

## **Summary**

### **Whistleblower Protection and Climate Change**

Jon Legg introduced David Hutton, a prominent advocate for whistleblower protection, who discussed the ongoing battle to combat climate change. David highlighted Canada's failure to enact meaningful whistleblower protections, unlike other countries, and outlined the extensive efforts by industries to mislead the public about climate change. He also discussed the significant role of misinformation in various industries and its detrimental effects, giving examples of companies like Exxon and BP. David emphasized the importance of whistleblowers in uncovering hidden truths and the challenges they face, including career-ending reprisals. He also noted the need for laws that incorporate best practices to protect whistleblowers, and the opposition to such laws from vested interests.

### **Whistleblower Protection and Best Practice Criteria**

David discussed the growing global recognition of the need to protect whistleblowers, noting that such protections often emerge in response to crises. He highlighted the exponential increase in laws being created to protect whistleblowers, with Europe leading the way, and the adoption of a whistleblower protection resolution by the United Nations Convention against Corruption. David also presented a diagram outlining best practice criteria for whistleblower protection systems and showed an assessment of Canadian laws using a traffic light system. This indicated that all Canadian federal and provincial laws fail to meet the criteria. David then set out to explain how we arrived at this situation.

### **Canada's Whistleblower Protection Act Challenges Discussed**

David discussed the shortcomings of Canada's Public Servants Disclosure Protection Act (PSDPA), highlighting that it fails to meet international best practices and is administered by career bureaucrats who are trained to protect the government. He noted that despite a parliamentary committee unanimously recommending sweeping changes to the law in 2017, these recommendations were ignored by the government. David also pointed out that despite over 5,000 whistleblowers coming forward, not one has been protected. The Tribunal, the only body with the power to give them a remedy, has such an expensive and arduous process that no whistleblower has ever prevailed. He described the situation as a disgraceful one involving successive governments, the Treasury Board, and the Privy Council Office. David also discussed recent developments, including a private member's bill, C-290, aimed at improving the whistleblower protection system and the establishment of a PSDPA Review Task Force by the Treasury Board, expressing skepticism about its effectiveness.

### **Whistleblower Support and Protection Efforts**

David discussed the challenges faced by whistleblowers in Canada and the efforts of the Centre for Free Expression (CFE) to support and protect them. He highlighted the success of a strategy executed by one whistleblower, which led to exposing wrongdoing at Sustainable Technology Development Canada (SDTC) and the shuttering of that organization. David also described two new initiatives: an archive for whistleblowers' records and a program to support international whistleblowers. He invited the audience to contribute to these efforts. Jon Legg, another speaker, questioned the effectiveness of whistleblower protection laws, to which David explained the historical context and the ongoing opposition from bureaucrats.

## **Lawyers' Role in Whistleblowing Discussed**

Art Hunter asked David about his views on the role of lawyers in whistleblowing. David explained that lawyers in this field fall mostly into two categories, with some working to protect whistleblowers and others seeking mainly to profit from them often winning multi-million dollar rewards. He mentioned that the leading NGO in this area, the Government Accountability Project (GAP), which has done outstanding work in this field for decades, operates on a shoestring and is dependent on donations. In contrast, there is a powerful lobby of financially-focused lawyers who advocate for monetized whistleblowing systems, although these have serious limitations and have been rejected thus far by most jurisdictions. David shared that his interest in whistleblowing was sparked by witnessing wrongdoing in a Canadian medical research organization, which led him to gather a team to gather the evidence and submit a report, but to his surprise the wrongdoing was simply covered up.

## **Media Bias, Whistleblower Protection, and Solutions**

There was a discussion about media bias and the prioritization of emotionally charged content over accuracy. David clarified that his comments were not directed at traditional media, but mainly at new media and social media platforms, who profit handsomely from the spread of controversial, often false and hateful material. The conversation then shifted to whistleblower protection, with Ted Manning and David discussing the successes and challenges in various countries, including the EU, the US, and Serbia. They also touched on the lack of political will and the centralization of political power in Canada, as obstacles to good governance and better whistleblowing laws being passed.