

# Canada 'failed to protect whistleblowers,' ranks last among nations with protection laws: Report

*The International Bar Association report considered whether or not whistleblower laws protect identity against harassment and prevent gag orders, showing that Canada did not succeed in any of those metrics*

Author of the article:

**Tyler Dawson**

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Prime Minister

Justin Trudeau faced criticism from Democracy Watch for the poor protection of whistleblowers. PHOTO BY ADRIAN WYLD /THE CANADIAN PRESS

Canada ranks at the bottom of the pile of nations that have whistleblower protections, says a report from the International Bar Association.

In fact, Canada meets just one out of 20 best practices — for transparency and review — putting it on par with Norway and Lebanon for weakest protections and falling well behind top-ranked nations such as Ireland, the United States and Serbia.

“Too often the rights that look impressive on paper are only a mirage of protection in practice,” the study said.

The study considered whether or not whistleblower laws protect identity, and protect against harassment, prevent gag orders and grant a “genuine day in court.”

Canada succeeded in none of those metrics.

In a statement this week, Democracy Watch, a democratic accountability watchdog, called on the federal Liberals to “strengthen whistleblower protection for everyone in federal politics, including political staff, and in all federally regulated businesses.”

“I’m not surprised,” said Duff Conacher, the co-founder of Democracy Watch, of Canada’s international rankings. “It just shows yet again how the Trudeau Liberals have failed to protect whistleblowers.”

The International Bar Association report cited Canada for being slow to deal with cases, often taking several years, and regularly ruling against whistleblowers. It called Canada’s whistleblower laws, first implemented in 2005, “nearly entirely dormant.”

“It takes tenacity and financial resources for any whistleblower to sustain a reprisal dispute for over six years, only to lose,” the report says.

In 2017, the House of Commons reviewed Canada’s law and made 25 recommendations to the Trudeau Liberals. They have ignored the vast majority of recommendations. In late February, the report was sent back to the House of Commons again by Opposition members of the House government operations committee, meaning, Conacher said, Trudeau’s cabinet will have to respond again.

“The report doesn’t go far enough,” argues Conacher. “We need whistleblower protection for everyone involved in federal politics.”

Democracy Watch says two Liberal bills are purported to improve whistleblower protections. One, Bill C-65, was meant to strengthen protections against harassment. But Conacher says this is secretive and “far from best practice.”

The other, Bill C-86, was to create protections for whistleblowing within banks. But Conacher says it hasn’t been proclaimed into law yet, even though it was passed in 2018.

“Whistleblower protection is one of the most potent accountability mechanisms you can have, and it’s clear the Trudeau Liberals don’t want that accountability,” Conacher said.

The federal government did not respond to National Post’s request for comment.