

Fact Sheet

- The Whistleblower Analysis Report: The Case of Luc Sabourin focuses on 5 unresolved issues, public interest implications and recommendations for next steps. Starting in 2006, CBSA Officer Sabourin began reporting internally concerning events which escalated over the years and culminated in his forced medical retirement in 2018. See detailed Chronology [here](#).
- After years of trying to find a pathway to resolution Officer Sabourin asked an administrative and constitutional lawyer to assess his case.
- This resulted in the July 2026 “Whistleblower Analysis Report: The Case of Luc Sabourin” – a preliminary fact-finding analysis.
- The unresolved issues raised by Sabourin remain relevant currently and are of public interest. They highlight ongoing vulnerabilities and failures in Canada’s federal administrative system with broader implications for other cases:
 - i. allegations of misuse or theft of CBSA resources
 - ii workplace harassment, retaliation and union inaction
 - iii security allegations raised before parliament
 - iv failure to proclaim the CBSA oversight agency legislation
 - v Sabourin’s medical retirement and reduced pension
- **Recommendations:**

The analysis reflects systemic weaknesses in CBSA accountability, federal whistleblower protection, and the absence of an independent oversight mechanism that Parliament has already approved but not implemented. The report recommends:

- i. Proclaim the Public Complaints and Review Commission Act.
- ii. Conduct an Independent Review of CBSA Resource Misuse and Security-Related Allegations
- iii. Strengthen Whistleblower Protections in Federal Agencies
- iv. Review Mt. Sabourin’s Pension and Medical Retirement Circumstances
- v. Improve Public Awareness of Oversight Gap and Transparency

- This Analysis reviewed some 350 documents and evidence starting in 2010 and ending in 2026. See Appendix – p. 16 of report. It further identified the following gaps, inconsistencies and areas requiring further study:
 - i. no independent investigation reports were found suggesting CBSA did not conduct or disclose any comprehensive review
 - ii. Union correspondence is incomplete showing no substantive representation or follow-up
 - iii. ATIP extracts are partial, indicating some records may not have been released or not exist.
 - iv. Security-related allegations remain unaddressed with no public Parliamentary findings or committee reports.

Frequently Asked Questions (FAQs).

Q. Why does Canada not effectively protect public servants?

A. The simple answer is, the evidence strongly suggests our political leaders of successive governments do not want to. Here are some key facts –

- knowingly implementing a flawed PSDPA in 2007 while ignoring the Gomery Sponsorship Scandal recommended amendments
- disobeying a statute by not conducting the 2012 mandated review of the PSDPA
- suppressing/blocking the concurrence in Parliament of the 2017 unanimous OGGO Report No. 9 which would have fixed the problems
- delaying release of the President of Treasury Board's 2022 Task Force Report examining the PSDPA and culture in the federal public service and which recommended sweeping changes and reforms of the law, culture and system.

Q. Why are workers in the private sector or others who receive services from organizations not included in whistleblower protection legislation?

A. This is a very good question. There is no easy justification for this state of affairs. The effect is lack of accountability. There is a law – National Instrument or NI 52-110 – that requires publicly traded companies to establish an audit committee and a disclosure mechanism – however, there is nothing applying to the others.

Q. What are the implications of lack of protection for all Canadians who have access to information about an organization and potential wrongdoing but no protection?

A. The most obvious answer is that without protection, people will remain silent, the quality of our organizations and services/products they deliver will deteriorate and corruption will grow.

Q. Would effective legislation alone solve the problem of dysfunctional organizational cultures that illegally punish people who do what they are legally mandated to do – report perceived wrongdoing?

A. Research since the 1990's have pointed out that if laws are introduced into an unwelcoming or hostile culture, they will not be properly upheld. This is due to invisible forces common to people in groups that drive them to do things they would never consider doing if thinking autonomously in their own homes.

Q. How are healthy psychological safe organizations cultures created?

A. A prerequisite is committed, visible leaders whose actions align with their words. There must be “no say-do” gap as it is the leader’s behaviour that sends the cues to others about what the leader really wants. They create effective policies and disclosure mechanisms and train their employees on how they should work. The overall climate is open, reflective, actively listening rather than closed and defensive. And leaders and employees alike accept personal responsibility for understanding why reprisals occur and use that understanding to prevent them.

Q. If Canada’s federal whistleblowing system does not work and is on the verge of collapse as is public knowledge, what are the implications for the public interest?

A. The outlook is dire. This has been going on for decades so significant damage has occurred already. Without an effective whistleblowing system - a critical pillar of democratic governance - we are set up for the further disintegration of our democracy and everything we hold dear. This is also paving the way for an increase in autocracy. The pathway to justice and fairness is truth.

Q. Does the unanimous Supreme Court of Canada ruling on July 30, 2026, that “privative clauses” - statutory provisions that shield a tribunal's rulings from being challenged in court - are unconstitutional have any bearing on the situation of the PSDPA and its associated agencies?

A. It would appear that it does if our interpretation is correct. This ruling is telling us that the principle behind it is, in simple language - government cannot pass laws that shield it from accountability.