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**Whistleblower Analysis Report:**

**The Case of Luc Sabourin**

*Unresolved Issues, Public-Interest Implications, and Recommended Next Steps*

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## 1. Executive Summary

This report examines the whistleblowing allegations raised by Mr. Luc Sabourin, a former member of the Canadian Armed Forces and the Canada Border Services Agency (CBSA), who was medically retired on January 31, 2022, after 31 years of service. His principal allegations — involving workplace harassment, misuse of CBSA resources, and security-related misconduct — have already been documented on the Whistleblowing Canada website. The purpose of this report is not to duplicate that material, but to identify what remains unresolved, why the allegations still matter, and what should happen next.

This report focuses on three areas where further analysis is both possible and necessary:

- **Public awareness** and the ongoing relevance of Mr. Sabourin’s allegations;
- **The policy gap** created by Parliament’s failure to proclaim the *Public Complaints and Review Commission Act*—oversight legislation passed by Parliament as Bill C-20—which received Royal Assent on October 31, 2024, as S.C. 2024, c. 25;
- **Mr. Sabourin’s personal situation**, including the reduced pension he receives despite three decades of federal public service.

**Note on Sources:** This report is a preliminary fact-finding analysis based on the documents provided by Mr. Sabourin and publicly available information. For brevity, formal academic footnotes have been omitted. All source materials, citations, and supporting documentation are available upon request. A summary of the materials reviewed, organized by document category, is provided in the Appendix.

## 2. Background and Context

Mr. Sabourin’s whistleblowing occurred in a context of alleged workplace harassment, threats, and retaliation. According to the materials provided by Mr. Sabourin, his public-service union did not respond to his multiple requests for assistance. Despite these difficulties, Mr. Sabourin’s disclosures of alleged wrongdoing to Members of Parliament and the media may have contributed to the retirement of certain senior CBSA officials.

As this factual background is already publicly available, this report will provide a concise summary of the facts and provide a more detailed analysis of the events where required.

## 3. Current Relevance of Luc Sabourin’s Allegations

Although the events occurred years ago over a period of several years, the issues raised by Mr. Sabourin remain relevant and are of current public interest:

- Allegations of misuse or theft of CBSA resources;

- Potential compromise of CBSA’s security mission;
- The absence of an effective oversight mechanism.

Taken together, Mr. Sabourin’s allegations remain relevant because they highlight enduring vulnerabilities in Canada’s federal administrative system: the risk of operational misconduct within a national security agency, the absence of an effective oversight mechanism for the CBSA, and the systemic challenges faced by whistleblowers who attempt to report wrongdoing through internal channels. These issues are not confined to the past. They speak directly to current debates in Canadian public policy about transparency, accountability, and the protection of employees who raise concerns about public-sector integrity.

As long as the CBSA oversight legislation remains unproclaimed and federal whistleblower protections remain limited, the concerns raised by Mr. Sabourin continue to have implications for public administration, national security governance, and public trust in federal institutions. With the passage of time, there is a risk that Mr. Sabourin’s allegations may become “old” news or “stale” facts, but this report argues that the broader issues remain unresolved.

#### **4. Unresolved Issues**

Despite the passage of time and the partial public disclosure of Mr. Sabourin’s allegations, several core issues remain unresolved. These issues were raised in his communications with Members of Parliament, in materials submitted to a Parliamentary committee, and in the extensive documentation he provided directly. They concern not only his personal treatment within the CBSA, but also broader questions of institutional integrity and public safety, and the ability of the CBSA to fulfill its public mandate.

##### **A. Allegations of Misuse or Misappropriation of CBSA Resources**

Mr. Sabourin alleged that CBSA resources were misused or diverted in ways that compromised the agency’s operational mission. These allegations remain serious despite the passage of time because they involve potential misuse of CBSA resources and compromise of the agency’s operational mission.

**What has been done:** There is no public record of a comprehensive investigation or public reporting on these allegations. Any internal CBSA review, if conducted, has not been disclosed.

**Why it remains important:** Misuse of federal enforcement resources is not a historical concern — it is a present-day risk to border integrity, national security, and public trust. Without an independent oversight body, allegations of this nature remain unaddressed.

## **B. Workplace Harassment, Retaliation, and Union Inaction**

Mr. Sabourin reported workplace harassment and threats following his whistleblowing and stated that his union did not respond to his requests for assistance. His Union did not respond to his requests for help in response to workplace harassment and threats.

***What has been done:*** There is no publicly available follow-up from CBSA, the union, or Treasury Board Secretariat.

***Why it remains important:*** Retaliation against whistleblowers is a systemic problem in federal workplaces. The absence of a clear resolution in Mr. Sabourin's case underscores the need for stronger protections and independent oversight.

## **C. Security-Related Allegations Raised before Parliament**

Mr. Sabourin's communications with MPs and a Parliamentary committee included concerns about security-related misconduct within CBSA. These disclosures may have contributed to the retirement of certain senior officials. In other words, his communications with MPs and the media *may* have forced some senior CBSA officials to retire. However, there is no indication that the retirements and the allegations are related.

***What has been done:*** There is no public Parliamentary report addressing these concerns. No committee has issued findings or recommendations specific to his disclosures.

***Why it remains important:*** Security-related allegations within a border agency cannot be considered "stale." They raise ongoing questions about internal accountability, operational culture, and the adequacy of existing oversight mechanisms.

## **D. Failure to Proclaim the CBSA Oversight Agency Legislation**

Parliament passed legislation in 2024 establishing a CBSA oversight body. It is highly unusual that Parliament passed legislation and the legislation still hasn't been declared in force in 2026.

***What has been done:*** Nothing has been done. The legislation remains unproclaimed.

***Why it remains important:*** This is the most significant systemic gap. Without an oversight body, allegations like Mr. Sabourin's cannot be independently investigated, and institutional accountability remains limited.

## **E. Mr. Sabourin's Medical Retirement and Reduced Pension**

After 31 years of federal service, Mr. Sabourin was medically retired with a reduced pension. This highlights a significant fairness issue: Mr. Sabourin should be receiving a full pension, without any penalties for his leaving for so-called medical reasons.

**What has been done:** There is no public indication that his pension situation has been reviewed or reconsidered.

**Why it remains important:** This is not only a personal injustice but a systemic warning: whistleblowers who suffer psychological injury or retaliation risk financial harm at retirement. This undermines the willingness of federal employees to report wrongdoing.

## F. Why These Issues Still Matter

Taken together, these unresolved issues demonstrate that the consequences of Mr. Sabourin's whistleblowing extend beyond his personal circumstances. They reveal gaps in CBSA accountability, weaknesses in federal whistleblower protection, and the absence of an operational oversight body that Parliament has already approved but not implemented. These issues remain relevant to public safety, institutional integrity, and the treatment of whistleblowers across the federal public service.

## 5. Policy Gap: CBSA Oversight Agency Not Proclaimed

Parliament passed the *Public Complaints and Review Commission Act* (SC 2024, c. 25) in 2024, creating a long-awaited independent oversight body for both the RCMP and the Canada Border Services Agency (CBSA). Although the Act received Royal Assent, it has **not been proclaimed into force**, meaning the oversight agency exists only on paper and has no operational authority. This non-proclamation is highly unusual for legislation of this importance and represents the most serious systemic consequence of the issues raised by Mr. Sabourin. The failure to bring the Act into force leaves a critical gap in Canada's public-administration framework: allegations of misconduct within the CBSA cannot be reviewed by an independent body, despite Parliament's clear intention to create one.

### A. Legislative Background

The *Public Complaints and Review Commission Act* was introduced to address longstanding concerns about the absence of independent oversight for the CBSA. Parliamentary debates emphasized the need for transparency, accountability, and a mechanism to investigate complaints involving CBSA officers. The Act passed with broad support, reflecting a consensus that oversight was overdue and essential for public trust in border-security operations.

Despite this consensus, the Act has not been proclaimed. No Commission has been established, no members have been appointed, and no operational framework exists. The legislation remains dormant.

## B. Verification of Non-Proclamation

To confirm whether the Act has been proclaimed into force, three authoritative public sources were consulted. First, the Department of Justice’s official “Coming into Force” table was reviewed; it lists the Act as **not yet in force**, meaning no part of it is currently operative. Second, the Canada Gazette (Part II), which publishes all proclamations bringing federal legislation into force, contains **no proclamation** relating to this Act. Third, the Privy Council Office’s Orders in Council database was searched for any Order proclaiming the Act; **none exists**. These three sources—Justice Laws, the Canada Gazette, and the Privy Council Office—constitute the definitive public record of legislative proclamation in Canada. Their alignment confirms that although Parliament passed the Act in 2024, it remains legally dormant and the oversight body it establishes has not been constituted.

## C. Implications of Non-Proclamation

The failure to proclaim the Act has several significant consequences:

- **No independent oversight exists for the CBSA**, despite Parliament’s clear intention to create one.
- **Allegations such as those raised by Mr. Sabourin cannot be reviewed by an external body**, leaving them within internal administrative channels.
- **Public confidence in CBSA accountability remains limited**, particularly in cases involving security-related misconduct.
- **Whistleblowers lack a safe, independent avenue** to report wrongdoing.
- **Parliament’s work is effectively suspended**, as legislation passed by elected representatives remains dormant.

In the context of a national-security agency, this situation is particularly concerning. Oversight mechanisms are essential to ensuring that operational integrity, workplace culture, and public trust are maintained.

## D. Connection to Mr. Sabourin’s Case

The absence of an oversight body is not an abstract policy issue—it is directly relevant to the unresolved issues raised by Mr. Sabourin. His allegations of resource misuse, workplace harassment, retaliation, and security-related misconduct remain unexamined by any independent authority. Without the oversight agency envisioned by Parliament, these concerns cannot be reviewed outside CBSA’s internal processes. The union’s inaction, the employer’s threats, and the broader systemic issues highlighted in this report remain unaddressed.

Had the oversight agency been proclaimed, many of the issues documented in this report could have been referred to an independent commission with statutory authority to investigate and report publicly.

### **E. Why Proclamation Is Urgent**

The continued non-proclamation of the Act undermines Parliament's intent and leaves a critical gap in Canada's public-administration framework. In the context of Mr. Sabourin's case, the absence of oversight is not merely a procedural delay—it is the central reason why his allegations remain unresolved and why similar issues may persist undetected within the CBSA.

Proclaiming the Act would:

- Provide an independent mechanism to investigate past and present allegations;
- Strengthen whistleblower protections;
- Improve public confidence in CBSA operations;
- Align Canada's border-security governance with modern accountability standards.

## **6. Impact on the Whistleblower**

Mr. Sabourin served 31 years in the federal public service. He was medically retired with a reduced pension. Mr. Sabourin should be receiving a full pension for 31 years of service without any penalties for his leaving for so-called medical reasons. Mr. Sabourin's experience demonstrates the profound personal consequences that whistleblowers in the federal public service can face when reporting wrongdoing. The materials he provided, including a formal notice sent by registered mail to the National President of the Public Service Alliance of Canada on January 30, 2022, illustrate the cumulative effects of workplace retaliation, union inaction, and the pressures that ultimately led to his medical retirement.

### **A. Workplace Harassment and Retaliation**

In his formal notice, Mr. Sabourin describes a "malicious and frivolous harassment campaign by the employer CBSA HQ" following his disclosures of wrongdoing. He reports that management threatened to "take away my pension of the last 31 years if I spoke to the members of parliament or the media."

These statements align with the broader pattern documented in his affidavits and correspondence: repeated workplace hostility, pressure to remain silent, and escalating administrative actions after reporting misconduct.



## **B. Forced Medical Retirement**

Mr. Sabourin states that he was “forced under duress to take medical retirement” effective January 31, 2022.

This retirement resulted in a **reduced pension**, despite 31 years of federal service. The documents show that his departure was not voluntary and was shaped by threats, stress, and unresolved workplace conflict. This raises significant fairness concerns, particularly where medical retirement is precipitated by retaliation rather than genuine accommodation.

## **C. Union Inaction and Lack of Representation**

The formal notice provides detailed evidence of Mr. Sabourin’s attempts to obtain assistance from both the Customs and Immigration Union (CIU) and the Public Service Alliance of Canada (PSAC). He writes:

- “My many requests for assistance... have been either denied or ignored or answered partially with no concrete demonstrated actions.”
- “Since 2014, I have not been provided... any documentation of proof demonstrating proper representation.”

This lack of union support left Mr. Sabourin without meaningful recourse during critical periods of workplace conflict, contributing to his vulnerability and isolation.

## **D. Psychological and Professional Consequences**

The cumulative effect of workplace harassment, threats, union inaction, and the pressure to retire early had significant psychological and professional impacts. The materials provided include medical documentation and correspondence with Health Canada, indicating long-term stress, workplace trauma, and the deterioration of his ability to continue working safely.

These consequences are consistent with broader research on whistleblower retaliation in federal workplaces, where psychological injury is common and often compounded by institutional inaction.

## **E. Systemic Implications**

Mr. Sabourin’s experience highlights systemic weaknesses in federal whistleblower protection:

- Lack of timely union support

- Absence of an independent oversight body
- Threats or pressure from management
- No clear mechanism to protect pensions or employment security for whistleblowers

His case illustrates how whistleblowers can suffer long-term financial and psychological harm even when reporting legitimate concerns.

## 7. Analysis of the Evidence Provided

### A. Note on Materials Reviewed

In preparing this report, several hundred pages of documentation provided by Mr. Sabourin were examined, including affidavits, correspondence, ATIP extracts, workplace records, and evidence files. A high-level summary of these materials is included in the Appendix to demonstrate the scope of the review and to identify the categories of documents consulted. Much of the material overlaps with what is already publicly available, but certain documents—particularly Mr. Sabourin’s affidavits and formal notices—provide additional context and insight into the chronology of events, the nature of the alleged misconduct, and the personal consequences he experienced.

### B. Categories of Documents Reviewed

The materials fall into several broad categories:

- **Affidavits and sworn statements**, which provide Mr. Sabourin’s formal account of workplace misconduct, retaliation, and threats.
- **Correspondence with CBSA management, union representatives, Members of Parliament, and Senators**, documenting his efforts to seek assistance and raise concerns.
- **ATIP extracts and internal CBSA documents**, including incident reports and workplace assessments, which corroborate aspects of his narrative.
- **Medical and employment records**, relating to his long-term medical leave and eventual medical retirement.
- **Evidence files**, including photographs, notes, and supporting documents relating to alleged resource misuse and security-related incidents.
- **Media materials**, reflecting limited public reporting on CBSA workplace culture and oversight issues.

These categories align with the issues identified earlier in the report and provide the factual basis for the analysis.

### C. Unique or Non-Public Elements

While much of the material reiterates information already in the public domain, several documents provide unique or non-public elements:

- **Affidavits** containing detailed descriptions of alleged misconduct at the National Document Centre.
- **Formal notices** sent to union leadership, documenting years of unanswered requests for representation.
- **Internal CBSA communications** that shed light on workplace dynamics and management responses.
- **Photographic evidence** relating to alleged improper handling of foreign passports and other materials.

These documents do not resolve the allegations, but they demonstrate that Mr. Sabourin consistently attempted to report concerns through internal and external channels.

### D. Gaps, Inconsistencies, and Areas Requiring Further Inquiry

The evidence reviewed also highlights several gaps:

- **No independent investigation reports** were found, suggesting that CBSA did not conduct—or did not disclose—any comprehensive review of the allegations.
- **Union correspondence is incomplete**, with no documentation showing substantive representation or follow-up.
- **ATIP extracts are partial**, indicating that some records may not have been released or may not exist.
- **Security-related allegations remain unaddressed**, with no public Parliamentary findings or committee reports.

These gaps reinforce the central finding of this report: without an independent oversight body, allegations of this nature cannot be fully assessed or resolved.

### E. Overall Assessment

The materials provided by Mr. Sabourin support the conclusion that his allegations were raised repeatedly, through multiple channels, over several years, and that he faced

significant personal and professional consequences as a result. The evidence does not provide definitive findings on every allegation, but it clearly demonstrates:

- a pattern of workplace conflict and retaliation;
- a lack of meaningful union support;
- unresolved questions about CBSA resource use and security practices;
- and the absence of any independent mechanism capable of reviewing these concerns.

This analysis underscores the importance of proclaiming the *Public Complaints and Review Commission Act* and establishing an operational oversight body capable of addressing cases such as Mr. Sabourin's.

## **8. Recommendations and Next Steps**

The analysis in the preceding sections demonstrates that the issues raised by Mr. Sabourin are not isolated or historical. They reflect 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 following recommendations identify practical steps that can be taken now to address these gaps and to support both institutional integrity and the whistleblower.

### **A. Proclaim the *Public Complaints and Review Commission Act***

The most urgent and consequential recommendation is the proclamation of the *Public Complaints and Review Commission Act* (SC 2024, c. 25). Parliament has already passed the legislation, and its non-proclamation is the central policy gap identified in this report. Bringing the Act into force would:

- Establish an independent oversight body with jurisdiction over CBSA;
- Provide a mechanism to review allegations such as those raised by Mr. Sabourin;
- Strengthen public confidence in CBSA operations;
- Modernize Canada's national-security accountability framework.

Proclamation is the single action most capable of addressing the unresolved issues documented in this report.

### **B. Conduct an Independent Review of CBSA Resource Misuse and Security-Related Allegations**

Given the seriousness of the allegations involving improper handling of foreign passports, creation of false documents, and potential compromise of CBSA's operational mission, an independent review should be conducted once the oversight body is operational. This review should examine:

- Whether internal investigations were conducted;
- Whether any disciplinary or corrective measures were taken;
- Whether systemic vulnerabilities exist within the National Document Centre or related units.

This review is necessary to determine whether the allegations raise ongoing risks to border integrity or national security.

### **C. Strengthen Whistleblower Protections in Federal Agencies**

Mr. Sabourin's experience illustrates gaps in federal whistleblower protection, including:

- lack of timely union support;
- absence of independent investigative mechanisms;
- vulnerability to retaliation;
- financial and psychological consequences for reporting wrongdoing.

The federal government should review existing whistleblower frameworks, including the *Public Servants Disclosure Protection Act*, to ensure that employees who report misconduct are protected from retaliation and have access to independent investigative channels.

### **D. Review Mr. Sabourin's Pension and Medical Retirement Circumstances**

Mr. Sabourin's medical retirement resulted in a reduced pension despite 31 years of federal service. The documentation reviewed suggests that his departure was shaped by workplace conflict, retaliation, and threats rather than voluntary choice. A review should be undertaken to determine:

- whether his medical retirement was handled appropriately;
- whether he should be entitled to a full pension;
- whether any corrective or remedial action is warranted.

This review would not only address a potential personal injustice but also signal that whistleblowers will not suffer long-term financial harm for reporting wrongdoing.

## **E. Improve Public Awareness and Transparency**

The issues raised in this report remain largely unknown to the public, despite their relevance to national-security governance and public-sector accountability. Targeted communication strategies—such as briefing notes, public statements, or outreach to Parliamentary committees—could help ensure that:

- the oversight gap is understood;
- the implications of non-proclamation are recognized;
- the systemic issues highlighted by Mr. Sabourin receive appropriate attention.

Public awareness is essential to ensuring that the oversight body, once proclaimed, receives the support and visibility necessary to fulfill its mandate.

## **F. Further Research and Document Review**

The materials provided by Mr. Sabourin are extensive, and this report represents a preliminary fact-finding analysis. Further work could include:

- a deeper review of ATIP extracts;
- examination of internal CBSA policies and directives;
- interviews with individuals involved in the events;
- analysis of comparable oversight frameworks in other jurisdictions.

Such research would support a more comprehensive assessment of the systemic issues identified in this report.

## **9. Conclusion**

This report has examined the whistleblowing allegations raised by Mr. Luc Sabourin, the personal and professional consequences he experienced, and the broader systemic issues his case reveals within the Canada Border Services Agency and the federal public-administration framework. The analysis demonstrates that these concerns are not historical or isolated. They remain relevant because the underlying structural weaknesses—particularly the absence of an independent oversight body—persist today.

Parliament has already enacted the *Public Complaints and Review Commission Act*, which would establish the first independent mechanism capable of reviewing allegations such as those raised by Mr. Sabourin. Yet the Act has not been proclaimed into force. This non-proclamation is the central policy gap identified in this report. It explains why the issues documented here remain unresolved, why no independent investigation has

occurred, and why similar concerns may continue to arise without meaningful external scrutiny.

The recommendations set out in Section 8 identify practical steps that can be taken now: proclaiming the oversight legislation, reviewing Mr. Sabourin's pension and medical retirement, strengthening whistleblower protections, conducting an independent review of CBSA practices, and improving public awareness of the oversight gap. These actions would not only address the unresolved issues in Mr. Sabourin's case but would also strengthen institutional accountability, enhance public trust, and align Canada's border-security governance with modern standards of transparency and oversight.

The purpose of this report has not been to revisit every detail of the past, but to identify what remains unresolved and what can be done now. The issues raised by Mr. Sabourin continue to matter because they highlight systemic vulnerabilities that affect both public safety and public administration. Addressing these vulnerabilities is essential to ensuring that federal institutions operate with integrity, that whistleblowers are protected, and that Parliament's intent in creating an oversight body is finally realized.

**APPENDIX: MATERIALS REVIEWED FOR THIS REPORT**

| <b>Folder Name</b>                      | <b>Document or Documents in Folder</b>                                                                                              |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Affidavit and Email – Luc Sabourin      | Various documents between 2013 and 2024 (57 documents in total)                                                                     |
| ATIP and complaints + evidence reports  | Various documents between 2010 and 2025 (67 documents in total)                                                                     |
| ATIP extracts – Important               | Various ATIP documents (11 documents in total)                                                                                      |
| Email to and from Members of Parliament | Various documents between 2022 and 2024 (13 documents in total) plus sub-folder on Email communications with Senators on Bill C-290 |
| Evidence                                | 32 documents + 8 sub-folders with documents on stolen items, harassment;                                                            |
| Formal Notice                           | 7 documents between 2022 and 2026;                                                                                                  |
| Health Canada                           | 6 documents + Sub-folder “Medical Report Mr Sabourin”                                                                               |
| Luc Sabourin HR + Training              | Various documents (23 documents in total)                                                                                           |
| Luc Sabourin Security Clearances        | 2 documents in total                                                                                                                |
| Media about CBSA                        | 4 documents + 2 sub-folders with further documents                                                                                  |
| Passport process pictures               | 4 documents in total                                                                                                                |
| Passport contaminer                     | 4 documents in total (.jpg files)                                                                                                   |
| Photos public dossier CBSA              | 59 documents in total (.jpg files)                                                                                                  |
| Ppt with molds                          | 4 documents in total (.jpg files)                                                                                                   |
| Reference Luc Sabourin                  | Various documents (62 documents in total)                                                                                           |
| Union                                   | Various documents (18 documents in total)                                                                                           |
| Witnesses                               | 3 documents in total                                                                                                                |