

Whistleblower Analysis Report: The Case of Luc Sabourin Q's & A's

1. Q. Why does this case matter now, years later?

A. Because the underlying problems haven't gone away. The ongoing vulnerabilities are:

I the absence of an effective oversight mechanism for the CBSA. Parliament passed the law 2 years ago but it is still not in operation.

II the risk of operational misconduct within a national security, public safety, & law enforcement agency.

III the systemic challenges faced by whistleblowers who attempt to report wrongdoing through internal channels.

2. Q. Which Minister is responsible for this state of affairs?

A. Including the individual Ministers – Public Safety for CBSA & President of Treasury Board for Public Sector Integrity Commissioner (PSIC) and human resource management- the legal analysis reveals that at least 6 agencies or parts of government failed in their responsibility to act and also their obligation to answer/account for how they fulfilled their responsibility. i. e. MP's, Ministers, Treasury Board Secretariat, CBSA, PSIC, Unions.

3. Q. Why do you think this is happening?

A. There are two reasons.

I The ongoing vulnerabilities in Canada's federal public administration this Report highlights suggests a system set up to facilitate the evasion of adequate acting to fulfill responsibilities and adequate answering for decisions made.

II Fear. What we see is an apparent instinctive response to destroy a perceived threat to reputation if the truth comes out. This is a well known part of group behaviour backed up by research for decades. To effectively protect reputations – listen to whistleblowers and correct the problems before they need to become public.

4. Q. What is Whistleblowing Canada asking for?

A. The top 3 priorities are:

I **Proclaim the Act and establish the new CBSA & RCMP Public Complaints Commission** which could allow for an independent investigation. There is no public record that an independent investigation has ever taken place into Mr. Sabourin's allegations.

II Rewrite the Public Servants Disclosure Protection Act and Address Culture. The Task Force Report recommending sweeping changes in the whistleblowing regime - including the law and organizational culture - has been available since December 2025 yet we see no action.

III Address Mr. Sabourin's Medical Retirement, Reduced Pension and Union Inaction which ensures he has no recourse to address the financial issues and the retaliation. The Federal Labour Board Act and Section 236 (1) stipulates that the grievance process is in lieu of the right to civil action. He has had no access to either.

IV Ensure the whistleblowing regime is in alignment with the recent Supreme Court decision that governments cannot pass laws that shield them from accounting for their decisions. Analyses of the PSDPA suggests that it acts as a shield for the powerful and not the whistleblower.

5. **Q. If government and agencies failed to act in this case, in how many others is it failing?**
 - A. Many. We hear from people regularly trying to raise concerns who are in crisis because of retaliation and failure to act. For example we know of at least 4 others where unions have failed to do their duty. MP's and Ministers regularly ignore whistleblower reports. We don't know how many people are silent. Perhaps they will come forward now that the problem has become public. They can contact us anonymously if they wish.
6. **Q. What will move political and bureaucratic leaders to repair the system and the damage?**
 - A. Given the well documented, profoundly entrenched resistance and even obstruction to reform, we believe nothing short of a huge public outcry will move our fearful leaders to act. Whether reform happens or not is up to Canadians.
7. **Q. What do you think will happen if governments do not take action and reform the system?**
 - A. Research tells us that without protection and healthy speak up cultures people will remain silent, corruption will grow, our democracy will deteriorate setting us on a pathway to authoritarianism and there will be loss of public trust.