



April 30, 2026

The Honourable Francis Scarpaleggia, M.P.
Speaker of the House of Commons,
House of Commons,
Ottawa, Ontario K1A 0A6

RE: Establishing a Procedural Safeguard for Mandatory Statutory Reviews — The Case of the PSDPA

Dear Mr. Speaker:

We are writing to bring to your attention a recurring and serious erosion of the rule of law within our parliamentary system: the frequent failure of the government to conduct statutory reviews of legislation as mandated by Acts of Parliament.

The Case of the PSDPA

A primary example is the *Public Servants Disclosure Protection Act* (PSDPA). Section 54 of the Act required that “five years after coming into force, the President of the Treasury Board must cause to be conducted an independent review of this Act, and its administration and operation, and must cause a report on the review to be laid before each House of Parliament”. The 2012 deadline passed in silence. This was a clearly defined legal duty mandated on a named Minister. This failure to comply arguably, could be construed as “disobeying a statute.”

In the case of the PSDPA, the lack of fulfillment of this statutory obligation allowed a knowingly flawed and harmful system to persist for years, causing documented psychosocial injury to many public servants who exposed wrongdoing, including professional and financial devastation. And this is just the tip of the iceberg. Today in 2026, almost twenty years after the knowingly flawed PSDPA was implemented in 2007 – we still do not have laws that actually protect federal public servants or the other 95% of workers in Canada for that matter.

A Proposed Remedy

This is not an isolated incident, but rather part of a broader trend of executive neglect regarding statutory deadlines. To remedy this, we wish to draw your attention to a vital recommendation made by the **Canadian Bar Association (CBA)** in its 2013 [submission to Parliament regarding the *Conflict of Interest Act*](#).



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They noted one of the CBA's primary objects is to promote the rule of law and improvement of the administration of justice and as such, they were "deeply troubled by this repeated disregard of deadlines". They further asserted that this failure deprives Parliament of the data necessary to ensure laws are functioning as intended. Reviews are mandated by Parliament to provide a formal outlet for stakeholders and others to comment on their experience with the operation of legislation that might have been controversial or passed quickly or embedded in omnibus bills. Declining to do reviews leaves Canadians with no remedy other than censure at the polls. We at Whistleblowing Canada agree that this needs to be rectified.

The CBA recommended:

1. **That the *Parliament of Canada Act* should be amended to provide that, if a statutory review (under any Act of Parliament) has not been undertaken by the deadline because neither the House of Commons nor the Senate has designated or established a committee for that purpose, the Speaker of the House shall, within 30 calendar days, whether or not the House is sitting, establish or designate the committee, and the Speaker's action shall be deemed to be that of the House.**

By adopting such a procedure, the House would ensure that the executive cannot unilaterally "de-activate" the oversight mechanisms written into our laws.

We urge you to consider a formal procedure where the Speaker monitors statutory review deadlines. If a deadline is missed, the Speaker could exercise the authority to deem the matter referred to the relevant committee, ensuring that the law—and the protection of the public interest—is not subject to the convenience of the government of the day.

The supremacy of Parliament depends on the enforcement of the laws it passes.

The recent release by the President of Treasury Board of the report of the 2022 Task Force to review the PSDPA is recommending a re-writing of the PSDPA. This heightens the urgency to correct such procedural problems to ensure such damaging, decades long delays do not happen again.

Canadian Whistleblowing Research Network

On a related matter, there is ever growing concern among informed and aware Canadians in academia and other professions about the difficulty in correcting the problem of reprisals, ineffective laws and the negative repercussions for organizational integrity and accountability. This has resulted in the formation of a Canadian Whistleblowing Research Network working nationally and internationally to research the problem as better understanding is a necessary first step toward change. The inaugural meeting will be held in Montreal on May 27th and 28th, 2026



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at University of Quebec at Montreal (UQAM). There will be annual conferences thereafter, hosted by different member universities to share research knowledge, encourage collaboration and inform reform. We invite all Members of Parliament with an interest to join us and learn what the experts have discovered thus far and what the future direction will be.

Thank you for your attention to this matter as well as the issue of a definition for “comprehensive” as outlined in a separate letter.

Sincerely,

P Forward

Pamela Forward, President,
Whistleblowing Canada Research Society

EM. Pamela@whistleblowingcanada.com

Web. www.whistleblowingcanada.com

Tel. 613-805-8266

701-1500 Riverside Dr.

Ottawa, ON. K1G 4J4

CC

Hon. Shafqat Ali, PC, MP, President of Treasury Board

Hon. Pierre Poilievre, PC, MP, Leader of the Official Opposition

Stephanie Kusie, Official Opposition Shadow Minister, Treasury Board,

Don Davies, MP, Parliamentary Leader, NDP

Yves-François Blanchet, MP, Leader, Bloc Québécois

Elizabeth May, MP, Leader, Green Party