders' behaviours have a powerful impact on cultures. If there is a gap, this signals insincerity and there will be a loss of trust.

Important functions of an [effective disclosure system](#) are advisory, investigative and decision-making. The advisory function should include awareness raising regarding the importance of reporting wrongdoing, with leaders frequent and visible involvement and a change management and communication plan.

Another element of the advisory function is training on laws, rights, understanding and preventing reprisals, skills development i.e. communication and conflict resolution. There should also be access to free legal support and advice, and psychosocial support such as access to career coaching and mental health services.

The investigative function includes investigation of the wrong-doing and reprisals. The person reporting should be advised of progress in the investigations and not kept in the dark as this compounds anxiety and leads to distrust. There should be no tolerance for reprisals.

Lastly, a decision making function or authority who would take corrective action to remediate and sanction wrongdoing, ensure the protection of those reporting and take action to redress and compensate

harm done to reporting persons, and prevent harm by moving the person to another unit during the investigation.

Unfortunately, while we now know how to create effective systems, most previous policies and programs, were modelled at least provincially on the flawed from inception federal law, the first such law in Canada, the Public Servants Disclosure Protection Act (PSDPA). This law was implemented in 2007 and covers only public servants leaving out federally regulated private sector companies. A 2021 [international study](#) identified it has no best practices for such laws. The one best practice it did have – a statutory obligation to do a review in 5 years due in 2012 -was never done. This is called – Disobeying a Statute under the Criminal Code. The PSDPA is tied with Lebanon as the worst law in the world.

So, given this background, while I am not aware of research regarding municipalities, it is hard to imagine that those searching for examples of what others were doing in Canada would find effective models on which to base their policies.

You have been critical of the use of “good faith” language in whistleblower policies. What do you mean by this, why do you see it as problematic, and what approach should replace it?

Legal experts globally have agreed on twenty best practices for effective, modern whistleblower protection [laws and policies](#). The removal of the “good faith” requirement is a best practice in modern whistleblowing laws as it is considered an outdated and even dangerous standard. This is because it effectively puts the whistleblower on trial. The “good faith” test undermines accountability and creates a chilling effect that discourages future disclosures. What is important is not the whistleblowers moral intent, but what is the proof or evidence of the alleged misconduct.

Based on your research and experience, what are the most common reasons employees choose not to report wrongdoing, even when a formal whistleblower policy exists?

There are a number of reasons employees choose not to report wrongdoing, the two most common being the concern that nothing will get done and fear of reprisals. Others include not knowing a policy exists or the reporting channels, lack of confidence, lack of awareness that the behaviour is wrong. A [2025 study](#) indicated that while 58% of respondents witnessed wrongdoing, only 56% of those witnesses will report it.

Municipal whistleblower programs are often housed within human resources or the auditor's office. From a best-practice perspective, where should these programs sit to ensure independence, credibility, and trust among employees?

Because of human nature and the propensity in groups to act to destroy any perceived threat, effective systems will have a number of options for disclosure of wrongdoing. This way, employees can choose the one they feel most comfortable with and view as being the safest.

So far, I am aware of two Canadian examples that point to disclosure systems that are operated by independent, 3rd parties get better results. The 3rd party, independent organization is engaged by the company or government body to receive and investigate disclosures and reprisals, anonymously if needed, and report findings to the top of the organization. This cuts through the concerns about HR being too close to the problems that allow for defensive stances (which may be unconscious) to kick in. These stances are in defense of the status quo. Providing for anonymous reporting through a 3rd party that is then turned over to HR for investigation does not solve this problem of either the wrongdoing or the reprisals.

The first example is the Federal Public Sector Integrity Commissioner who up until September 2023 was a former bureaucrat in spite of protests by experts. The Office of the Public Sector Integrity Commissioner is the separate agency set up to receive, investigate disclosures of wrongdoing and recommend solutions. In 2023 a commissioner was appointed who was independent from government, i.e. had never worked in government. While the serious problems with the law and the powers of the Commissioner still exist, just the appointment of an "independent" head of the organization has resulted in [\(from the Commissioners website\)](#) " - - an unprecedented number of disclosures of wrongdoing and reprisal complaints" which she is unable to keep up with. Her explanation for this in a Parliamentary Committee was that she was likely perceived as being more independent.

Another example comes from the private sector, the RLSQ, a sports organization providing services to sporting bodies in Quebec. It seems that when they appointed an independent 3rd party to receive and investigate complaints in 2021, they had approximately 100 complaints per year. By 2024 the number of complaints had risen to 1000 annually.

In many organizations, whistleblower policies appear comprehensive and well-intentioned on paper. Yet whistleblowers frequently report being targeted, reprisal against, or even pushed out over time. Why does this disconnect persist?

Firstly, policies have likely been based on outdated concepts and flawed laws that on close analysis and experience do more to protect and defend the status quo and senior leaders than encourage the free flow of information so organizations can continuously learn and improve. Secondly, there is little understanding of the invisible forces that operate in group behaviours that drive reprisals which is part of culture.

It has long been a requirement for employees and professionals such as doctors, nurses, engineers, lawyers, accountants to name some, to report wrongdoing up the line to the very top to the minister if need be. If they do not and others are harmed, along with legal liability, they could lose their licences if they don't report. Unfortunately, because of human nature, instincts kick in when threat is perceived in organizations such as disclosure of wrongdoing. This triggers cognitive processes and powerful emotions which causes people to act to get rid of the threat. This is where [reprisals occur](#).

Retaliation is often subtle rather than overt. What forms of retaliation are most commonly reported, and how can policies be designed to identify, prevent, and respond to them effectively?

There are many ways of retaliating against reporting persons who are simply doing their duty and are committed to the mission of their organizations. These are the toxic tactics often cited that we learn about [from research](#) and talking to people who contact us. We find these interesting because they are contained in something called the Whistleblowing Retaliation Checklist which has been copyrighted and is being used as forensic evidence in lawsuits for compensation for whistleblowers in the US. They are gaslighting, mobbing, marginalizing, shunning, devaluing, accusing/counter, blocking, bullying. No policies will prevent retaliation without sincere, committed leadership that understands the value of the information the reporting person provides and the damage caused when retaliation goes unchecked. They understand that reporting wrongdoing is equivalent to the flashing red and yellow lights on the dashboard of your car warning you to act before it gets worse. In such a case, these leaders will ensure policies make clear that retaliation will not be tolerated. More importantly, if it occurs, there should be visible negative consequences for those engaging in it.

Policies should require and offer training for new staff and regular refresher training for all employees. The topics should include training on laws, rights, policies, understanding and preventing reprisals through self-awareness and self-control, how to resist unwanted forces driving retaliation and skills development i.e. communication and conflict resolution. There should also be access to free legal support and advice, and psychosocial support such as access to career coaching and mental health services should harm occur. Whistleblowing Canada is developing on-line courses that will meet some of the educational/training needs.

Transparency is often cited as a goal of whistleblower programs, yet investigations are typically conducted behind closed doors. What level of public reporting is appropriate to balance accountability with confidentiality?

A transparent whistleblower system should not only report procedures but outcomes to be considered transparent. These are the statistics and topics regarding both wrongdoing and reprisals that should be reported at a minimum:

1. How many disclosures received
2. How many are investigated
3. How many are substantiated
4. What corrective actions occur and the impact
5. How reprisal complaints are resolved

Others include timeliness, budgets and staffing, independent review, and who is using it.

For individuals who believe they may need to report unethical, unprofessional, criminal, or otherwise improper conduct within their organization, what practical advice would you offer, and what resources should they be aware of before coming forward?

A lot will depend on the seriousness of the wrongdoing and the culture in an organization. Is the culture open, reflective, and listening or is it closed and defensive? Most are a mixture of both. Either way, people contemplating blowing the whistle should not assume it is safe to do so. They should be aware of a number of things:

1. Whistleblowing is a process. Read more [here](#).
2. Laws and systems in Canada are so uncertain the only safe way to report wrongdoing at this stage is anonymously. Read more [here](#).

3. The need to consult with family and a lawyer and above all make a plan, build allies, proceed with caution and keep records. Read more [here](#).

While Whistleblowing Canada does not have to resources to manage cases, we have developed a Self-Help Toolkit that we can provide to people who [contact us](#) for assistance.

Thank-you Pamela for your expertise and for engaging with Hamiltonians via The Hamiltonian!

