

Long Term Care Covid 19 Commission Mtg.

Centre for Free Expression
on Thursday, November 19, 2020



77 King Street West, Suite 2020
Toronto, Ontario M5K 1A1

neesonsreporting.com | 416.413.7755

MEETING OF THE LONG-TERM CARE
COVID-19 COMMISSION

--- Held Virtually via Zoom, with all participants
attending remotely, on the 19th day of November, 2020,
3:00 p.m. to 4:35 p.m.

BEFORE:

The Honourable Frank N. Marrocco, Lead Commissioner
Angela Coke, Commissioner
Dr. Jack Kitts, Commissioner

PRESENTING:

Sandy Boucher,
Senior Fellow, CFE Whistleblower Initiative

David Hutton,
Senior Fellow, CFE Whistleblower Initiative

David Yazbeck,
CFE Whistleblower Initiative

1 PARTICIPANTS:

2
3 Alison Drummond, Assistant Deputy
4 Minister, Long-Term Care Commission Secretariat.

5
6 Jessica Franklin, Policy Lead, Ministry of
7 Long-Term Care

8
9 Derek Lett, Policy Director, Long-Term
10 Care Commission Secretariat

11
12 Dawn Palin Rokosh, Director of
13 Operations, Long-Term Care Commission.

14
15 Jay Bahal, Long-Term Care Commission
16 Secretariat

17
18 John Callaghan, Lead Counsel, Long-Term
19 Care Commission Secretariat

20
21 Lynn Mahoney, Counsel to the Ministry
22 of Health and Long-Term Care

23
24 Kate McGrann, Counsel to the Ministry
25 of Health and Long-Term Care

1 PARTICIPANTS (cont'd):

2
3 Ida Bianchi, Counsel to the Ministry of
4 Health and Long-Term Care
5
6
7

8 ALSO PRESENT:

9
10 Judith M. Caputo, Stenographer/Transcriptionist
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 -- Upon commencing at 3:00 p.m.

2

3 COMMISSIONER MARROCCO: Let me
4 introduce myself. I'm Frank Marrocco, I'm one of
5 the Commissioners. I'm joined by Commissioners
6 Dr. Jack Kitts and Commissioner Angelo Coke. We
7 are the commission.

8 And Judith Caputo who is our
9 transcriptionist, who is going to provide us with a
10 transcript when we're finished.

11 Are you waiting for anyone else to join?

12 MR. YAZBECK: I know that Sandy Boucher
13 is with us.

14 COMMISSIONER MARROCCO: Let me first of
15 all tell you thank you for coming.

16 Our practice has been to have a
17 transcript of these proceedings. So we will have
18 one, and post it eventually in a few days, so that
19 people know what we're up to on a day-by-day basis.

20 We're very interested in what you've
21 had to say. We had certain issues of our own
22 making sure we had the power to treat as
23 confidential that which we wish to treat as
24 confidential. We think we've sorted that out, but
25 we'd be very interested in hearing what you have to

1 say.

2 As you know, we released an interim set
3 of recommendations. We may do that again, or not;
4 we haven't decided yet. So we're at that stage of
5 our investigation. Where we've gone beyond the
6 preliminary, and gone beyond the most -- what we
7 thought were the most pressing recommendations that
8 we should make, and we're now at another stage in
9 our inquiries.

10 We've tended to ask questions as we go
11 along, if you don't mind.

12 MR. BOUCHER: No, that's fine.

13 COMMISSIONER MARROCCO: Mr. Boucher, if
14 you're in charge, or whoever, we're ready when you
15 are.

16 MR. BOUCHER: Thank you so much.

17 First of all, I'd like to thank you for
18 giving us the time to speak to you. We have all
19 been working on the issue of whistleblowing and
20 whistleblowing protection for many years, as you'll
21 see. And in particular, since the beginning of
22 COVID we have felt that there is an important place
23 in a whole range of ways for the whistleblower
24 issue within COVID, whether it's misuse of funds or
25 other things.

1 Quite early on in the long-term care
2 home situation came up, and it seemed to us to be a
3 perfect example of how whistleblowers can be part
4 of the solution, obviously not the whole solution.

5 I'd like to start, if I may, by
6 introducing the three of us, my colleagues and
7 myself, just to give you a little bit of an idea of
8 their background.

9 First of all, David Hutton. David was
10 a management consultant, very successfully for
11 20 years. He was a published author, and he was an
12 internationally recognized expert in quality
13 management. So operational effectiveness and
14 related issues, strategy and stuff was his
15 business.

16 He retired and very quickly became
17 dedicated to whistleblower protection about
18 15 years ago, when he was approached by a friend
19 who was becoming a whistleblower, and David's eyes
20 were opened to the stark realities of what happens.

21 Since that time, he testified to the
22 Parliamentary Committee regarding the
23 shortcomings of the Public Service Protection Act,
24 and he sat for a long time on the Public Service
25 Integrity Commission Advisory Board to try to help

1 them at the federal level.

2 He was also running a charity for FAIR,
3 which was for Federal Government Whistleblowers,
4 trying to do the same thing. Trying to help them
5 find a safe way to tell their messages to speak to
6 power about what was really going on.

7 At the time he became like a lightning
8 rod for many of the whistleblower who weren't
9 finding the system work for them and he personally
10 dealt with more than 400 of them. So he's spoken
11 to a lot of whistleblowers.

12 He's a family member and a trustee of
13 the Whistleblowing International Network, which is
14 a global group of organizations, not-for-profits
15 like us, who are working across the world to try
16 and find best practices and support each other in
17 bringing best practices to countries across the
18 world.

19 He has also accomplished many analyses
20 of Canadian whistleblowing laws, he's written
21 extensively on the subject. You may have already
22 noted, when the media need to speak to somebody
23 about whistleblowing, they tend to find David.
24 He's also written a lot of guidance materials for
25 whistleblowers themselves.

1 I'm sorry we have two Davids here.

2 I'll try very hard to say Mr. Hutton and
3 Mr. Yazbeck.

4 David Yazbeck is a Canadian lawyer,
5 he's been counsel with our work, more than 28 years
6 experience. He has been working on whistleblower
7 cases for more than 20 years, and he has worked on
8 some really important ones:

9 Dr. Shiv Chopra, Dr. Margaret Haydon,
10 and Dr. Gerard Lambert who were working on Health
11 Canada veterinary drug approval process.

12 Corporal Robert Read, who was
13 investigating another case involving Brian McAdam,
14 in corruption in the Hong Kong Mission, which is
15 part of the story of how I met these folks.

16 Sylvie Therrien, who's been in the
17 media over the last few years, pointed out
18 wrongdoing in the employment insurance section.

19 Chantal Dunn, who was the first and
20 only case that's ever been decided by the Public
21 Service Disclosure Protection Tribunal. We're
22 going to talk about that.

23 He's also been counsel to many other
24 whistleblowers in both the public and the private
25 sector. He is, in my view, and I'm sure it's quite

1 right, probably the top, or one of the top lawyers
2 and advocates in Canada to appear at all levels of
3 court on behalf of whistleblowers.

4 He was a witness before the Government
5 Operations Committee on the PSDPA, as was David.
6 He was a member of the COVID-19 Hackathon Team,
7 which was a project many of us got involved in a
8 little earlier this year, trying to show
9 governments ways in which whistleblowers can help.

10 He's on the Whistleblowing Canada
11 Research Society Advisory Board. He worked on the
12 Canadian Standards Association Guideline, and he
13 was an expert panelist for the European Commission
14 in 2017.

15 For myself, I have been an investigator
16 for 37 years. I started my career in the Royal
17 Hong Kong Police, I was recruited from the UK and I
18 joined as an inspector. I spent a lot of my time
19 in investigations, organized crime, narcotics,
20 transnational crimes and obviously dealt with a lot
21 of informants of various kinds during that time.

22 I decided to move to Canada just before
23 Hong Kong was handed back, and that's still proving
24 to be the best decision I ever made in my life.

25 Since then I've been working in the

1 private sector, where I work on corporate and white
2 collar crime. Most of what I do, nowadays I'm a
3 principal in the forensic group at Grant Thornton,
4 a large accounting firm. I tend to work on complex
5 investigations involving, fraud, corruption, money
6 laundering, organized crime. Either trying to help
7 companies figure out what went wrong and who did
8 it; or trying to help them prevent this kind of
9 thing from happening. And that's really where my
10 current day work intersects with whistleblowers.

11 One of the programs that I run is a
12 turnkey whistleblower system, which is used by
13 governments and corporations across Canada. And as
14 part of running that, I speak to whistleblowers
15 regularly four, five times a week when they call in
16 with their reports. I'm part of the team that does
17 that.

18 With David Hutton and David Yazbeck, I
19 worked on getting the Canadian Standards Guideline
20 about how whistleblower systems should be used in
21 2015, 2016. I was on the Hackathon. I most of my
22 spare time now is working with the CFE on a
23 whistleblower assistance program, and trying to
24 help whistleblowers today; strategy, fund-raising
25 and awareness.

1 My experience of whistleblowers tends
2 to be slightly more at the operational end, because
3 they're very often people who form the basis of my
4 investigations.

5 I've put a quote on here which I'm
6 going to draw your attention to briefly:

7 "Whistleblowers are the neighbourhood
8 watch of our society".

9 We know this, and we believe this,
10 we've seen this many, many times. Many ways to
11 describe them, they're the smoke alarm, they are
12 the warning system, but these are people who see
13 what's happening, and they do something very
14 simple: They stand up and they tell us. And we
15 view them and their protection as being as
16 important as freedom of the press in an independent
17 judiciary.

18 Our agenda today, we have six points
19 we're going to speak to. Some of them, one of us
20 will speak; some of them, more than one of us. But
21 at the end, Part 6, I think this is likely to be
22 more of a conversation about options, pro's-con's
23 rather than a detailed and prescriptive solution,
24 here's what we think you should do.

25 We're going to talk a little bit about

1 the organization, the background to whistleblowing.
2 The real issue here, which is whistleblower
3 retaliation, what happens to them when they speak
4 up.

5 We're going to talk about some of the
6 tools that we use to assess systems and programs,
7 which is some of the work that you've been asked to
8 do. And lastly, some ideas that we think are
9 relevant to fixing it.

10 The Centre For Free Expression is a
11 research centre at Ryerson University, it was
12 created about six or seven years ago. It covers a
13 whole range of topics, I think there are about
14 12 of them.

15 One of which is whistleblowing. And we
16 are the Whistleblower Initiatives Group. We are
17 all volunteers. Most of us have day jobs, but we
18 are passionate about this and we spend time working
19 towards helping public interest whistleblowers to
20 get their stories out when they want to tell us
21 something, we need to hear them.

22 We know the impact that can have on
23 society and what we're talking about today is a
24 perfect example.

25 We work with people around the world,

1 including the top experts and top organizations,
2 building best-in-class whistleblowing laws,
3 regulations at all levels, government, public,
4 private, not-for-profit. What makes whistleblowing
5 systems work well, that is what we're interested
6 in.

7 We're really interested in providing
8 real protection for people who speak up. We're
9 talking about not anyone who speaks up, because
10 sometimes people speak up only in their own
11 interest. We're interested in people who speak up
12 on an issue which is public interest. And there's
13 lots of ways that can be. I think in the case of
14 long-term care, that's really obvious.

15 Really, we're looking for systems that
16 have transparency, obviously, that are effective
17 and they have all the elements that are needed, not
18 just to work, but to continue to work and to get
19 better.

20 A lot of the work that we do involves
21 raising awareness. You know, only maybe four or
22 five years ago, most people had a very negative
23 view of whistleblowers, we're going to talk about
24 why this is, but part of it is that whistleblowers
25 are targeted as soon as they stand up; and we're

1 going to talk about that in detail.

2 I think now people are beginning to
3 understand that if there's a whistleblower, it
4 means there's something going on, and someone
5 needs to listen and we're going to find out what
6 that was.

7 We do public education events through
8 our websites, with social media. We've been on CBC
9 Ideas. We've worked with programs like CBC
10 Marketplace to do series. We do op-ed pieces.
11 We're just trying to find ways to show people the
12 truth, who whistleblowers really are, and why it's
13 important that we listen to them and protect them.

14 We're also working directly with
15 whistleblowers, trying to get them pro bono
16 counsel, trying to give them practice support,
17 advice, introductions and trying to help them
18 through the process so they can do what they set
19 out to do, and their message is heard and acted
20 upon.

21 As we've moved forward, you've probably
22 seen from our materials and our website, we've got
23 really a very distinguished body of people, we've
24 all been around a long time. And people are
25 beginning -- we're grateful that people are

1 beginning to listen to what we have to say, because
2 it's been proven worldwide to be factual.

3 We were asked to assist the Government
4 Operations Committee when they reviewed the PSDPA
5 in 2017, and you're going to hear about that
6 process, because what happened there started like
7 this, but didn't end the way we hope this will.

8 And more recently, last year, we helped
9 the BC Government who were working on their Public
10 Interest Disclosure Act, both in advice on the law
11 and in fact in other ways working with their
12 investigators and talking to all the Deputy
13 Ministers and all the people responsible for the
14 program, when they launched it, to talk about what
15 really happens when you try and work with
16 whistleblowers.

17 I'm going to speak now just a little
18 bit about the background of whistleblowing as a
19 theory. This slide here is one of many, you can
20 see it's just under a year old, it's just one of
21 many that we could pick, if you Google
22 "Whistleblower" you'll see lots of stories.

23 What we have to tell you about
24 whistleblowing is really very simple.
25 Whistleblowing is about people who see something or

1 know something that's going wrong, and they stand
2 up and they say, "Excuse me. This is wrong.
3 Someone needs to fix it."

4 You would imagine that any well-run
5 organization, would say, "Well, thank you very
6 much. It's really interesting, we didn't know that
7 was happening. We're going to fix it."

8 But unfortunately, because of human
9 nature and because of lots of other things, what
10 tends to happen is the whistleblower gets squished,
11 picked on, retaliated against, shut down and
12 removed; so that nobody has to deal with the
13 problem. That is a global phenomenon.

14 One of the biggest charities in the
15 UK -- sorry, one of the biggest and most focused
16 whistleblower in charities in the world is in the
17 UK, did a study where they estimated that something
18 like 80 percent of all public interest
19 whistleblowers suffer some kind of negative
20 consequence.

21 We have to ask ourselves why. And
22 we're going to talk to you about why in a minute.
23 But I want to tell you something really simple:
24 Whistleblowers are the people who know what's going
25 on. They are in offices and workplaces, or

1 wherever, every day and they see things. And they
2 are the kind of people that just don't want to put
3 their head down and say, "It's not my problem."
4 They're the kind of people that stand up and say,
5 "This is wrong, we've got to stop it."

6 This particular case, this was about
7 Ford, I think it was in Halton Region. It was
8 millions of dollars, it had been going on for ten
9 years and a whistleblower stood up and said, "This
10 is not right."

11 And something was done, and this
12 gentleman in the photograph on the right, was
13 convicted and went to prison for fraud. Saving the
14 public purse and dealing with a cancer that had
15 been operating in that organization.

16 What we really have to talk to you
17 about is: How do you deal with the reality that
18 people don't like whistleblowers and they don't
19 want to hear the message?

20 In the olden days, we would think about
21 Kings sending messengers. We all know what you do
22 with messengers, right? You shoot them. If you
23 don't like the message, you shoot the messenger and
24 the problem goes away.

25 Some of the best statistics that we can

1 find in the world, come from an organization of
2 which I am a member, the Association of Certified
3 Fraud Examiners. Don't be put off by the idea that
4 this talks about fraud. These are statistics which
5 come from all of the cases that we work on,
6 probably some of mine are in this one. Every two
7 years it's published. And what it shows,
8 consistently for 20 years, is that the best source
9 of identifying problems is from tips, from
10 whistleblowers.

11 If you look at some of the other
12 methodologies, like audit, management review, even
13 by accident, tips dwarfs them, and continues. In
14 some countries and at some times, it's over
15 50 percent of all the cases come from tips and from
16 whistleblowers.

17 And look at some of these others here:
18 Document examination, surveillance, sometimes it's
19 law enforcement find out. I've had clients where
20 they call me and say, "The police just turned up
21 and told us they have arrested my accountant for
22 stealing."

23 Confessions, sometimes the perpetrator
24 themselves can't take it anymore, and they come and
25 say, "This is what I've been doing." But

1 whistleblowers can cut this short. Whistleblowers
2 can help.

3 I've talked about whistleblowers being
4 the people that work there. But I want you to
5 understand, and I know that you've already started
6 to grapple with the issue of who has information in
7 the long-term care homes?

8 The CFE study shows that something like
9 on average, 50 percent of the people that come
10 forward are employees. But long-term care is a
11 complex environment. You're going to hear of some
12 real cases in our presentation. Some of them
13 aren't employees, some of them work for agencies,
14 some of them may be visiting from other departments
15 or other groups. There are all sorts of people in
16 the environment, but they see what's going on.

17 Look here that you have customers,
18 anonymous, I know you guys are already dealing with
19 that, vendors and even competitors.

20 I regularly see competitors going to
21 their opposite number in industry and saying,
22 "We've heard some bad things about one of your
23 people, and we thought you'd like to know."

24 So it's important that you understand
25 that it's not just employees who have this

1 information.

2 I'm not going to spend a lot of time on
3 this diagram, it comes from the CSA Guideline that
4 we all worked on. It's really just to show this:
5 Whistleblowing systems are not the silver bullet
6 that cures all problems.

7 However, if you have all of these
8 elements, the kind of thing that I work on: Audit,
9 risk management, internal controls, ethics
10 compliance, the kinds of things we have in many of
11 our industries.

12 And at the other end, if you have a
13 speak-up culture, a healthy workplace where people
14 can talk to each other. Whistleblowing systems and
15 whistleblowers support both of them. They don't do
16 their job, but they really help.

17 And we know that if you have a good
18 system, and people aren't afraid to stand up, that
19 they will shorten the time before problems are
20 identified. They will reduce the incidents of
21 them, they will reduce the cost, and they will
22 actually form a preventative measure. Because if
23 everyone knows that someone is going to tell on
24 them, they may not get involved in the first place.

25 And what that does, it makes not just

1 the integrity management system work, but it makes
2 the employees happy. You haven't gotten employees
3 seeing things going wrong and knowing they can't do
4 anything.

5 At the end of the day, on the
6 right-hand side, this doesn't just make for a
7 better company, it's proven to have better
8 performance, better stakeholder confidence. All
9 the things that we want in any organization in any
10 industry, this is going to help, because it
11 eradicates, helps to identify and eradicate the
12 problems.

13 Let's look at this slide. I believe
14 you have probably already read this, you may have
15 already heard from the Patients' Ombudsman.

16 We know that in most cases,
17 whistleblower systems are set up to report through
18 the organization. And we know, and we're going to
19 talk to you about the laws that exist in this
20 industry, in Ontario.

21 The issue that we see from this slide,
22 is that of all of these reports that came in, none
23 of them came through the route that we would
24 expect. None of them appeared to have used the
25 laws and the whistleblower protections that are

1 there. Many of them were so scared, that they
2 wouldn't identify themselves. Many of the most
3 serious complaints came from people -- the
4 Ombudsperson decided were whistleblowers, and the
5 majority of them feared negative impacts if they
6 stood up and became counted.

7 When we first started talking to your
8 organization -- I'm going to show you a slide in a
9 minute -- we know that you've already come across
10 this, that people are too scared to talk. That
11 means whistleblower retaliation is rife in this
12 industry. We're going to show you the examples,
13 and tell you what we can do to fix it.

14 The Patient Ombudsman felt so strongly
15 about this, that it was one of their
16 recommendations that these laws be enhanced.

17 We had been following with interest,
18 your work. We were thrilled to see your interim
19 report. I'm sure we're all horrified to see what
20 continues to go on. But one of the things -- the
21 reason that we picked up the phone to talk to you
22 is when we saw this article. Where we could see
23 that you were trying to talk to people and they
24 were too scared to talk to you, unless you could
25 guarantee their anonymity. We deal with this every

1 day.

2 We now know that you've seen the second
3 example, the second piece of proof that in this
4 industry, whistleblowers are being silenced and
5 retaliated against. And that's when we contacted
6 you and said, "We think that we can help."

7 We applaud you for the step you took,
8 because anonymity is one of the very few tools that
9 a whistleblower has in their own hands, that they
10 can entrust other people with. As long as they can
11 stay anonymous, they may be able to avoid the
12 consequences.

13 So now I'm going to hand over to David.
14 And David is going to talk to you about the real
15 case, what really happens to whistleblowers and
16 what retaliation is all about.

17 David, if you just let me know when you
18 need me to move the slide down.

19 MR. HUTTON: Sure, thank you.

20 So I think Sandy has given us a very
21 good introduction there. And what I and the other
22 David are going to say to you are really digging
23 more into the specifics and the details.

24 So the main mention in this slide is
25 around who whistleblowers are. The key message

1 here is that these are some of your best people, if
2 you're running an organization.

3 These are the people who are highly
4 competent, who are confident, because of their
5 reputation, their track record. They are the
6 people that have the moral compass who will take a
7 risk and go forward when they see something wrong.

8 In my experience, some of them are
9 quite unprepared for the blowback that's going to
10 occur, because of their reputation and so on, they
11 may actually feel that they're not untouchable, but
12 certainly in a fairly secure position. So it comes
13 as a very harsh lesson to them sometimes when they
14 find suddenly personae non grata.

15 The reasons why there's so much
16 blowback, we're going to talk about that in some
17 more detail, but one of the things to say right up
18 front here is that every time you see a case in the
19 media about a whistleblower, you see attacks on
20 their motives, their sanity, their truthfulness,
21 and perhaps their sexual orientation, you know, you
22 name it. Attacks can take all kinds of forms.

23 And that's why the word "whistleblower"
24 carries some baggage associated with it, which is
25 negative.

1 If we can go to the next slide, Sandy.

2 Here are some of the things that are
3 done to attack whistleblowers and silence them. I
4 should say, Sandy mentioned I've had dealings with
5 a little over 400 people during the brief time I
6 ran a hotline, I personally ran a hotline for
7 people. And it became overwhelming, I was getting
8 more than 100 calls a year, and I had to stop doing
9 it.

10 But my observation was that although
11 the specifics of the whistleblower situation, where
12 they were in the country, what the type of problem
13 was, what industry they were in, those were all
14 over the map. But what was absolutely consistent
15 was the reprisals. It was almost as if there was a
16 guidebook to explain how to damage a whistleblower.

17 So some of them, the attachment here is
18 simply to describe them. And this may be
19 preemptive. If you're running some kind of scam in
20 an organization, and someone turns up, joins your
21 staff who you immediately see is highly competent,
22 confident, and so on, you immediately know this
23 person is a threat. And it's quite common for the
24 wrongdoers to initially start preemptively
25 discrediting them. Going to human resources, going

1 to auditors, telling their superiors this person is
2 a problem. And so that they're discredited
3 probably before they even know there's a problem
4 they should be blowing the whistle on.

5 Attacks: Harassment, isolation,
6 humiliating them in front of colleagues. Cutting
7 them out of the information, so they're not invited
8 to meetings that are clearly their mandate and
9 where they should be. Slanders, false accusations.

10 A common one is to set what I'd call
11 "abusive work assignments". Put someone in the
12 room with no phone, no equipment and no work and
13 tell them to behave and that they'll be disciplined
14 if they're caught reading material that's
15 not-related. Work that is degrading, tasks that
16 are impossible.

17 One that I'll mention is someone who
18 lives here in Ottawa, who, when the government was
19 computerizing its operations, he wrote a program
20 that was to help reconcile transactions around the
21 world by Foreign Affairs Missions, which involved
22 foreign exchange.

23 What this program revealed dramatically
24 is that the missions abroad, were pocketing a whole
25 lot of money that were gains on foreign exchange.

1 And, basically, you know, taking government money
2 for their own -- for their own use. And this was
3 consistent across the world. So this was an
4 accidental exposure of wrongdoing.

5 So what they did to this person was to
6 put him in a room with no access to the computers,
7 just paper and pencil and told him to reproduce the
8 reports, that the computers were turning out.
9 Which of course he couldn't do. And when he
10 couldn't do that, they gave him a performance
11 appraisal, which was the lowest rating, a zero in
12 every single category, and then they fired him. He
13 has never worked in the public service since
14 because of that.

15 Falsifying evidence. You might have a
16 personnel file that a 20-year track record of
17 accommodations and awards, this suddenly disappears
18 and instead you have a very thin file that's full
19 of accusations. It's not unknown for the people
20 that are trying to coverup, to conduct one-on-one
21 interviews with the person's peers, their
22 subordinates, asking leading questions and
23 basically trying to intimidate into making
24 accusations against the whistleblower. So they can
25 then accuse them for harassment. That section is

1 conduct, whatever.

2 Yeah, so you get the picture there.

3 And the people who fear exposure, who orchestrate
4 this. The senior management in often cases may not
5 even really understand what's going on.

6 Next slide, Sandy. I won't dwell on
7 this. We've put that in so you can do some
8 research on the subject, rather than just relying
9 on what I'm telling you.

10 Sandy, next slide.

11 Now, I think everyone who knows a
12 little bit about whistleblowing, who has heard of
13 it, would understand there's a risk and the person
14 may well lose their job. But that is a huge
15 understatement of what happens.

16 It's generally a life-changing
17 experience. Not only do they lose their job, but
18 every effort is made to destroy their reputation
19 and therefore destroy their career and their
20 livelihood.

21 It's very common for someone who is an
22 expert, and a leading person in their field, to
23 find they're unable to practice in that profession.

24 Again, they've been essentially
25 blacklisted and so they not only lose their

1 livelihood, but they lose access to work that
2 they've trained for and that they love.

3 You imagine a loss of income and
4 reputation and so on, the impact this has on the
5 family can be devastating. So it's very common to
6 lose the family home, and any kind of financial
7 security you might have. And the stresses on the
8 family very often result in a break up.

9 And that's very understandable, because
10 the family doesn't understand what's going on. In
11 their mind perhaps the whistleblower has put some
12 kind of abstract moral principal above their
13 well-being. And also they don't know if their
14 spouse is even right, because everyone else is
15 calling them a liar.

16 The stress of this is enormous. I
17 haven't mentioned the legal struggles that they get
18 caught up in, but it's very common, again, to have
19 whistleblowers to have the symptoms of PTSD,
20 chronic depression, insomnia, flashbacks, panic
21 attacks.

22 And it's very common to have to
23 struggle in legal proceedings for a decade or more.
24 And David Yazbeck is going to tell us more about
25 that.

1 So as I said, this is a life-changing
2 experience. The person that comes out the other
3 end of this is a very changed individual. And
4 often a very, very damaged individual.

5 If you're fortunate enough to come out
6 of this relatively intact, and are able to act as
7 witness using advocates and so on for this cause.

8 The typical trajectory is someone who
9 is respected and accomplished in their career
10 profession, ends up doing menial work to survive.

11 The example I often quote, it's not
12 just a Canadian one. But if you ever watch
13 interviews, or programs about Edward Snowden in the
14 States, the national security whistleblower, then
15 Tom Drake will be interviewed. And Tom Drake was a
16 top scientist at the NSA.

17 His job was to decide what was the best
18 technology to put in the field, and to make
19 decisions that had consequences of hundreds of
20 millions of dollars. And what Tom does today is,
21 he sells phones in an Apple store in Washington DC.
22 And appears on television regularly to talk about
23 the whistleblower, Edward Snowden.

24 MR. YAZBECK: David, if I may interject
25 just for a moment to comment briefly on some of the

1 repercussions.

2 Members of the commission, these
3 comments are not just for interest sake. They form
4 a basis for the recommendations or the thoughts
5 that we have to present to you later on in this
6 presentation.

7 And I can give you a couple of examples
8 that I'm dealing with currently, which illustrate
9 nicely the concerns that David Hutton has
10 identified.

11 For example, Dr. Chopra and Haydon were
12 whistleblower within Health Canada. They raised
13 very serious concerns about how veterinary drugs
14 were being approved, the evidence that was used to
15 approve the drugs, etcetera.

16 They started raising those concerns in
17 the late 1990s. They all ended up being
18 terminated, the two of them along with a colleague
19 in 2004. And very much along the lines that David
20 has just described. They were given assignments
21 which were frankly below their expertise levels,
22 which were almost impossible to achieve. And of
23 course when they did not do that, they were fired.

24 As of this moment -- that's 2004. As
25 of this moment, I'm still trying to get relief for

1 Dr. Haydon. Her career -- we ended up getting her
2 job back years and years later, but we're still
3 struggling over the process. I can tell you the
4 difficulties experienced that David mentioned are
5 real and are severe.

6 Another example is Sylvie Therrien, who
7 raised concerns about targets within the employment
8 insurance system, which were basically encouraging
9 auditors in the Federal Government to cut off
10 people who were otherwise qualified for employment
11 insurance benefits. She raised concerns about
12 this, she disclosed them to the media, she was
13 terminated.

14 I was working on her case today, even
15 though those incidents started in 2013. And that's
16 highly relevant for your consideration, because she
17 has been using a system established by the Federal
18 Government, which by some accounts, and
19 respectfully some erroneous accounts, is one of the
20 best systems in the world, but which is not.

21 A lot of our presentation here is
22 intended to convince you that these other systems
23 need to be improved upon, which is something we'll
24 urge before you later. Thanks.

25 MR. HUTTON: Thank you, David. And

1 thanks for interrupting me. It was part of our
2 plan that David was going to add to this slide and
3 I just went ahead. Sorry, David.

4 So what we're now talking about is the
5 impact on the organization. And as I've hinted
6 before, assume the leadership may be in the dark,
7 even though they may be responsible, that's quite
8 common.

9 And the wrongdoing continues and grows
10 remaining unchecked. As Sandy mentioned a case of
11 that's been going on for ten years.

12 The leaders may unwittingly become
13 complicit, because they're being lied to about
14 what's going on. And regardless, this is happening
15 on their watch, and they may commit themselves to
16 positions that may be very, very bad. They may be
17 unethical and illegal even.

18 When this is going on, you know, fear
19 is the tool that is used. So you tend to get a
20 client with fear, and that's very bad for how the
21 organization functions. In my experience in
22 management consulting would be hundreds of
23 companies in debt. Organizations where fear is
24 commonplace like this. Basically, I find it hard
25 to do the most basic things, they just can't

1 perform.

2 And then eventually what will happen.

3 (Reporter sought clarification).

4 MR. HUTTON: So assuming they're kept
5 in the dark.

6 So one of the myths of whistleblowers
7 is that they're irresponsible people, that
8 immediately run off to the media with half-baked
9 stories which are damaging to their organization.

10 The reality is kind of the opposite of
11 that. Because in fact, research shows that only a
12 tiny number, perhaps 1 or 2 percent of
13 whistleblowers ever go to the media. And even when
14 everything else has failed, it's just not something
15 that they intended to do or would contemplate.

16 And so when you hear about a
17 whistleblower case, you need to imagine that
18 they're probably maybe 50 or 100 people who try to
19 do the same thing and failed, tried to expose that
20 wrongdoing. But only one actually went to the
21 media. And not everybody who goes to the media
22 gets their story out there, it's quite hard to get
23 the media's attention at times.

24 So the consequences for the
25 organization can be quite serious, in terms of

1 dysfunctional operations, damage to their
2 reputation, loss of public trust, and so on. And
3 sadly we've seen that in this sector, I believe.

4 Sandy?

5 Can you hear me okay now?

6 MR. BOUCHER: Keep close to the
7 microphone.

8 MR. HUTTON: Ashley Jenkins, I'm sure
9 you've read it. I actually spoke to her a couple
10 of days ago, and I got more information than I had
11 gotten from the media.

12 I can tell you more about that if
13 you're interested, but my main takeaway from
14 speaking to her was this: That she was called in
15 after this care home had already been evacuated.
16 There had been a very serious situation where
17 66 residents, 22 staff, and of those 88 people, all
18 but 2 were in infected. So that's how bad the
19 situation was.

20 The situation that she uncovered as she
21 began to clean-up the place -- her mission was to
22 get the home operational again. And that involved
23 not only cleaning of the equipment and recording
24 medications and so on. What she uncovered there
25 shocked her, and so she went public with that.

1 But my main takeaway from all this was
2 that if what they see in the situation here, is the
3 management of that home, focused on getting that
4 place built up again with residents and getting
5 their cash flow going again without fixing the
6 problems that caused all those infections.

7 COMMISSIONER MARROCCO: Mr. Hutton, if
8 I can interrupt for a minute.

9 One of the things I'm interested in is
10 the intersection between the problems that the
11 whistleblower is whistleblowing about, and an
12 inspection regime or an auditing regime.

13 In your experience, is there a
14 connection between the two? Does strengthening the
15 one help alleviate the conditions?

16 THE WITNESS: Yes, I think I can talk
17 to that. I know some of my colleagues can, too.

18 We're talking here about regulatory
19 oversight and the relationship here. And
20 regulatory capture or inappropriate delegation of
21 the regulator's responsibilities to the industry.
22 It was a very common problem, I would say worldwide
23 possibly, certainly in our country and in many
24 industries.

25 The relationship ought to be that

1 whistleblowers reinforce the regulator regime. And
2 when they see other information that their own
3 management of the organization itself is not spoken
4 to, it doesn't want to hear, then the next logical
5 place for them to go is to the regulator.

6 So that is how it ought to work. That
7 is how it does work in some countries and some
8 regions. But if the regulator is not doing its
9 job, then that's not going to work. So instead of
10 becoming a major asset to the regulation, you
11 become a threat. And so they need someone else to
12 go to.

13 MR. BOUCHER: Could I just add to what
14 David said?

15 As we showed you on the slide earlier
16 on, there is a close relationship, but neither can
17 replace the other. And the way that the statistics
18 work show clearly that audit and inspection is
19 never going to catch everything.

20 I think it's clear that in many of the
21 circumstances, that we were working and in
22 long-term care, some of these are very entrenched
23 issues and practices, and it's actually not that
24 difficult to defeat inspections, even when they
25 occur.

1 So even if you have a fairly effective
2 regulator, and you do have an inspection regime,
3 you still need to make sure that you've got the
4 safety valve of whistleblowers. And sometimes
5 regularly, and I've worked in many industries where
6 the best investigations, and the real hard-hitting
7 things, and the real big problems that get solved,
8 as I've explained earlier on, very often come from
9 the insiders. Because these problems have been
10 hidden, they're kept secret.

11 So you need the whistleblowers to be
12 protected, so that they can speak up and they can
13 feed the inspection regime. But the two things,
14 neither can exist without the other and you
15 definitely need both.

16 MR. YAZBECK: If I may add something,
17 Justice Marrocco.

18 There's another component to the regime
19 that we advocate for, which is a dispute resolution
20 component, or a component that can give remedies to
21 a whistleblower.

22 As effective as the regulator may be,
23 if there isn't sufficient protection for the
24 whistleblower - and not only in the regulator
25 process, or the inspection process, but dealing

1 with the practical implications of blowing the
2 whistle that Mr. Hutton commented upon already,
3 if there's not effective protection there, then
4 there's a massive disincentive for whistleblowers.

5 And so a lot of the evidence or the
6 information that the regulator might otherwise get,
7 simply won't be forthcoming. And it's a different
8 component. There's a different skill set involved
9 there, a different attitude involved in terms of
10 adjudicating these matters, but having an
11 independent body that is capable of doing that, and
12 capable of giving real relief is very, very
13 important.

14 MR. BOUCHER: And we're going to talk
15 at the end, of some of the options you have in this
16 industry of how some of these interplay, how some
17 of these things work together. What might work,
18 what might not work, we'll go into detail in our
19 last section.

20 David.

21 MR. HUTTON: Thank you. So the one
22 final thing I'll say about Ashley's case is that as
23 I've indicated to you, I'm just horrified what
24 would have happened if she hadn't spoken up because
25 that care home would have been restocked with

1 66 residents, and the conditions that caused all
2 these infections had not been changed.

3 I'd also mention that she's still
4 subject to reprisals. One of which has been to try
5 to strip her of her licence to practice.

6 Next slide, Sandy. I'm not going to
7 talk to this much. Talking about the negative
8 myths that surround whistleblowing, and for the
9 lack of understanding of their situation and the
10 dynamics that go on there.

11 Sandy?

12 So again, I think we have covered quite
13 a bit of that. I'm just wondering about our
14 sequence here.

15 MR. BOUCHER: We're on slide 22.

16 MR. HUTTON: I'm just looking in my
17 notes to make sure we've covered everything. Okay.

18 So on 22 now, Susan Holmes. She blew
19 the whistle on what was really a massive scandal in
20 PEI. Which I was very closely involved in around
21 that time. I was asked to go down to PEI and sit
22 on the floor of the legislature and give expert
23 testimony about whistleblowing law that was being
24 put forward in the opposition, which was of course
25 dismissed.

1 The fact is that it was a massive
2 scandal. Susan Holmes was one of three civil
3 servants who saw all kinds of abuses taking place
4 which they were horrified by.

5 She reported this information to the
6 proper authorities in Ottawa, the immigration
7 people and services. Somehow her name got leaked
8 to the Globe and Mail, she doesn't know how that
9 happened. And, therefore, she agreed to give them
10 an interview.

11 Subsequent to that, the partial
12 information, the partial bios of these three civil
13 servants were leaked to the media, some
14 embarrassing information, and that was done by the
15 government. And what we see here is the government
16 eventually paid out \$1.8 million to these people
17 for what they had done to them.

18 One of the key points here, is that if
19 you look at the dates, 2011 was when this happened,
20 and this document came in 2019. So that was eight
21 years in courts to get some kind of remedy. And
22 that was pretty fairly quick for a list of our
23 cases.

24 MR. BOUCHER: It's worth mentioning
25 that the program that these three whistleblowers

1 talked about, was eventually shut down. And they
2 were vindicated in pointing out all the things that
3 were wrong with it. So they were right, and the
4 government finally acknowledged that they were
5 right, but it took those many years to put their
6 situation to rest.

7 MR. HUTTON: That's right. And this
8 also illustrates the point, people are often
9 puzzled when they -- whistleblowers are being
10 publicly humiliated. Especially, if the
11 organization has a fairly good reputation, being
12 respected by different people. People are
13 reluctant to believe that these accusations are
14 false. And so we'll talk a little bit about that
15 in a few moments.

16 And I'll also mention, I heard a lot
17 about what was going on in PEI, and I'm not going
18 to go into the details here, but this was Third
19 World stuff. This is the type of behaviour that
20 you expect to see in a Third World Country. With
21 massive fraud, still don't know where all the money
22 went and a shameful situation.

23 So let's move on. So we'll talk a
24 little bit here about the laws in Canada, and I'll
25 give you the landscape here. The message I'm going

1 to give you may be short, but Canada is essentially
2 a wasteland for whistleblowers.

3 This is quite different from the view
4 that we have ourselves as Canadians and what we
5 would expect me to be telling you, but that is a
6 fact. So I'm going to take you through some
7 information to demonstrate that.

8 I'll start with this Federal Law that
9 was passed in 2006. And I was one of the people to
10 testify to Parliament about the shortcomings.

11 This covers roughly 400,000 federal
12 public servants. At the time it was described as
13 "Mount Everest of whistleblower protection" by the
14 Cabinet Minister responsible.

15 One of the opposition MPs called it a,
16 "law not to protect whistleblowers, but to protect
17 Deputy Ministers from whistleblowers". I think
18 you'll agree after we talk some more a bit that he
19 got that exactly right.

20 So the long and messy story about it, I
21 can tell you here, but I'll just cut to the short
22 of the story by saying: In 13 years or more now,
23 not a single person has been protected by the
24 tribunal, which is the only body that can provide
25 whistleblowers with a remedy. Nearly everybody who

1 wants to go -- who has suffered reprisals and wants
2 to go through the tribunal. Nearly everybody is
3 blocked from going there because we have a system
4 with an Integrity Commissioner who acts as a
5 gatekeeper. And in spite of having no powers,
6 investigative to reprisals, no special powers,
7 makes the decisions about whether they can go to
8 their tribunal. And in all except about eight
9 cases, he has simply refused them. And Sylvie
10 Therrien, the case we were just mentioning, David
11 Yazbeck just mentioned, one of his clients is one
12 of those cases.

13 Only one person has actually completed
14 the tribunal process, and they did not prevail.
15 And that was entirely predictable.

16 There is a legal requirement in the law
17 in the PSDPA for review after five years. As the
18 five-year mark is coming up, I was running FAIR at
19 the time, we started lobbying heavily for tougher
20 independent review. Because we were worried that
21 the Treasury Board, who were responsible for the
22 Act, would basically put on our -- set up a rigged
23 process, which would tell us that everything was
24 okay, and no changes were put forward.

25 So we were lobbying. But what happened

1 was, they just ignored the five-year review. And
2 so the years went passed, and there's no review.

3 So ten years later, after the ten-year
4 mark, we suddenly learned through our contacts,
5 that a Parliamentary Committee had been asked to
6 conduct the review. So we led into action, and
7 I'll talk some more about how we worked with them.
8 But we were able to open their eyes and give them a
9 lot of help. And they ended up issuing a unanimous
10 report, with sweeping recommendations for reform of
11 the law. There are 50 recommendations, a lot of
12 them very detailed, they cover about five pages of
13 text. And as I said, it was a unanimous report,
14 and the government simply ignored it.

15 The other thing I'll mention is, I'm
16 going to give you some more information that
17 studies have been done recently looking at
18 whistleblower laws around the world, and Canada
19 ranks as one of the worst.

20 Next slide, Sandy.

21 So this is the law, the Public Servants
22 Disclosure Protection Act -- sorry, that is not the
23 law, that is the report. And it's available
24 online, you can find it through our website and
25 find all those recommendations that I talked about.

1 MR. BOUCHER: I'd like to jump in for a
2 second, David.

3 The process was, David had been
4 lobbying against this law, even when they brought
5 it in, he produced a report saying: Here's all the
6 things that are wrong, it won't protect
7 whistleblowers.

8 The law came in, it didn't work. It
9 was criticized by the courts. It was criticized by
10 the auditor general.

11 Ten years later, unanimous report from
12 Parliament, a process that everybody went into
13 feeling good, you know, we finally got a really
14 good report. Everyone can see what's going on here
15 and it just sat there.

16 The only value that this report has is
17 to show how strongly governments can sometimes
18 resist making the changes that they need to. And
19 also, that the recommendations in there actually
20 can apply to many other situations in Canada.

21 MR. HUTTON: Right. Thanks, Sandy,
22 right.

23 So let's look broader than Canada,
24 let's look internationally. This whole idea that
25 whistleblowers should be protected, originated in

1 the mid '70s when Ralph Nader brought about this.
2 And he identified that there were many people who
3 had come forward to expose information in the
4 public interest, and simply being crushed. And he
5 listed a bunch of them.

6 And he generated this idea that there's
7 a class of people that ought to be protected in
8 order to protect the public.

9 In 1978, shortly after that, there was
10 a conference which resulted in the leading
11 organization in this field, The Government
12 Accountability Project, and then becoming -- being
13 formed, and they're still the leading organization
14 in this field. And they were able to get a lot
15 through the legislature system in the States.

16 So in 1978, the USA became the first
17 nation with a national law to protect
18 whistleblowers.

19 If you roll on 20 years, there was just
20 two nations, so the USA, the UK had adopted a law
21 in 1998, which was extremely advanced for its time,
22 and quite an effective law. But as you can see,
23 first of all I'm still seeing a bit of a novelty,
24 Australia had some good laws in their states, but
25 no federal level law.

1 If you roll on another 20 or so years,
2 we've got a complete transformation. There are
3 48 countries where you have whistleblower laws.
4 And the EU has passed a directive which requires
5 all of their members to enact strong whistleblower
6 laws over the coming year. And so when you count
7 those countries, you're up to 62. This has all
8 happened in the past five, ten years, so it's like
9 a tidal wave. It's not unusual, but it's a norm to
10 have national laws to protect whistleblowers.

11 Sandy, next slide.

12 MR. BOUCHER: David Yazbeck, was there
13 something you wanted to add at this point?

14 MR. YAZBECK: I'm good with what David
15 said so far.

16 MR. BOUCHER: Good, thank you.

17 MR. HUTTON: David Yazbeck, please feel
18 free to jump in because you know I just keep going.

19 MR. YAZBECK: I shall.

20 MR. HUTTON: Right. So how good are
21 these various laws? There's a project been
22 underway, which is a joint project of the
23 Government Accountability Project, which I
24 mentioned. And International Bar Association
25 they've been working on it for sometime.

1 We have access to, some access to the
2 results which are still somewhat preliminary. And
3 their methodology IS to use the 20-point criteria
4 system to look at the effectiveness of the law.
5 Not only what should be on paper, but how they work
6 in practice.

7 Those criteria have been developed by
8 GAP by over four decades by working with
9 whistleblowers. They're very detailed, they're
10 written in quite legal language. So this is a
11 pretty thorough process. And they're getting help
12 from people in the different countries, including
13 us, to make sure that what they put forward is
14 accurate.

15 And so we know what some of the scores
16 are out of the 20 points. So at the very top of
17 the list, there's Australia, which has the
18 strongest law. Both in terms of what's written
19 down and how its working.

20 The EU directive is seen as a very,
21 very strong and powerful piece of work. So the
22 countries who -- the European countries have to
23 enact that. They are going to have whistleblower
24 laws as strong as Australia.

25 There's then a group of countries below

1 that, which I've just listed a few, that are kind
2 of in the 14 to 16 point range. I've listed the
3 ones that we would be maybe compare ourselves with
4 Ireland, New Zealand, the USA itself and so on.
5 And then there's a whole bunch of others, like I
6 said, there's about 48 nations we're looking at.

7 Where do we find Canada? At the
8 bottom, alongside Lebanon.

9 There's some discussion at the moment
10 as to whether Canada should get "0" or "1". And
11 the one point they might get is for having a
12 five-year review. But as I've just told you, you
13 know, they did after ten years, and then ignored
14 the results. So it's debatable whether they should
15 get any credit for that.

16 So if you look in Canada what other
17 legislation exists. Basically you have a situation
18 that the Provinces and others have simply followed
19 the beat of the Federal Government, unfortunately.
20 They haven't looked outside Canada. And so we're
21 just in the process of completing our detailed
22 analysis of all the provincial laws. We're not
23 quite at the point of publishing the results, that
24 might happen in the next month or so.

25 What we see is, the Province's

1 legislation, they're very similar to each other.
2 They have a lot of commonality with the PSDPA.
3 They're all very weak on paper. Ontario happens to
4 be the weakest, and none have the capacity to be
5 effective. Even if you have people administering
6 them who have the best intentions, they're just
7 simply not up to making them work.

8 We keep hearing about the Criminal
9 Code. I see articles all the time where people
10 mention the Criminal Code and say, "oh, we have
11 another example that we've got legislation in
12 Canada". And yet, this is completely ineffective.
13 I would describe it as "worthless".

14 A couple of the obvious problems are,
15 an impossible burden of proof. There's no way that
16 the whistleblower is going to be able to prove, or
17 anyone is going to be able to prove reprisals the
18 way this law is written. And the dependency on law
19 enforcement to initiate the action.

20 When the law enforcement is involved in
21 whistleblower cases, it's almost always in an
22 effort to track down the leaker. And they're
23 correct in conducting forensic investigations to
24 find out who leaked the information. And that's a
25 Criminal Code section that's never been used to our

1 knowledge.

2 There are others. There are security
3 laws, which appear to be working a little bit, but
4 they only cover a very narrow section of the
5 population. I'm not going to go any further.
6 There are laws that apply to your own sector which
7 we'll talk some more about shortly.

8 Next slide, Sandy.

9 So we wanted to put this up, because
10 the Ontario Securities Act is an example where they
11 actually are working to make the law better. And
12 these were some of the things that they have done
13 which are clearly well-intentioned and could be
14 effective. So that's one case in which there were
15 real efforts made to move forward.

16 Next slide.

17 MR. YAZBECK: If I may interject,
18 briefly, David.

19 I think the significance of the
20 changes to the Ontario Securities Act can't be
21 overstated. Even though they may not go as far as
22 an ideal system, it's still a fairly major
23 undertaking by a very significant regulator in the
24 province, and indeed in the country. When you
25 think about the nature of the securities business.

1 So taking this kind of step, I think
2 just reflects the value of an important -- how
3 important the issue is, and the value of having an
4 effective system. And I think it's a good
5 indicator, a bit of a bellwether, in other words,
6 about where things ought to be going.

7 If you contrast the countries that
8 David just took you to, this may be a starting
9 point and, obviously, it's our respectful
10 submission that the Commission here has an
11 opportunity to move that along even further here in
12 Ontario.

13 MR. BOUCHER: It's a good example of
14 where we've finally seen some of these global best
15 practices actually being brought in and used in
16 Ontario, it's great.

17 MR. YAZBECK: Thank you.

18 MR. HUTTON: Thank you.

19 So what I have here is the LTCHA, the
20 Long-Term Care Home Act and the RHA as well.

21 And what we have done here is to look
22 at them through the lens of the criteria that we
23 have in Canada, which are based on the GAP criteria
24 and others.

25 The headings you see: Freedom to blow

1 the whistle; preventing reprisals; redress for
2 reprisals; those are some of the headings from our
3 criteria.

4 What we've done is, we've taken a look
5 at the Long-Term Care Home Act against the
6 criteria, and these are some of our findings.

7 Under "Freedom to Blow the Whistle"
8 there's a reasonable belief standard, which is best
9 practice.

10 But the unfortunate thing is, there's a
11 very narrow definition of "wrongdoing". And it is
12 certainly narrow in terms of who it protects. If
13 you look at who the person can report to and what
14 can report on, it's extremely narrow.

15 It doesn't protect disclosures made in
16 the course of duties. It does not allow anonymous
17 disclosures. It does not ban gag orders and so on.
18 This is not an exhaustive evaluation, I'm just
19 picking up highlights here. Preventing reprisals,
20 there are some good things, no apparent time
21 limits.

22 COMMISSIONER COKE: Can I just ask a
23 question?

24 MR. HUTTON: Yes.

25 COMMISSIONER COKE: You just mentioned

1 that it does not protect everyone. Who is left out
2 of this protection?

3 MR. HUTTON: Sandy spoke earlier about
4 who may have information. My understanding of the
5 Act, it's mainly focused on protecting employees.
6 But the people who may have information could be
7 employees, agency staff who are employed by someone
8 else; that was Ashley Jenkins' situation.

9 Other people that may have information
10 would be families of the residents, families of the
11 caregivers, suppliers to the long-term care home.

12 There are many people who could have a
13 window into what's going on, and would like to have
14 report of concerns. So you want that net to be
15 cast as wide as possible.

16 Does that answer your question?

17 COMMISSIONER MARROCCO: Yeah, that's
18 fine.

19 MR. HUTTON: Okay. Right, I was
20 talking about preventing reprisals: It's best
21 practice to place on organizations a duty to
22 protect the whistleblower. And the form that it
23 takes is that they have internal systems that they
24 set up to protect whistleblowers within their
25 organization.

1 If that fails and whistleblower suffers
2 reprisals, then there could be personal liability
3 for management of the organization, because of
4 that, because they failed in their duty to protect.

5 You want interim relief for reprisals.
6 In other words, a way of immediately getting other
7 sanctions stopped before they become damaging.

8 And we don't see protection for what we
9 describe as "unconventional harassment". I mean,
10 for example, is gaslighting, where spreading
11 rumours and destroying a person's reputation that
12 way.

13 And we'd like to see guarantees of
14 confidentiality for the whistleblower.

15 Redress for reprisals: The first one
16 it says "good", and the board has strong powers.
17 But I'd like to see legal fees covered and the
18 opportunity to transfer to another position where
19 the work environment they were in might be toxic
20 and so they need to go somewhere else.

21 Protection of the public: It looks
22 good in theory. But we don't feel that the
23 corrective action process is credible. First of
24 all, you talk about a roll in the investigation.
25 This is a really important point. There's no

1 option to disclose externally.

2 If you don't have the option to go
3 public, in the last resort, then every other
4 channel that the whistleblower has, may become
5 choked up. And research demonstrates that that is
6 one of the most effective ways to make sure that
7 the system works. Which is to ensure that the
8 whistleblower can, if nothing else -- if everything
9 else fails, they can go public and be protected.

10 And then, proof that the system is
11 working: The "good" is that employees must receive
12 training on whistleblowing rights and so on.

13 But you don't see that there's evidence
14 of that is actually happening, or periodic
15 evaluations of the whistleblowing systems to make
16 sure they're actually working.

17 MR. BOUCHER: If I can interrupt you, I
18 think there's an important point here.

19 And that is, if you listen to what the
20 regulator, the RHA and operators have said, it's
21 very similar to the Mount Everest of whistleblowing
22 protection, and the people that point to the
23 Criminal Code. We've got these laws.

24 And as you can see, there are some
25 quite good points in this law. But when you look

1 at the facts -- and remember what David pointed
2 out -- that the GAP and the IBA look not just at
3 the paper law, but how it really works.

4 The facts show us, as we showed you
5 from the Patient Ombudsman report, and how scared
6 the people that you're talking to are, the facts
7 show that this isn't working.

8 So part of the job here is going to be
9 able to explain to people who don't really
10 understand that you can't just have a piece of
11 paper saying, "whistleblowing retaliation is bad".
12 So it's not that it's a disaster, but whatever you
13 say about it, there's lots of things wrong with it.
14 It's clearly not working in this industry.

15 MR. HUTTON: And, Sandy, if you go to
16 the next slide, I think that kind of illustrates
17 that.

18 And in preparation for this session, we
19 started -- we started to ask ourselves, how is this
20 referral to the OLRB working with the Long-Term
21 Care Homes Act?

22 And so I went and dug through 15 years
23 of OLRB annual reports. The early years I could
24 not get any useful information. But since 2012,
25 they've been reporting referrals from the specific

1 acts. And what you see here is a tally of what
2 I've found.

3 So the first line there, the Long-Term
4 Care Homes Act, over that nine-year period from
5 2012 to 2020, three people went to the OLRB.

6 And look at the long-term, the
7 Retirement Homes Act one person went.

8 The third line you might be interested
9 in. The Public Service of Ontario Act is
10 Ontario's primary whistleblower protection law. It
11 protects around 60,000 public servants.

12 And, you know, that's the provincial
13 equivalent of the PSDPA. And what we see here in
14 the nine-year period, only three people have been
15 to the OLRB. And what you'll also note is that
16 none of those went to hearing. And when a case
17 doesn't go to hearing, we're concerned it's the
18 whistleblower giving up, because they don't see any
19 prospect of success.

20 So this kind of illustrates the point
21 that Sandy was making, that you've got to look at
22 what's actually happening in practice. And
23 whatever the potential is of the OLRB to give
24 people remedy, at the moment it's simply not
25 working.

1 MR. YAZBECK: If I can add something
2 here, too. The way I came to this practice was
3 through a labour law practice.

4 And what's interesting is that if you
5 look at the leading cases, as it were, particularly
6 in the federal sphere in the area of whistleblower.
7 So going back to Frazier, the Supreme Court case,
8 Haydon, Chopra, the RCMP Robert Read, Stenhouse,
9 Sylvie Therrien, Chantal Dunn, the only person ever
10 to have an adjudication before the Public Service
11 Disclosure Protection Tribunal.

12 All of those cases were supported by
13 either a union, which paid for the cost of pursuing
14 the case; or, a legal fund, in the case of the
15 RCMP files, where RCMP officers at that point were
16 not unionized, they contributed to a fund to
17 support those kinds of cases.

18 This is one of the reasons why you'll
19 see in our recommendations that funding is so
20 important. And particularly, in this industry,
21 where you have a number of people who are in
22 precarious employment. There are people whose jobs
23 are at risk, regardless of whether they're a
24 whistleblower. And one of the most difficult
25 things I have to do is, somebody walks into my

1 office, or calls me by Zoom these days, and says,
2 this is my problem, this is what I want to do.

3 I have to tell them, you know what?
4 You're going to face financial devastation if you
5 proceed with this further.

6 And so I think this chart that we've
7 just shown you with a set of statistics, is one of
8 the manifestations of that problem; is that people
9 just can't go, they're not able to go.

10 Thank you.

11 MR. BOUCHER: Don't fight City Hall.
12 Okay.

13 David, are you ready for this section?

14 MR. HUTTON: Yes, I am. So some
15 materials we can use. I've mentioned the criteria
16 briefly, so let's look at that.

17 What we did in the past year was to
18 take a look -- we decided that we needed "made in
19 Canada criteria" for a number of reasons.

20 And the GAP criteria are extremely
21 thorough and so on, but they're really not
22 accessible to people who don't have legal training.
23 The European directive is a wonderful tool that
24 we've also looked at.

25 What we did is, we essentially took the

1 best practices from these other sources, and we
2 poured them into a set of headings that we feel are
3 quite user friendly.

4 And we've had that reviewed by experts,
5 for example, from GAP, and we are confident it's a
6 very sound instrument.

7 Also, one of the things that was useful
8 to us in doing this work was, we have some
9 provisions in there that maybe come from our
10 experience of the PSDPA, where there was some
11 Canadian ingenuity of in developing new ways, new
12 types of loopholes.

13 If you go up to the next slide, these
14 are the main headings: Freedom to blow the
15 whistle; preventing reprisals; redress for
16 reprisals; protecting the public; and proof that
17 the system is working.

18 So those are pretty easy topics for
19 someone to understand. And then when you look
20 below that, then you find there's -- inevitably you
21 do get into legal jargon and so on, but most people
22 can follow the gist of it.

23 And so what we've got in there is a
24 whole set of best practices, essentially. Some of
25 these I've mentioned. I've mentioned in response

1 to one of the questions, how it's important that,
2 basically, you want to cast the net as wide as
3 possible, that virtually anybody can report. They
4 can report on almost anything. And also, they're
5 not facing all kinds of barriers through gag orders
6 and the like.

7 So there would be, you know, half a
8 dozen or more bullet points below each one of these
9 headings. The management duty to protect, I've
10 mentioned. Reverse onus. The redress, you know,
11 when someone is talked to as a whistleblower, as I
12 indicated before, they may lose their career in
13 their choice of profession. And so their earning
14 potential for the rest of their life is damaged.

15 Best practice is to allow for "make
16 whole" compensation. That someone can be, to some
17 degree, as much as possible, to restore where they
18 were before the reprisals was taken against them.

19 MR. BOUCHER: We have a question from
20 Dr. Kitts.

21 COMMISSIONER KITTS: Yes, just asking.
22 Is anonymity not one of the essential
23 elements of a whistleblowing system?

24 MR. HUTTON: No. I would say that --
25 let's talk a little bit about that, and I'll ask my

1 colleagues to chip in as well.

2 Anonymity, in the sense that no one
3 knows who the whistleblower is, is a very thin
4 shield which will often fail. Because very often,
5 even if the people that the whistleblower goes to,
6 we don't know who that person is, and are
7 scrupulous.

8 The wrongdoers can very often work out
9 very likely who it is to be. And the wrongdoers
10 have no scruples in targeting a whole group of
11 people, if they figure the whistleblower might be
12 among them.

13 So anonymity, while it's important to
14 have, it's absolutely not something you can rely
15 on.

16 MR. BOUCHER: Could I add to that,
17 David?

18 In one experience, what I said before
19 is true, that there are many systems in Canada that
20 won't allow, if you're not anonymous, you can't
21 make a report, that's not correct. So it must be
22 that.

23 Anonymity is one of the very few things
24 where the whistleblower hopefully has some measure
25 of control. Some of the systems that we run, you

1 have a choice to identify yourself, to us, a third
2 party, but not to allow us to disclose that to your
3 employer. So if you have sufficient protections in
4 there, it may be helpful.

5 But, it's very easy for anonymity to
6 breakdown. And some of the examples are
7 investigators who aren't properly trained to say,
8 well, the whistleblower told me this. Or, we see
9 cases where just the nature of what the
10 whistleblower has said, means that people inside
11 the organization go, uhm-hmm, that's interesting.
12 There's only a few people who know about that. Or,
13 there's only four people in that department.

14 I think there's another element to it,
15 that there are circumstances, and I've worked on
16 cases like this, where the Courts require the
17 whistleblower to be identified.

18 So anonymity is an important concept.
19 It needs to be a possibility. It's not a magic
20 shield that's going to work every time.

21 And equally as important, is
22 confidentiality. Just trying to get people to keep
23 it to the absolute bare minimum, all of these are
24 going to help, but they're not a total shield.

25 COMMISSIONER KITTS: So then what is

1 the right approach, if it's not to protect
2 anonymity or confidentiality, and it's not
3 transparency?

4 MR. BOUCHER: No. I think what we're
5 saying is, they are both important concepts.

6 The truth of the matter is, where
7 anonymity makes the biggest difference, one of the
8 slides we had earlier is, the two main reasons
9 people decide not to report is either because they
10 fear reprisal; or, because they don't think whoever
11 is going to do anything.

12 At that point, many are going to make a
13 decision. And if you allow them to make it
14 anonymously, they may decide to go ahead and make
15 the report.

16 If there's no anonymity, the chances
17 are they are just not going to make the report in
18 the first place. Once they've made the report, how
19 effective is anonymity going to be? It's
20 important, and it could be a big help, but it is
21 not a guarantee that no one will ever figure out
22 who they are.

23 MR. YAZBECK: If I could add something,
24 Dr. Kitts.

25 The way I personally conceptualize a

1 whistleblowing system is that there are two broad
2 components.

3 One, is a mechanism for persons to
4 disclose wrongdoing, and to be confident that that
5 wrongdoing is going to be investigated.

6 And it's on that side of things where
7 anonymity can be quite valuable. When we're
8 talking about reprisal, where a whistleblower has
9 been the victim of adverse consequences, and they
10 could be numerous, anonymity is less significant
11 because that engages procedural fairness
12 obligations for respondents.

13 And so when we're talking about seeking
14 relief or remedies, obviously, the respondent has a
15 view on that. And, you know, for example, for the
16 Labour Board, there would be a party there.

17 COMMISSIONER KITTS: Just in simple --
18 I may be missing something. If I was going to set
19 up a whistleblowing system in my organization,
20 would I set it up anonymity -- you can report
21 anonymous or you can give your name?

22 MR. BOUCHER: Yes, exactly. Give them
23 the choice.

24 David, are you finished on this slide?
25 We interrupted you.

1 MR. HUTTON: No, no. This was good.
2 That was a good question, a good discussion.

3 I think I'd just say that discussion is
4 typical of this kind of conversations that we need
5 to have. And there's many layers here, and there
6 are solutions and there are best practices. But,
7 you know, they're not all just simply
8 straightforward and has to be tailored to your
9 situation.

10 Next slide, Sandy.

11 Right. This is the other tool that
12 we've already mentioned that would be valuable to
13 you, which is basically a guide. Someone who has
14 decided to set up whistleblowing arrangements in
15 their organization, here is how you do it. Here
16 are the issues you have to look at. Some of
17 decisions you have to make, and so on. So that's
18 an implementation guide.

19 Next slide, Sandy.

20 MR. BOUCHER: So we're going to move
21 now to our final section. We've got some
22 suggestions, but before we go into that, David
23 Hutton, if you wouldn't mind just running through
24 one of the issues we want to bring to your
25 attention is illustrated by the PSDPA case.

1 MR. HUTTON: Right. And we've talked a
2 little bit about the five-year review that took
3 place after ten years. And this slide describes
4 how we contributed to that. And, basically, we
5 were able to get in front of the committee at a
6 very early stage, establish trust with them that we
7 knew what we were talking about.

8 We suggested other witnesses, including
9 whistleblowers and international experts. And that
10 one thing alone proved to be key, because of what
11 international experts told the committee, and so
12 on.

13 And we stayed in contact with the
14 committee right through the whole process, and
15 contributed to the recommendations as well.

16 And also to publicizing the work of the
17 committee, because they did a fantastic job and we
18 praised that. We also regrettably had to publicize
19 and criticize the failure of the government to do
20 anything with the report.

21 But that was, in our view, a very
22 effective partnership. Of course their entire
23 focus was for whistleblowing. You have a lot of
24 other issues that you have to deal with.

25 But we would suggest that as a model of

1 how we could best assist your efforts. And I
2 contract that with the situation in BC, although we
3 believe absolutely the Province and Attorney
4 General are committed to doing the right thing,
5 they didn't find out about us, or bring us the law
6 to look at, until after it passed through
7 Parliament.

8 As a result of that, they have a law
9 that's rather second rate. It's better than much
10 of the other provinces, but it's probably still not
11 going to be effective, even with best intentions.

12 And secondly, we discovered that there
13 was a poison pill written into it. There was an
14 extraordinary provision where just one word had
15 been added in a couple places in the law, which
16 basically gave employers open season to do anything
17 they wanted to whistleblowers without any fear of
18 consequences. I've never seen anything like this,
19 and no one had noticed this.

20 So when we pointed this out -- this
21 would have made BC a world champion in terms of
22 taking aggressive action against whistleblowers.
23 When we pointed this out, they actually had to stop
24 the whole process of implementing the system and
25 pass legislation through Parliament to remove those

1 poison pills. So that was unfortunate.

2 Sandy, can we go to the next slide.

3 Yes, so all of that just to say, we'd
4 like to have a somewhat similar relationship if
5 that was possible.

6 MR. BOUCHER: Okay. So we feel, I know
7 we have given you a little background, and we are
8 going to talk about options here. But to point to
9 some of the issues that we feel are key is that
10 whistleblowing protection will allow them to come
11 forward, and it will help to improve the oversight
12 element of what you're looking at.

13 We're pretty sure, because it's the
14 same everywhere, that once you do that, you end up
15 with inspections and investigations into the real
16 wrongdoing, not just the things that get caught.
17 And that can have a dramatic impact, not only in
18 rooting out bad practices, but also going forward
19 as a preventative factor, which means that people
20 won't do these kind of things, because they know
21 someone is going to drop a dime on them.

22 It's very clear to us and we know that
23 you've seen it, that there is a climate of fear
24 against the people in this industry, many of whom
25 are precariously employed, and just don't have the

1 ability to take on the task of trying to stand up
2 to the organizations.

3 We think that an opportunity here to
4 lift that climate of fear and empower them to do
5 what they want to do, which is to see these places
6 take care of our old folks properly.

7 And also we know that this is, as we
8 pointed out with the OSC's review in 2018, it's an
9 opportunity to take another step forward and build
10 really good world class whistleblowing law.

11 We're going to get David Yazbeck to
12 talk to you lawyer to lawyer about some of these
13 options here. But really what we want to point out
14 is that there are five parts of the process where
15 something needs to change.

16 The first is -- and Dr. Kitts pointed
17 this out -- is that whistleblowers need to be able
18 to make reports securely, and they need to be able
19 to do that with anonymity, confidentiality.

20 They need to be able to do it in a way
21 where they know that the next thing that is going
22 to happen is they lose their job.

23 If you talk about cases that David
24 Hutton dealt with, it was real fact, but it was a
25 standing job that after the whistleblower left the

1 PSIC before they got back to their office, the
2 Assistant Deputy Minister had a call saying, "guess
3 who was in here?"

4 So anonymity is part of that, but you
5 need a whole structure that the whistleblowers will
6 trust.

7 Secondly, somebody has to be looking
8 out for these whistleblowers. You've heard David
9 Yazbeck talk about the vast financial, legal and
10 practical hurdles that they overcome. The best
11 laws in other countries like the Irish law, creates
12 an injunctive relief so they have to be given back
13 their job, and give them back their money, and
14 protected while the whole process of the
15 investigation works.

16 Thirdly, you need a body that will
17 conduct effective investigations into the
18 wrongdoing itself. And you have a regulator in
19 this industry. It's not for us to say, but I think
20 there's a lot of indicators to say that's not
21 working right.

22 Fourthly, equally importantly, you need
23 somebody to look into the allegations and
24 investigate reprisals. And that very clearly is
25 not happening. We know that from Ashley Jenkins

1 and others.

2 And lastly, as David Yazbeck has said,
3 you need somebody, whether it is a tribunal, which
4 I believe -- and he'll explain the details -- is
5 probably the best practice model. Where these
6 cases can be heard quickly, and fairly and
7 efficiently by experts that know what the situation
8 is.

9 So we've got a series of questions.
10 David Yazbeck, I'm going to hand this over to you.
11 And we'd like to have a discussion with you,
12 because this is where the rubber hits the road.

13 MR. YAZBECK: Thanks, Sandy.

14 Yeah, I'll just briefly comment on
15 this. I have alluded to this already, I think from
16 a policy perspective, it's important to distinguish
17 between a wrongdoing side of things, the mechanisms
18 that are required in order to enable people to
19 disclose wrongdoings, to have it investigated
20 effectively and have the wrongdoing corrected.
21 That's one side of things.

22 The other side, which is quite
23 different, I think both legally and from a policy
24 perspective, is the reprisals side of things. How
25 do you deal with a negative repercussions that are

1 visited upon whistleblowers when they disclose
2 wrongdoing.

3 They are not isolated, these are not
4 concrete silos, they are interrelated. In my
5 opinion, the effectiveness of the protection from
6 reprisal is directly related to how effective the
7 wrongdoing investigation side of things functions.
8 Because you need that safeguard, not only for
9 whistleblowers, but persons who can engage in
10 reprisals need to know they can be held accountable
11 in some way.

12 I think there's three key components to
13 this side of the equation. One, is access to a
14 tribunal, or a board, some body that can
15 adjudicated these kinds of complaints.

16 That body, at a minimum, has to be
17 independent. So it has to -- Justice Marrocco will
18 understand the importance of independence, having
19 an arm's length relationship with both the parties,
20 but also having independent decision-makers.

21 I appreciate that it would likely be a
22 tribunal, in which case members are appointed for a
23 certain period of time, but nonetheless it will
24 have its own ability to make its own decisions.

25 Secondly, it has to have expertise

1 dealing with reprisal. One of the areas of
2 practice that I also engage in is human rights, or
3 antidiscrimination practice. It's well established
4 that discrimination often results from unconscious
5 or subconscious attitudes, etcetera. It's very
6 insidious and has a subtle scent.

7 It's the same thing with reprisal. The
8 proverbial smoking gun is rare. Reprisals are
9 found when one connects the dots between various
10 behaviors, various incidents, etcetera.

11 So any body or tribunal that deals with
12 this kind of problem has to have that kind of
13 sensitivity and expertise.

14 Currently, you have a system where the
15 Labour Board, the Ontario Labour Relations Board
16 can deal with some of these issues. And
17 fortunately, that board already does deal with a
18 similar species of problem, which is unfair labour
19 practices.

20 And put briefly, if one is trying to
21 organize a union in a workplace, and you receive
22 negative treatment, you can go to the board, and it
23 is assumed that the reason for the negative
24 treatment was because of your unionized activity.
25 And then the board will adjudicated it, and that's

1 because it's hard to prove that kind of allegation.

2 It's a similar phenomenon, when you
3 talk about reprisal. So that's really important to
4 be expert.

5 And on top of all that, you have to
6 have effective remedies from a tribunal. They have
7 to be able to correct the problem in all of its
8 facets, and that includes not only, you know, minor
9 things if a person, for example, is reassigned
10 inappropriately, but major things. Where a person
11 is terminated, should be reinstated with backpay,
12 etcetera, the whole gamut of remedies that a Labour
13 Board or Human Rights Tribunal might otherwise
14 have.

15 That's all dealing with the tribunal or
16 a decisionmaker. In my opinion, a second key
17 component, and I've alluded to this is the reverse
18 onus. The idea that if somebody alleges that they
19 have been the victim of reprisal, because they have
20 disclosed wrongdoing, it should be assumed to be
21 true. And the respondents to that allegation must
22 disprove it.

23 And I know a lot of people think that
24 that's an odd, or maybe even a very strong or
25 unusual approach. But it's been done with labour

1 relations for decades, and it works. I already
2 gave you your reference to that, to the unionized
3 context where unfair labour practices are often
4 deemed to be founded unless the employer can
5 disprove them.

6 The third component of the system, and
7 this is something I've alluded to as well before.
8 Is to provide adequate funding or support for an
9 individual.

10 Federally, the Public Sector Integrity
11 Commissioner does have the authority to provide for
12 some legal funding to individuals who have
13 concerns, whether they're wrongdoing or reprisal
14 concerns, it's very limited. The maximum one can
15 get is \$3,000. And if you were going through a
16 lengthy hearing after an investigation, that will
17 be used up very, very quickly. So that's an
18 important component.

19 One of the chief difficulties we have
20 all found with the federal system, is the federal
21 system is not unlike what the Ontario Human Rights
22 Adjudication System used to be. Which is that you
23 can file a complaint with an allegation, it's
24 investigated by one body, a commission. And that
25 body decides whether or not to refer the complaint

1 to a tribunal.

2 That's the way things work federally,
3 and that's one of the chief reasons why the
4 tribunal federally has had so few cases, only one
5 fully adjudicated, since the legislation was passed
6 because there's this gatekeeper.

7 Ontario, thankfully and respectfully
8 actually corrected that problem with its Human
9 Rights System a number of years ago, enabling
10 people to directly apply to a tribunal for relief.
11 They don't have to go the Ontario Human Rights
12 Commission. That is the kind of model that we
13 would urge for in this circumstance as well when
14 you're dealing with whistleblowing. No gatekeeper,
15 you go directly to the tribunal, with an
16 opportunity to state your case.

17 In those circumstances, the respondents
18 would have the whole panoply of arguments they
19 would normally have about fairness; about whether
20 the complaint is frivolous; etcetera, they can deal
21 with it at that stage. But the individual has to
22 be confident they can go somewhere to get relief.

23 And I stress that in addition to giving
24 relief to individuals, this kind of process has the
25 effect of establishing and maintaining the

1 credibility of the system as a whole. And one of
2 the things that we encounter routinely in the work
3 that we do is this cynicism about the system. And
4 I'm certain a lot of people don't necessarily --
5 will file a complaint or disclose wrongdoing
6 because they're worried, it's just not going to
7 work.

8 Establishing a system that's effective
9 like that, will go a long way to convincing people
10 to put their lives on the line, literally in some
11 cases, and pursue it further.

12 I know that in our slide, there are
13 other details about aspects, but those are the key
14 points that I wanted to stress, just in terms of
15 how one could protect whistleblowers who have
16 disclosed wrongdoing and are victims of reprisal.

17 MR. BOUCHER: Thank you, David. I
18 would like to add a couple of things, David Hutton,
19 if you don't mind.

20 We've had discussions amongst us about,
21 for example, which body should be receiving these
22 reports. I think it's fair to say from what we've
23 seen and from whistleblowers that we've talked to,
24 that this is an industry that has some very
25 troubled organizations in it. And that is a very

1 dangerous situation for whistleblowers.

2 The standard, like in the private
3 sector, and in regulated markets, and public
4 markets, is that the organization should create the
5 system, and that they should have the first crack
6 at trying to put things right.

7 I don't honestly believe that what
8 we've seen of this industry, that that's a very
9 good idea.

10 Secondly, you might think about the
11 regulator. It's clear that the regulator, I think
12 believes in whistleblowing. Whether that's an a
13 appropriate model, again, we'd be happy to discuss
14 that with you in more detail.

15 What we've seen, it's like water taking
16 the easiest path across a piece of ground. What
17 we've seen is everybody going to the Patient
18 Ombudsperson, and we find that very interesting.
19 Significant numbers, in an organization that
20 clearly took that seriously, understood the
21 implications of why they were coming and what they
22 had to do. And so that might be an interesting
23 model, and I'll let me colleagues jump in there.

24 I think if we had wish list out, we'd
25 love to see an Ombudsperson that covered

1 whistleblowers in the province. That's probably
2 above the mandate of what you can ask for.

3 But I think if one does look at a body
4 that's going to take that role, to take the
5 whistleblower complaints and do the work of
6 protecting them, it's very important that they give
7 them the powers that they need to do that. And
8 there are Ombudspersons in other parts of our law
9 across the country, where they become a bottleneck
10 where they -- where situations like this can be
11 squashed.

12 The second part is the investigation
13 into wrongdoing. Again, we'd be happy to talk to
14 you about that. That sits, naturally, one would
15 expect with the regulator. Whether or not they
16 should also be looking at the reprisal
17 investigations, I think is a separate question.

18 David Hutton, those are the bits I
19 wanted to talk about here. Were there other
20 elements you wanted to speak to?

21 MR. HUTTON: Well, this is my slide,
22 yeah, I just put this up as a list of some of the
23 things where there's probably quite immediate
24 discussion that we could engage in regarding, you
25 know, what does best practice look like? What is

1 the situation we're facing right now? And where is
2 the pathway to get from where we are now, to you
3 know --

4 COMMISSIONER MARROCCO: Just a second,
5 Mr. Hutton.

6 COMMISSIONER COKE: Just a question on
7 your last comments.

8 You mentioned that you think there
9 should be Ombudsman for whistleblowers. Is there
10 any place or jurisdiction that has this model in
11 place already?

12 MR. BOUCHER: Not exactly. British
13 Columbia, Saskatchewan and Québec have given the
14 whistleblowing role significantly, but not
15 entirely, to their provincial Ombudsperson.

16 In fact, when we worked with the
17 BC Government, we working with the BC Ombudsperson.
18 They have other roles and they are given -- it's
19 one of the avenues where a whistleblower can
20 report.

21 So they can report through their
22 Ministry, or provincial body, or they can go to the
23 Ombudsperson. And David Hutton can probably speak
24 to this at more length. But giving people options
25 where to go is a good way to ensure you get the

1 information you need.

2 What we heard -- I heard a presentation
3 by the Québec Ombudsperson. And they have had some
4 quite important cases, and have done some great
5 work, but they don't have the reverse onus, and
6 they were talking about how difficult it is to
7 prove retaliation, for example. Which just
8 underlines the point, that if you have an
9 Ombudsperson, they have to have the right tools and
10 the right powers.

11 Again, I'm sure we can come at it with
12 more information to help you on that point, and the
13 two Davids might have pieces to add to that.

14 MR. HUTTON: I'd like to make the point
15 that, you know, that's a good question. But I
16 think it's very important to looking at all of
17 this, to look beyond Canada's borders.

18 I've already painted a picture of where
19 we stand internationally. None of the sorts of
20 things that we're talking about putting in place
21 are novel, or unproven, or dangerous.

22 Best practices has been developed and
23 established in other countries over the past 20 or
24 so years, while we have been, you know, caught in
25 the situation of having regimes that are completely

1 ineffective.

2 So I think looking at other provinces,
3 sure, do that. But be aware, you're probably not
4 going to find -- you're certainly not looking at a
5 best practice if you're looking within Canada.

6 MR. YAZBECK: And if I might add
7 something, Commissioner Coke.

8 The federal system has the Public
9 Sector Integrity Commissioner who has what I would
10 call "ombuds-like" functions. If you look at their
11 website, for example, if you are a whistleblower,
12 it will say, you know, "you are protected. We're
13 here to help"; things like that.

14 However, the commissioner wears a
15 number of different hats. It eventually
16 investigates the wrongdoing, and when it does that,
17 it often stands in an adversarial relationship with
18 the whistleblower.

19 In some cases, the investigators that
20 work for the commissioner's office are questioning
21 the boni fide's or the legitimacy of the
22 whistleblowers's concerns. And certainly in my
23 experience, oftentimes they feel victimized by the
24 commissioner's office.

25 Then at the same time, the

1 commissioner's office makes a decision if the
2 concern is related to reprisal, as to whether or
3 not there's sufficient basis to send that complaint
4 to the tribunal, that's a different hat.

5 Again, oftentimes the whistleblower is
6 in an adversarial relationship. And similarly,
7 once the tribunal proceeding is ongoing, it's the
8 commissioner that has ultimate carriage of the
9 matter to make decisions about the nature of the
10 process, etcetera.

11 So it has elements, which I think are
12 positive, but I think in this kind of system, the
13 implications are so serious for individual
14 whistleblowers, that it's really important to
15 breakdown those elements and identify a body or
16 bodies which are truly supportive of
17 whistleblowers. And conceivably could even provide
18 support in terms of litigation, for example, if
19 matters are spilled out in front of a board or a
20 tribunal. But litigation on behalf of the
21 whistleblower solely and not on behalf of any other
22 interest.

23 COMMISSIONER MARROCCO: Well, thank
24 you. I'm not sure where you are in the
25 presentation.

1 MR. BOUCHER: We have one more slide, sir.

2 COMMISSIONER MARROCCO: Sure, go ahead.

3 MR. BOUCHER: David Hutton, did you
4 have anything on here? We haven't talked about the
5 training. And I think that what we can see, it's
6 very clear that there's a great deal of ignorance
7 by the people working in the industry who have gone
8 forward about what should happen; whether there's
9 even structures there that they can use.

10 So it's very clear that at a minimum, a
11 lot of that needs to happen about whatever
12 processes and protections are there.

13 MR. HUTTON: No, I'm good.

14 MR. BOUCHER: Shall I go on to the next
15 slide, David?

16 MR. HUTTON: Yes.

17 MR. BOUCHER: That's our last slide.

18 MR. HUTTON: All right. So I think
19 this is what we would ideally like to see happen.

20 We hope this presentation has helped to
21 inform you about the potential that whistleblowers
22 have to change a situation. We believe it is an
23 extremely powerful tool.

24 I hope that you feel you have a good
25 grasp of the situation in Canada now. Which is not

1 just, you know, our opinion, but it's backed up by
2 international research.

3 I'm hoping we can continue our
4 discussion on how to provide the effective
5 protection, starting from where we are now, which
6 is a difficult situation, I think.

7 There are solutions out there, but they
8 have to be tailored to the situation, and they're
9 not necessarily simple or obvious.

10 We would hope that going forward we can
11 have some kind of ongoing conversation.

12 Whistleblowing experts are not just the people who
13 are right here just now, but there are others, can
14 provide a major contribution to your decision
15 making, we feel.

16 The last point I'd like to make is that
17 based on experience, we believe that you need to be
18 prepared for some pretty forceful pushback on any
19 solutions that you come forward with that are
20 actually going to work.

21 You know, some of the things -- and
22 this is universal. As Sandy mentioned in Ireland,
23 where they have an outstanding law, within a couple
24 of years of that law coming into effect, they were
25 attempts by industry to sever it. Basically by

1 using intellectual property as an excuse, to
2 prevent whistleblowers from sharing information and
3 criminalizing their efforts. And that's typical,
4 because just as there are forces that attack the
5 whistleblower, the individual in a given situation,
6 there are vested interests who really don't want to
7 see whistleblowing come into force.

8 So what we typically see happen is when
9 you put forward proposals and recommendations,
10 these are described as dangerous to the industry,
11 essentially, the sky is going to fall, all kinds of
12 horrible things are going to happen if you
13 institute these provisions.

14 And in reality, some of the solutions
15 that are out there are a frontal attack on a
16 business model that some care homes may have, which
17 is basically a cross-cutting model that prioritizes
18 profit over proper care. And whistleblowing
19 undermines that business model.

20 So that was one of the measures that we
21 wanted to make sure, basically, from experience you
22 can expect that pushback.

23 COMMISSIONER KITTS: If I can just ask
24 a question about that.

25 So you're talking about pushback from

1 people who don't want to have the whistleblower
2 affect their business, their income, etcetera?

3 MR. HUTTON: Right.

4 COMMISSIONER KITTS: Having experienced
5 this, my biggest concern is your last few words.
6 "Solutions that truly will protect whistleblowers".

7 I'm not sure anyone can say, "truly
8 will protect".

9 "Do our best to protect", or "put
10 things in". But I find it very difficult, because
11 it's not a black and white, the retaliation, the
12 retribution. It's often subtle, long-term, at
13 least in my experience.

14 So I think a lot of people may push
15 back because I don't know that your solutions will
16 truly protect whistleblowers.

17 MR. HUTTON: Yeah, I think that's a
18 good reaction to what I said. Because you're
19 right, that there's no jurisdiction where it's safe
20 or easy to be a whistleblower. And you can never
21 guarantee protection.

22 Perhaps I should have said, "provisions
23 that will fully address the issues that they're
24 bringing forward". I think whistleblower will
25 always pay a price of some sort.

1 COMMISSIONER KITTS: Yeah, I think
2 that's -- in my experience that's true. I truly
3 have taken on -- like the whole notion of
4 retribution or retaliation is very against the
5 values. But, you know, in my experience, I had to
6 say, I can't guarantee it, because it's subtle,
7 it's mental, it's over time. Unless you have the
8 perfect employee who never steps out of line.

9 COMMISSIONER MARROCCO: Well this --
10 sorry. Go ahead.

11 MR. YAZBECK: My apologies, Justice. I
12 was just about to make a small point.

13 Dr. Kitts, it's a very good observation
14 that you make. But at the same time, in Canada we
15 have a number of bodies, whether they be tribunals
16 or courts, which do their best in order to protect
17 persons in similar circumstances.

18 The real key, in my opinion is giving
19 them the tools to do that. There will be cases
20 that should have been successful, which are not.
21 But the way the current circumstances are, are such
22 that they're very likely to not be successful.

23 MR. BOUCHER: Agreed.

24 COMMISSIONER MARROCCO: Well, thank you
25 very much for this. As you may have gathered

1 watching, we are wrestling with this because there
2 was a request for confidentiality. And we had to
3 amend our -- or seek amendment to our terms of
4 reference so that we could at least attempt to
5 provide that minimum level of protection in the
6 hope that someone would come forward.

7 Your presentation really fleshes out,
8 at least by way of an overall design, what we're
9 really rushing up against when we deal with this.

10 For that, I would say on behalf of us,
11 thank you very much for the time and effort. We
12 will have to think about this in a serious way, and
13 we may be back to you.

14 We're kind of like, after a while we
15 become kind of like the people you can't get rid of
16 because we keep coming back over and over again.

17 MR. BOUCHER: That's okay. We want to
18 do this. And we know our experience of trying to
19 help in slightly similar situations shows us that
20 we can't just say, "here, do it like this."

21 Everything is different. "Here is a law, use this
22 law."

23 It's an iterative process to get to the
24 right answer. And you have our commitment that we
25 will be here to do whatever we can. And we do have

1 quite considerable resources, as Mr. David Hutton
2 has said, we can bring to bear some of the best
3 experts from across the globe, countries and people
4 who have dealt with these situations and the ways
5 that they've done it. We can bring you a lot of
6 knowledge and expertise to try and craft an Ontario
7 solution to the problem. But it's not one of those
8 problems that is, "oh, we'll just do these three
9 things and we're good". Sorry, but that's what we
10 have dedicated our time to, and we are going to
11 make it better, step by step.

12 COMMISSIONER MARROCCO: Well, that's
13 very helpful from our perspective. So thank you
14 very much. You may very well be hearing from us.

15 MR. BOUCHER: Thank you very much for
16 your time.

17 COMMISSIONER MARROCCO: Thank you.

18
19 -- Hearing adjourned at 4:35 p.m.
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, JUDITH M. CAPUTO, RPR, CSR, CRR,
Certified Shorthand Reporter, certify;

That the foregoing proceedings were
taken before me at the time and place therein set
forth;

That all remarks made at the time
were recorded stenographically by me and were
thereafter transcribed at my direction;

That the foregoing is a true and
correct transcript of my shorthand notes so taken.

Dated this 20th day of November, 2020.



NEESONS, A VERITEXT COMPANY

PER: JUDITH M. CAPUTO, RPR, CSR, CRR

1	CLARIFICATIONS	
2	PAGE-LINE	COMMENT
3	1-18	Sandy Boucher, not David
4	7-12	founding member, not family member
5	19-8	the ACFE study, not CFE
6	25-17, 18	Discredit them: The strategy here is
7		simply to discredit them.
8	26-15	not work-related
9	27-17	commendations, not accommodations
10	27-26/28-1	accuse them of harassment, sexual misconduct,
11		whatever
12	28-3	And it's the people who fear exposure
13	33-20	climate of fear, not client with fear
14	33-21	... In my experience in management
15		consulting, examining hundreds of companies in depth,
16		organizations where fear is commonplace like this,
17		basically find it hard to do the most basic things,...
18	34-13	... ever go to the media, even when...
19	35-18	but 2 were infected (delete 'in')
20	36-4	place filled up again, not built up
21	40-24	put forward by the opposition
22	41-7	people and border services
23	41-11	Subsequent to that, the personal
24	41-12	information, the personnel files
25	41-20	and this settlement came in 2019

1	CLARIFICATIONS	
2		
3	PAGE-LINE	COMMENT
4	42-1	to give you may be a shock,
5	44-18	five-year mark was coming up
6	45-6	So we leapt into action
7	45-11	There are 15 recommendations
8	47-1	..Ralph Nader wrote about this
9	47-4	.. and simply been crushed.
10	47-14	.. And they were able to get a law
11	47-23	whistleblowing still seems a bit of a novelty,
12	50-19	the lead of the Federal Government
13	51-23	called in to conduct forensic investigations
14	52-2	... There are securities
15	56-15 & 16	Redress for reprisals: Reverse onus is
16		good...
17	56-17	But we'd like to see
18	56-24	a role in the investigation
19	63-11	when someone is targeted as a whistleblower
20	70-2	contrast that..
21	72-25	standing joke ...
22	89-17	is basically a cost-cutting model
23		
24		
25		

<p><u>WORD INDEX</u></p> <p>< \$ > \$1.8 41:16 \$3,000 78:15</p> <p>< 0 > 0 50:10</p> <p>< 1 > 1 34:12 50:10 100 25:8 34:18 1-18 95:3 12 12:14 13 43:22 14 50:2 15 6:18 58:22 96:7 16 50:2 96:15 18 95:6 1978 47:9, 16 19-8 95:5 1990s 31:17 1998 47:21 19th 1:7</p> <p>< 2 > 2 34:12 35:18 95:19 20 6:11 8:7 18:8 47:19 48:1 49:16 84:23 2004 31:19, 24 2006 43:9 2011 41:19 2012 58:24 59:5 2013 32:15 2015 10:21 2016 10:21 2017 9:14 15:5 2018 72:8 2019 41:20 95:25 2020 1:7 59:5 94:19 20-point 49:3 20th 94:19 20-year 27:16 22 35:17 40:15, 18 25-17 95:6 26-15 95:8 27-17 95:9</p>	<p>27-26/28-1 95:10 28 8:5 28-3 95:12</p> <p>< 3 > 3:00 1:8 4:1 33-20 95:13 33-21 95:14 34-13 95:18 35-18 95:19 36-4 95:20 37 9:16</p> <p>< 4 > 4:35 1:8 93:19 400 7:10 25:5 400,000 43:11 40-24 95:21 41-11 95:23 41-12 95:24 41-20 95:25 41-7 95:22 42-1 96:4 44-18 96:5 45-11 96:7 45-6 96:6 47-1 96:8 47-14 96:10 47-23 96:11 47-4 96:9 48 48:3 50:6</p> <p>< 5 > 50 18:15 19:9 34:18 45:11 50-19 96:12 51-23 96:13 52-2 96:14 56-15 96:15 56-17 96:17 56-24 96:18</p> <p>< 6 > 6 11:21 60,000 59:11 62 48:7 63-11 96:19 66 35:17 40:1</p> <p>< 7 > 70-2 96:20 70s 47:1 7-12 95:4 72-25 96:21</p>	<p>< 8 > 80 16:18 88 35:17 89-17 96:22</p> <p>< A > ability 72:1 75:24 abroad 26:24 absolute 65:23 absolutely 25:14 64:14 70:3 abstract 29:12 abuses 41:3 abusive 26:11 access 27:6 29:1 49:1 75:13 accessible 61:22 accident 18:13 accidental 27:4</p> <p>accommodations 27:17 95:9 accomplished 7:19 30:9 Accountability 47:12 48:23 accountable 75:10 accountant 18:21 accounting 10:4 accounts 32:18, 19 accurate 49:14 accusations 26:9 27:19, 24 42:13 accuse 27:25 95:10 ACFE 95:5 achieve 31:22 acknowledged 42:4 Act 6:23 15:10 30:6 44:22 45:22 52:10, 20 53:20 54:5 55:5 58:21 59:4, 7, 9 acted 14:19</p>	<p>action 45:6 51:19 56:23 70:22 96:6 activity 76:24 acts 44:4 59:1 add 33:2 37:13 38:16 48:13 60:1 64:16 66:23 80:18 84:13 85:6 added 70:15 addition 79:23 address 90:23 adequate 78:8 adjourned 93:19 adjudicated 75:15 76:25 79:5 adjudicating 39:10 adjudication 60:10 78:22 administering 51:5 adopted 47:20 advanced 47:21 adversarial 85:17 86:6 adverse 67:9 advice 14:17 15:10 Advisory 6:25 9:11 advocate 38:19 advocates 9:2 30:7 Affairs 26:21 affect 90:2 afraid 20:18 after 35:15 43:18 44:17 45:3 47:9 50:13 69:3 70:6 72:25 78:16 92:14 agencies 19:13 agency 55:7 agenda 11:18 aggressive 70:22 ago 6:18 12:12 13:22 35:10 79:9 agree 43:18</p>	<p>agreed 41:9 91:23 ahead 33:3 66:14 87:2 91:10 alarm 11:11 Alison 2:3 allegation 77:1, 21 78:23 allegations 73:23 alleges 77:18 alleviate 36:15 allow 54:16 63:15 64:20 65:2 66:13 71:10 alluded 74:15 77:17 78:7 alongside 50:8 amend 92:3 amendment 92:3 analyses 7:19 analysis 50:22 Angela 1:14 Angelo 4:6 annual 58:23 anonymity 22:25 23:8 63:22 64:2, 13, 23 65:5, 18 66:2, 7, 16, 19 67:7, 10, 20 72:19 73:4 anonymous 19:18 23:11 54:16 64:20 67:21 anonymously 66:14 antidiscriminatio n 76:3 anybody 63:3 anymore 18:24 apologies 91:11 apparent 54:20 appear 9:2 52:3 appeared 21:24 appears 30:22 applaud 23:7 Apple 30:21 apply 46:20 52:6 79:10</p>
--	--	---	--	--

appointed 75:22
appraisal 27:11
appreciate 75:21
approach 66:1
77:25
approached
6:18
appropriate
81:13
approval 8:11
approve 31:15
approved 31:14
area 60:6
areas 76:1
arguments
79:18
arm's 75:19
arrangements
68:14
arrested 18:21
article 22:22
articles 51:9
Ashley 35:8
55:8 73:25
Ashley's 39:22
asked 12:7
15:3 40:21 45:5
asking 27:22
63:21
aspects 80:13
assess 12:6
asset 37:10
assignments
26:11 31:20
assist 15:3
70:1
assistance
10:23
Assistant 2:3
73:2
associated
24:24
Association
9:12 18:2 48:24
assume 33:6
assumed 76:23
77:20
assuming 34:4
attachment
25:17
attack 25:3
89:4, 15
attacks 24:19,
22 26:5 29:21

attempt 92:4
attempts 88:25
attending 1:7
attention 11:6
34:23 68:25
attitude 39:9
attitudes 76:5
Attorney 70:3
audit 18:12
20:8 37:18
auditing 36:12
auditor 46:10
auditors 26:1
32:9
Australia 47:24
49:17, 24
author 6:11
authorities 41:6
authority 78:11
available 45:23
avenues 83:19
average 19:9
avoid 23:11
awards 27:17
aware 85:3
awareness
10:25 13:21

< B >
back 9:23 32:2
60:7 73:1, 12,
13 90:15 92:13,
16
backed 88:1
background 6:8
12:1 15:18 71:7
backpay 77:11
bad 19:22
33:16, 20 35:18
58:11 71:18
baggage 24:24
Bahal 2:15
ban 54:17
Bar 48:24
bare 65:23
barriers 63:5
based 53:23
88:17
basic 33:25
95:17
basically 27:1,
23 32:8 33:24
44:22 50:17
63:2 68:13
69:4 70:16

88:25 89:17, 21
95:17 96:22
basis 4:19
11:3 31:4 86:3
BC 15:9 70:2,
21 83:17
bear 93:2
beat 50:19
becoming 6:19
37:10 47:12
began 35:21
beginning 5:21
14:2, 25 15:1
behalf 9:3
86:20, 21 92:10
behave 26:13
behaviors 76:10
behaviour 42:19
belief 54:8
believe 11:9
21:13 35:3
42:13 70:3
74:4 81:7
87:22 88:17
believes 81:12
bellwether 53:5
benefits 32:11
best 7:16, 17
9:24 17:25
18:8 24:1
30:17 32:20
38:6 51:6
53:14 54:8
55:20 62:1, 24
63:15 68:6
70:1, 11 73:10
74:5 82:25
84:22 85:5
90:9 91:16 93:2
best-in-class
13:2
better 13:19
21:7, 8 52:11
70:9 93:11
Bianchi 3:3
big 38:7 66:20
biggest 16:14,
15 66:7 90:5
bios 41:12
bit 6:7 11:25
15:18 28:12
40:13 42:14, 24
43:18 47:23
52:3 53:5

63:25 69:2
96:11
bits 82:18
black 90:11
blacklisted
28:25
blew 40:18
blocked 44:3
blow 53:25
54:7 62:14
blowback 24:9,
16
blowing 26:4
39:1
Board 6:25
9:11 44:21
56:16 67:16
75:14 76:15, 17,
22, 25 77:13
86:19
bodies 86:16
91:15
body 14:23
39:11 43:24
73:16 75:14, 16
76:11 78:24, 25
80:21 82:3
83:22 86:15
boni 85:21
bono 14:15
border 95:22
borders 84:17
bottleneck 82:9
bottom 50:8
Boucher 1:18
4:12 5:12, 13,
16 35:6 37:13
39:14 40:15
41:24 46:1
48:12, 16 53:13
57:17 61:11
63:19 64:16
66:4 67:22
68:20 71:6
80:17 83:12
87:1, 3, 14, 17
91:23 92:17
93:15 95:3
break 29:8
breakdown 65:6
86:15
Brian 8:13
brief 25:5
briefly 11:6
30:25 52:18

61:16 74:14
76:20
bring 68:24
70:5 93:2, 5
bringing 7:17
90:24
British 83:12
broad 67:1
broader 46:23
brought 46:4
47:1 53:15
build 72:9
building 13:2
built 36:4 95:20
bullet 20:5 63:8
bunch 47:5
50:5
burden 51:15
business 6:15
52:25 89:16, 19
90:2

< C >
Cabinet 43:14
call 10:15
18:20 26:10
73:2 85:10
Callaghan 2:18
called 35:14
43:15 96:13
calling 29:15
calls 25:8 61:1
Canada 8:11
9:2, 10, 22
10:13 31:12
42:24 43:1
45:18 46:20, 23
50:7, 10, 16, 20
51:12 53:23
61:19 64:19
85:5 87:25
91:14
Canada's 84:17
Canadian 7:20
8:4 9:12 10:19
30:12 62:11
Canadians 43:4
cancer 17:14
capable 39:11,
12
capacity 51:4
capture 36:20
Caputo 3:10
4:8 94:3, 24

CARE 1:1 2:4, 7, 10, 13, 15, 19, 22, 25 3:4 6:1 13:14 19:7, 10 35:15 37:22 39:25 53:20 54:5 55:11 58:21 59:4 72:6 89:16, 18
career 9:16 28:19 30:9 32:1 63:12
caregivers 55:11
carriage 86:8
carries 24:24
case 8:13, 20 13:13 17:6 23:15 24:18 32:14 33:10 34:17 39:22 44:10 52:14 59:16 60:7, 14 68:25 75:22 79:16
cases 8:7 18:5, 15 19:12 21:16 28:4 41:23 44:9, 12 51:21 60:5, 12, 17 65:9, 16 72:23 74:6 79:4 80:11 84:4 85:19 91:19
cash 36:5
cast 55:15 63:2
catch 37:19
category 27:12
caught 26:14 29:18 71:16 84:24
caused 36:6 40:1
CBC 14:8, 9
Centre 12:10, 11
certain 4:21 75:23 80:4
certainly 24:12 36:23 54:12 85:4, 22
CERTIFICATE 94:1
Certified 18:2 94:4
certify 94:4

CFE 1:19, 22, 25 10:22 19:8 95:5
champion 70:21
chances 66:16
change 72:15 87:22
changed 30:3 40:2
changes 44:24 46:18 52:20
channel 57:4
Chantal 8:19 60:9
charge 5:14
charities 16:14, 16
charity 7:2
chart 61:6
chief 78:19 79:3
chip 64:1
choice 63:13 65:1 67:23
choked 57:5
Chopra 8:9 31:11 60:8
chronic 29:20
circumstance 79:13
circumstances 37:21 65:15 79:17 91:17, 21
City 61:11
civil 41:2, 12
clarification 34:3
CLARIFICATION S 95:1 96:1
class 47:7 72:10
cleaning 35:23
clean-up 35:21
clear 37:20 71:22 81:11 87:6, 10
clearly 26:8 37:18 52:13 58:14 73:24 81:20
client 33:20 95:13
clients 18:19 44:11

climate 71:23 72:4 95:13
close 35:6 37:16
closely 40:20
Code 51:9, 10, 25 57:23
Coke 1:14 4:6 54:22, 25 83:6 85:7
collar 10:2
colleague 31:18
colleagues 6:6 26:6 36:17 64:1 81:23
Columbia 83:13
come 18:1, 5, 15, 24 19:9 22:9 30:5 38:8 47:3 62:9 71:10 84:11 88:19 89:7 92:6
comes 20:3 24:12 30:2
coming 4:15 44:18 48:6 81:21 88:24 92:16 96:5
commencing 4:1
commendations 95:9
comment 30:25 74:14 95:2 96:3
commented 39:2
comments 31:3 83:7
COMMISSION 1:2 2:4, 10, 13, 15, 19 4:7 6:25 9:13 31:2 53:10 78:24 79:12
Commissioner 1:13, 14, 15 4:3, 6, 14 5:13 36:7 44:4 54:22, 25 55:17 63:21 65:25 67:17 78:11 83:4, 6 85:7, 9, 14 86:8, 23 87:2 89:23 90:4 91:1, 9, 24 93:12, 17

Commissioners 4:5
commissioner's 85:20, 24 86:1
commit 33:15
commitment 92:24
committed 70:4
Committee 6:22 9:5 15:4 45:5 69:5, 11, 14, 17
common 25:23 26:10 28:21 29:5, 18, 22 33:8 36:22
commonality 51:2
commonplace 33:24 95:16
companies 10:7 33:23 95:15
company 21:7 94:23
compare 50:3
compass 24:6
compensation 63:16
competent 24:4 25:21
competitors 19:19, 20
complaint 78:23, 25 79:20 80:5 86:3
complaints 22:3 75:15 82:5
complete 48:2
completed 44:13
completely 51:12 84:25
completing 50:21
complex 10:4 19:11
compliance 20:10
complicit 33:13
component 38:18, 20 39:8 77:17 78:6, 18
components 67:2 75:12
computerizing 26:19

computers 27:6, 8
conceivably 86:17
concept 65:18
concepts 66:5
conceptualize 66:25
concern 86:2 90:5
concerned 59:17
concerns 31:9, 13, 16 32:7, 11 55:14 78:13, 14 85:22
concrete 75:4
conditions 36:15 40:1
conduct 27:20 28:1 45:6 73:17 96:13
conducting 51:23
conference 47:10
Confessions 18:23
confidence 21:8
confident 24:4 25:22 62:5 67:4 79:22
confidential 4:23, 24
confidentiality 56:14 65:22 66:2 72:19 92:2
connection 36:14
connects 76:9
consequence 16:20
consequences 23:12 30:19 34:24 67:9 70:18
considerable 93:1
consideration 32:16
consistent 25:14 27:3
consistently 18:8
consultant 6:10

<p>consulting 33:22 95:15</p> <p>contact 69:13</p> <p>contacted 23:5</p> <p>contacts 45:4</p> <p>cont'd 3:1</p> <p>contemplate 34:15</p> <p>context 78:3</p> <p>continue 13:18 88:3</p> <p>continues 18:13 22:20 33:9</p> <p>contract 70:2</p> <p>contrast 53:7 96:20</p> <p>contributed 60:16 69:4, 15</p> <p>contribution 88:14</p> <p>control 64:25</p> <p>controls 20:9</p> <p>conversation 11:22 88:11</p> <p>conversations 68:4</p> <p>convicted 17:13</p> <p>convince 32:22</p> <p>convincing 80:9</p> <p>Corporal 8:12</p> <p>corporate 10:1</p> <p>corporations 10:13</p> <p>correct 51:23 64:21 77:7 94:16</p> <p>corrected 74:20 79:8</p> <p>corrective 56:23</p> <p>corruption 8:14 10:5</p> <p>cost 20:21 60:13</p> <p>cost-cutting 96:22</p> <p>Counsel 2:18, 21, 24 3:3 8:5, 23 14:16</p> <p>count 48:6</p> <p>counted 22:6</p> <p>countries 7:17 18:14 37:7 48:3, 7 49:12, 22, 25 53:7</p>	<p>73:11 84:23 93:3</p> <p>country 25:12 36:23 42:20 52:24 82:9</p> <p>couple 31:7 35:9 51:14 70:15 80:18 88:23</p> <p>course 27:9 31:23 40:24 54:16 69:22</p> <p>court 9:3 60:7</p> <p>courts 41:21 46:9 65:16 91:16</p> <p>cover 45:12 52:4</p> <p>covered 40:12, 17 56:17 81:25</p> <p>covers 12:12 43:11</p> <p>coverup 27:20</p> <p>COVID 5:22, 24</p> <p>COVID-19 1:2 9:6</p> <p>crack 81:5</p> <p>craft 93:6</p> <p>create 81:4</p> <p>created 12:12</p> <p>creates 73:11</p> <p>credibility 80:1</p> <p>credible 56:23</p> <p>credit 50:15</p> <p>crime 9:19 10:2, 6</p> <p>crimes 9:20</p> <p>Criminal 51:8, 10, 25 57:23</p> <p>criminalizing 89:3</p> <p>criteria 49:3, 7 53:22, 23 54:3, 6 61:15, 19, 20</p> <p>criticize 69:19</p> <p>criticized 46:9</p> <p>cross-cutting 89:17</p> <p>CRR 94:3, 24</p> <p>crushed 47:4 96:9</p> <p>CSA 20:3</p> <p>CSR 94:3, 24</p> <p>culture 20:13</p> <p>cures 20:6</p>	<p>current 10:10 91:21</p> <p>currently 31:8 76:14</p> <p>customers 19:17</p> <p>cut 19:1 32:9 43:21</p> <p>Cutting 26:6</p> <p>cynicism 80:3</p> <p>< D ></p> <p>damage 25:16 35:1</p> <p>damaged 30:4 63:14</p> <p>damaging 34:9 56:7</p> <p>dangerous 81:1 84:21 89:10</p> <p>dark 33:6 34:5</p> <p>Dated 94:19</p> <p>dates 41:19</p> <p>David 1:21, 24 6:9 7:23 8:4 9:5 10:18 23:13, 14, 17, 22 29:24 30:24 31:9, 19 32:4, 25 33:2, 3 37:14 39:20 44:10 46:2, 3 48:12, 14, 17 52:18 53:8 58:1 61:13 64:17 67:24 68:22 72:11, 23 73:8 74:2, 10 80:17, 18 82:18 83:23 87:3, 15 93:1 95:3</p> <p>Davids 8:1 84:13</p> <p>David's 6:19</p> <p>Dawn 2:12</p> <p>day 1:7 10:10 12:17 17:1 21:5 23:1 94:19</p> <p>day-by-day 4:19</p> <p>days 4:18 17:20 35:10 61:1</p> <p>DC 30:21</p> <p>deal 16:12 17:17 22:25</p>	<p>69:24 74:25 76:16, 17 79:20 87:6 92:9</p> <p>dealing 17:14 19:18 31:8 38:25 76:1 77:15 79:14</p> <p>dealings 25:4</p> <p>deals 76:11</p> <p>dealt 7:10 9:20 72:24 93:4</p> <p>debatable 50:14</p> <p>debt 33:23</p> <p>decade 29:23</p> <p>decades 49:8 78:1</p> <p>decide 30:17 66:9, 14</p> <p>decided 5:4 8:20 9:22 22:4 61:18 68:14</p> <p>decides 78:25</p> <p>decision 9:24 66:13 86:1 88:14</p> <p>decisionmaker 77:16</p> <p>decision-makers 75:20</p> <p>decisions 30:19 44:7 68:17 75:24 86:9</p> <p>dedicated 6:17 93:10</p> <p>deemed 78:4</p> <p>defeat 37:24</p> <p>definitely 38:15</p> <p>definition 54:11</p> <p>degrading 26:15</p> <p>degree 63:17</p> <p>delegation 36:20</p> <p>delete 95:19</p> <p>demonstrate 43:7</p> <p>demonstrates 57:5</p> <p>department 65:13</p> <p>departments 19:14</p> <p>dependency 51:18</p> <p>depression 29:20</p> <p>depth 95:15</p>	<p>Deputy 2:3 15:12 43:17 73:2</p> <p>Derek 2:9</p> <p>describe 11:11 25:18 51:13 56:9</p> <p>described 31:20 43:12 89:10</p> <p>describes 69:3</p> <p>design 92:8</p> <p>destroy 28:18, 19</p> <p>destroying 56:11</p> <p>detail 14:1 24:17 39:18 81:14</p> <p>detailed 11:23 45:12 49:9 50:21</p> <p>details 23:23 42:18 74:4 80:13</p> <p>devastating 29:5</p> <p>devastation 61:4</p> <p>developed 49:7 84:22</p> <p>developing 62:11</p> <p>diagram 20:3</p> <p>diaster 58:12</p> <p>difference 66:7</p> <p>different 39:7, 8, 9 42:12 43:3 49:12 74:23 85:15 86:4 92:21</p> <p>difficult 37:24 60:24 84:6 88:6 90:10</p> <p>difficulties 32:4 78:19</p> <p>digging 23:22</p> <p>dime 71:21</p> <p>direction 94:13</p> <p>directive 48:4 49:20 61:23</p> <p>directly 14:14 75:6 79:10, 15</p> <p>Director 2:9, 12</p> <p>disappears 27:17</p> <p>disciplined 26:13</p>
---	--	--	--	--

<p>disclose 57:1 65:2 67:4 74:19 75:1 80:5 disclosed 32:12 77:20 80:16 Disclosure 8:21 15:10 45:22 60:11 disclosures 54:15, 17 discovered 70:12 Discredit 95:6, 7 discredited 26:2 discrediting 25:25 discrimination 76:4 discuss 81:13 discussion 50:9 68:2, 3 74:11 82:24 88:4 discussions 80:20 disincentive 39:4 dismissed 40:25 disprove 77:22 78:5 dispute 38:19 distinguish 74:16 distinguished 14:23 Document 18:18 41:20 doing 18:25 25:8 30:10 37:8 39:11 62:8 70:4 dollars 17:8 30:20 dots 76:9 dozen 63:8 Drake 30:15 dramatic 71:17 dramatically 26:23 draw 11:6 drop 71:21 drug 8:11 drugs 31:13, 15 Drummond 2:3 dug 58:22</p>	<p>Dunn 8:19 60:9 duties 54:16 duty 55:21 56:4 63:9 dwarfs 18:13 dwelt 28:6 dynamics 40:10 dysfunctional 35:1 < E > earlier 9:8 37:15 38:8 55:3 66:8 early 6:1 58:23 69:6 earning 63:13 easiest 81:16 easy 62:18 65:5 90:20 education 14:7 Edward 30:13, 23 effect 79:25 88:24 effective 13:16 38:1, 22 39:3 47:22 51:5 52:14 53:4 57:6 66:19 69:22 70:11 73:17 75:6 77:6 80:8 88:4 effectively 74:20 effectiveness 6:13 49:4 75:5 efficiently 74:7 effort 28:18 51:22 92:11 efforts 52:15 70:1 89:3 element 65:14 71:12 elements 13:17 20:8 63:23 82:20 86:11, 15 embarrassing 41:14 employed 55:7 71:25 employee 91:8 employees 19:10, 13, 25 21:2 55:5, 7 57:11</p>	<p>employer 65:3 78:4 employers 70:16 employment 8:18 32:7, 10 60:22 empower 72:4 enable 74:18 enabling 79:9 enact 48:5 49:23 encounter 80:2 encouraging 32:8 ended 31:17 32:1 45:9 ends 30:10 enforcement 18:19 51:19, 20 engage 75:9 76:2 82:24 engages 67:11 enhanced 22:16 enormous 29:16 ensure 57:7 83:25 entire 69:22 entirely 44:15 83:15 entrenched 37:22 entrust 23:10 environment 19:11, 16 56:19 equally 65:21 73:22 equation 75:13 equipment 26:12 35:23 equivalent 59:13 eradicate 21:11 eradicates 21:11 erroneous 32:19 Especially 42:10 essential 63:22 essentially 28:24 43:1 61:25 62:24 89:11 establish 69:6 established 32:17 76:3 84:23 establishing</p>	<p>79:25 80:8 estimated 16:17 etcetera 31:15 76:5, 10 77:12 79:20 86:10 90:2 ethics 20:9 EU 48:4 49:20 European 9:13 49:22 61:23 evacuated 35:15 evaluation 54:18 evaluations 57:15 events 14:7 eventually 4:18 34:2 41:16 42:1 85:15 Everest 43:13 57:21 everybody 34:21 43:25 44:2 46:12 81:17 evidence 27:15 31:14 39:5 57:13 exactly 43:19 67:22 83:12 examination 18:18 Examiners 18:3 examining 95:15 example 6:3 12:24 23:3 30:11 31:11 32:6 51:11 52:10 53:13 56:10 62:5 67:15 77:9 80:21 84:7 85:11 86:18 examples 22:12 31:7 65:6 exchange 26:22, 25 Excuse 16:2 89:1 exhaustive 54:18 exist 21:19 38:14 exists 50:17</p>	<p>expect 21:24 42:20 43:5 82:15 89:22 experience 8:6 11:1 24:8 28:17 30:2 33:21 36:13 62:10 64:18 85:23 88:17 89:21 90:13 91:2, 5 92:18 95:14 experienced 32:4 90:4 expert 6:12 9:13 28:22 40:22 77:4 expertise 31:21 75:25 76:13 93:6 experts 13:1 62:4 69:9, 11 74:7 88:12 93:3 explain 25:16 58:9 74:4 explained 38:8 expose 34:19 47:3 exposure 27:4 28:3 95:12 Expression 12:10 extensively 7:21 externally 57:1 extraordinary 70:14 extremely 47:21 54:14 61:20 87:23 eyes 6:19 45:8 < F > face 61:4 facets 77:8 facing 63:5 83:1 fact 15:11 34:11 41:1 43:6 72:24 83:16 factor 71:19 facts 58:1, 4, 6 factual 15:2 fail 64:4</p>
---	--	---	---	---

<p>failed 34:14, 19 56:4</p> <p>fails 56:1 57:9</p> <p>failure 69:19</p> <p>FAIR 7:2 44:18 80:22</p> <p>fairly 24:12 38:1 41:22 42:11 52:22 74:6</p> <p>fairness 67:11 79:19</p> <p>fall 89:11</p> <p>false 26:9 42:14</p> <p>Falsifying 27:15</p> <p>families 55:10</p> <p>family 7:12 29:5, 6, 8, 10 95:4</p> <p>fantastic 69:17</p> <p>fear 28:3 33:18, 20, 23 66:10 70:17 71:23 72:4 95:12, 13, 16</p> <p>feared 22:5</p> <p>federal 7:1, 3 32:9, 17 43:8, 11 47:25 50:19 60:6 78:20 85:8 96:12</p> <p>Federally 78:10 79:2, 4</p> <p>feed 38:13</p> <p>feel 24:11 48:17 56:22 62:2 71:6, 9 85:23 87:24 88:15</p> <p>feeling 46:13</p> <p>fees 56:17</p> <p>Fellow 1:19, 22</p> <p>felt 5:22 22:14</p> <p>fide's 85:21</p> <p>field 28:22 30:18 47:11, 14</p> <p>fight 61:11</p> <p>figure 10:7 64:11 66:21</p> <p>file 27:16, 18 78:23 80:5</p> <p>files 60:15 95:24</p> <p>filled 95:20</p>	<p>final 39:22 68:21</p> <p>finally 42:4 46:13 53:14</p> <p>financial 29:6 61:4 73:9</p> <p>find 7:5, 16, 23 14:5, 11 18:1, 19 24:14 28:23 33:24 45:24, 25 50:7 51:24 62:20 70:5 81:18 85:4 90:10 95:17</p> <p>finding 7:9</p> <p>findings 54:6</p> <p>fine 5:12 55:18</p> <p>finished 4:10 67:24</p> <p>fired 27:12 31:23</p> <p>firm 10:4</p> <p>five-year 44:18 45:1 50:12 69:2 96:5</p> <p>fix 16:3, 7 22:13</p> <p>fixing 12:9 36:5</p> <p>flashbacks 29:20</p> <p>fleshes 92:7</p> <p>floor 40:22</p> <p>flow 36:5</p> <p>focus 69:23</p> <p>focused 16:15 36:3 55:5</p> <p>folks 8:15 72:6</p> <p>follow 62:22</p> <p>followed 50:18</p> <p>following 22:17</p> <p>force 89:7</p> <p>forceful 88:18</p> <p>forces 89:4</p> <p>Ford 17:7</p> <p>foregoing 94:7, 15</p> <p>Foreign 26:21, 22, 25</p> <p>forensic 10:3 51:23 96:13</p> <p>form 11:3 20:22 31:3 55:22</p> <p>formed 47:13</p>	<p>forms 24:22</p> <p>forth 94:9</p> <p>forthcoming 39:7</p> <p>fortunate 30:5</p> <p>fortunately 76:17</p> <p>forward 14:21 19:10 24:7 40:24 44:24 47:3 49:13 52:15 71:11, 18 72:9 87:8 88:10, 19 89:9 90:24 92:6 95:21</p> <p>found 59:2 76:9 78:20</p> <p>founded 78:4</p> <p>founding 95:4</p> <p>Fourthly 73:22</p> <p>Frank 1:13 4:4</p> <p>Franklin 2:6</p> <p>frankly 31:21</p> <p>fraud 10:5 17:13 18:3, 4 42:21</p> <p>Frazier 60:7</p> <p>Free 12:10 48:18</p> <p>freedom 11:16 53:25 54:7 62:14</p> <p>friend 6:18</p> <p>friendly 62:3</p> <p>frivolous 79:20</p> <p>front 24:18 26:6 69:5 86:19</p> <p>frontal 89:15</p> <p>full 27:18</p> <p>fully 79:5 90:23</p> <p>functions 33:21 75:7 85:10</p> <p>fund 60:14, 16</p> <p>funding 60:19 78:8, 12</p> <p>fund-raising 10:24</p> <p>funds 5:24</p> <p>< G ></p> <p>gag 54:17 63:5</p> <p>gains 26:25</p> <p>gamut 77:12</p>	<p>GAP 49:8 53:23 58:2 61:20 62:5</p> <p>gaslighting 56:10</p> <p>gatekeeper 44:5 79:6, 14</p> <p>gathered 91:25</p> <p>general 46:10 70:4</p> <p>generally 28:16</p> <p>generated 47:6</p> <p>gentleman 17:12</p> <p>Gerard 8:10</p> <p>gist 62:22</p> <p>give 6:7 14:16 31:7 38:20 40:22 41:9 42:25 43:1 45:8, 16 59:23 67:21, 22 73:13 82:6 96:4</p> <p>given 23:20 31:20 71:7 73:12 83:13, 18 89:5</p> <p>giving 5:18 39:12 59:18 79:23 83:24 91:18</p> <p>global 7:14 16:13 53:14</p> <p>Globe 41:8 93:3</p> <p>good 20:17 23:21 42:11 46:13, 14 47:24 48:14, 16, 20 53:4, 13 54:20 56:16, 22 57:11, 25 68:1, 2 72:10 81:9 83:25 84:15 87:13, 24 90:18 91:13 93:9 96:16</p> <p>Google 15:21</p> <p>Government 7:3 9:4 13:3 15:3, 9 26:18 27:1 32:9, 18 41:15 42:4 45:14 47:11 48:23 50:19</p>	<p>69:19 83:17 96:12</p> <p>governments 9:9 10:13 46:17</p> <p>Grant 10:3</p> <p>grapple 19:6</p> <p>grasp 87:25</p> <p>grata 24:14</p> <p>grateful 14:25</p> <p>great 53:16 84:4 87:6</p> <p>ground 81:16</p> <p>group 7:14 10:3 12:16 49:25 64:10</p> <p>groups 19:15</p> <p>grows 33:9</p> <p>guarantee 22:25 66:21 90:21 91:6</p> <p>guarantees 56:13</p> <p>guess 73:2</p> <p>guidance 7:24</p> <p>guide 68:13, 18</p> <p>guidebook 25:16</p> <p>Guideline 9:12 10:19 20:3</p> <p>gun 76:8</p> <p>guys 19:18</p> <p>< H ></p> <p>Hackathon 9:6 10:21</p> <p>half 63:7</p> <p>half-baked 34:8</p> <p>Hall 61:11</p> <p>Halton 17:7</p> <p>hand 23:13 74:10</p> <p>handed 9:23</p> <p>hands 23:9</p> <p>happen 16:10 34:2 50:24 72:22 87:8, 11, 19 89:8, 12</p> <p>happened 15:6 39:24 41:9, 19 44:25 48:8</p> <p>happening 10:9 11:13 16:7 33:14 57:14 59:22 73:25</p>
--	--	--	--	--

<p>happens 6:20 12:3 15:15 23:15 28:15 51:3 happy 21:2 81:13 82:13 Harassment 26:5 27:25 56:9 95:10 hard 8:2 33:24 34:22 77:1 95:17 hard-hitting 38:6 harsh 24:13 hat 86:4 hats 85:15 Haydon 8:9 31:11 32:1 60:8 head 17:3 headings 53:25 54:2 62:2, 14 63:9 Health 2:22, 25 3:4 8:10 31:12 healthy 20:13 hear 12:21 15:5 17:19 19:11 34:16 35:5 37:4 heard 14:19 19:22 21:15 28:12 42:16 73:8 74:6 84:2 hearing 4:25 51:8 59:16, 17 78:16 93:14, 19 heavily 44:19 Held 1:6 75:10 he'll 74:4 help 6:25 7:4 9:9 10:6, 8, 24 14:17 19:2 20:16 21:10 23:6 26:20 36:15 45:9 49:11 65:24 66:20 71:11 84:12 85:13 92:19 helped 15:8 87:20 helpful 65:4 93:13 helping 12:19</p>	<p>helps 21:11 hidden 38:10 highlights 54:19 highly 24:3 25:21 32:16 hinted 33:5 hits 74:12 Holmes 40:18 41:2 home 6:2 29:6 35:15, 22 36:3 39:25 53:20 54:5 55:11 homes 19:7 58:21 59:4, 7 89:16 honestly 81:7 Hong 8:14 9:17, 23 Honourable 1:13 hope 15:7 87:20, 24 88:10 92:6 hopefully 64:24 hoping 88:3 horrible 89:12 horrified 22:19 39:23 41:4 hotline 25:6 huge 28:14 human 16:8 25:25 76:2 77:13 78:21 79:8, 11 humiliated 42:10 humiliating 26:6 hundreds 30:19 33:22 95:15 hurdles 73:10 Hutton 1:21 6:9 8:2 10:18 23:19 31:9 32:25 34:4 35:8 36:7 39:2, 21 40:16 42:7 46:21 48:17, 20 53:18 54:24 55:3, 19 58:15 61:14 63:24 68:1, 23 69:1 72:24 80:18 82:18, 21 83:5, 23 84:14 87:3, 13, 16, 18 90:3,</p>	<p>17 93:1 < I > IBA 58:2 Ida 3:3 idea 6:7 18:3 46:24 47:6 77:18 81:9 ideal 52:22 ideally 87:19 ideas 12:8 14:9 identified 20:20 31:10 47:2 65:17 identify 21:11 22:2 65:1 86:15 identifying 18:9 ignorance 87:6 ignored 45:1, 14 50:13 illegal 33:17 illustrate 31:8 illustrated 68:25 illustrates 42:8 58:16 59:20 imagine 16:4 29:3 34:17 immediate 82:23 immediately 25:21, 22 34:8 56:6 immigration 41:6 impact 12:22 29:4 33:5 71:17 impacts 22:5 implementation 68:18 implementing 70:24 implications 39:1 81:21 86:13 importance 75:18 important 5:22 8:8 11:16 14:13 19:24 39:13 53:2, 3 56:25 57:18 60:20 63:1 64:13 65:18, 21 66:5, 20 74:16 77:3 78:18</p>	<p>82:6 84:4, 16 86:14 importantly 73:22 impossible 26:16 31:22 51:15 improve 71:11 improved 32:23 inappropriate 36:20 inappropriately 77:10 incidents 20:20 32:15 76:10 includes 77:8 including 13:1 49:12 69:8 income 29:3 90:2 independence 75:18 independent 11:16 39:11 44:20 75:17, 20 indicated 39:23 63:12 indicator 53:5 indicators 73:20 individual 30:3, 4 78:9 79:21 86:13 89:5 individuals 78:12 79:24 industries 20:11 36:24 38:5 industry 19:21 21:10, 20 22:12 23:4 25:13 36:21 39:16 58:14 60:20 71:24 73:19 80:24 81:8 87:7 88:25 89:10 ineffective 51:12 85:1 inevitably 62:20 infected 35:18 95:19 infections 36:6 40:2 inform 87:21 informants 9:21</p>	<p>information 19:6 20:1 26:7 35:10 37:2 39:6 41:5, 12, 14 43:7 45:16 47:3 51:24 55:4, 6, 9 58:24 84:1, 12 89:2 95:24 ingenuity 62:11 initially 25:24 initiate 51:19 Initiative 1:19, 22, 25 Initiatives 12:16 injunctive 73:12 inquiries 5:9 inside 65:10 insiders 38:9 insidious 76:6 insomnia 29:20 inspection 36:12 37:18 38:2, 13, 25 inspections 37:24 71:15 inspector 9:18 institute 89:13 instrument 62:6 insurance 8:18 32:8, 11 intact 30:6 Integrity 6:25 21:1 44:4 78:10 85:9 intellectual 89:1 intended 32:22 34:15 intentions 51:6 70:11 interest 12:19 13:11, 12 15:10 16:18 22:17 31:3 47:4 86:22 interested 4:20, 25 13:5, 7, 11 35:13 36:9 59:8 interesting 16:6 60:4 65:11 81:18, 22 interests 89:6 interim 5:2 22:18 56:5 interject 30:24 52:17</p>
---	--	---	---	--

<p>internal 20:9 55:23 International 7:13 48:24 69:9, 11 88:2 internationally 6:12 46:24 84:19 interplay 39:16 interrelated 75:4 interrupt 36:8 57:17 interrupted 67:25 interrupting 33:1 intersection 36:10 intersects 10:10 interview 41:10 interviewed 30:15 interviews 27:21 30:13 intimidate 27:23 introduce 4:4 introducing 6:6 introduction 23:21 introductions 14:17 investigate 73:24 investigated 67:5 74:19 78:24 investigates 85:16 investigating 8:13 investigation 5:5 56:24 73:15 75:7 78:16 82:12 96:18 investigations 9:19 10:5 11:4 38:6 51:23 71:15 73:17 82:17 96:13 investigative 44:6 investigator 9:15</p>	<p>investigators 15:12 65:7 85:19 invited 26:7 involved 9:7 20:24 26:21 35:22 39:8, 9 40:20 51:20 involves 13:20 involving 8:13 10:5 Ireland 50:4 88:22 Irish 73:11 irresponsible 34:7 isolated 75:3 isolation 26:5 issue 5:19, 24 12:2 13:12 19:6 21:21 53:3 issues 4:21 6:14 37:23 68:16, 24 69:24 71:9 76:16 90:23 issuing 45:9 iterative 92:23 < J > Jack 1:15 4:6 jargon 62:21 Jay 2:15 Jenkins 35:8 55:8 73:25 Jessica 2:6 job 20:16 28:14, 17 30:17 32:2 37:9 58:8 69:17 72:22, 25 73:13 jobs 12:17 60:22 John 2:18 join 4:11 joined 4:5 9:18 joins 25:20 joint 48:22 joke 96:21 judiciary 11:17 Judith 3:10 4:8 94:3, 24 jump 46:1 48:18 81:23</p>	<p>jurisdiction 83:10 90:19 Justice 38:17 75:17 91:11 < K > Kate 2:24 kept 34:4 38:10 key 23:25 41:18 69:10 71:9 75:12 77:16 80:13 91:18 kind 10:8 16:19 17:2, 4 20:8 25:19 29:6, 12 34:10 41:21 50:1 53:1 58:16 59:20 68:4 71:20 76:12 77:1 79:12, 24 86:12 88:11 92:14, 15 kinds 9:21 20:10 24:22 41:3 60:17 63:5 75:15 89:11 Kings 17:21 Kitts 1:15 4:6 63:20, 21 65:25 66:24 67:17 72:16 89:23 90:4 91:1, 13 knew 69:7 knowing 21:3 knowledge 52:1 93:6 knows 20:23 28:11 64:3 Kong 8:14 9:17, 23 < L > labour 60:3 67:16 76:15, 18 77:12, 25 78:3 lack 40:9 Lambert 8:10 landscape 42:25 language 49:10 large 10:4 lastly 12:8 74:2</p>	<p>late 31:17 launched 15:14 laundering 10:6 law 15:10 18:19 40:23 43:8, 16 44:16 45:11, 21, 23 46:4, 8 47:17, 20, 22, 25 49:4, 18 51:18, 20 52:11 57:25 58:3 59:10 60:3 70:5, 8, 15 72:10 73:11 82:8 88:23, 24 92:21, 22 96:10 laws 7:20 13:2 21:19, 25 22:16 42:24 45:18 47:24 48:3, 6, 10, 21 49:24 50:22 52:3, 6 57:23 73:11 lawyer 8:4 72:12 lawyers 9:1 layers 68:5 Lead 1:13 2:6, 18 96:12 leaders 33:12 leadership 33:6 leading 27:22 28:22 47:10, 13 60:5 leaked 41:7, 13 51:24 leaker 51:22 leapt 96:6 learned 45:4 Lebanon 50:8 led 45:6 left 55:1 72:25 legal 29:17, 23 44:16 49:10 56:17 60:14 61:22 62:21 73:9 78:12 legally 74:23 legislation 50:17 51:1, 11 70:25 79:5 legislature 40:22 47:15 legitimacy 85:21</p>	<p>length 75:19 83:24 lengthy 78:16 lens 53:22 lesson 24:13 Lett 2:9 level 7:1 47:25 92:5 levels 9:2 13:3 31:21 liability 56:2 liar 29:15 licence 40:5 lied 33:13 life 9:24 63:14 life-changing 28:16 30:1 lift 72:4 lightning 7:7 limited 78:14 limits 54:21 lines 31:19 listed 47:5 50:1, 2 listen 14:5, 13 15:1 57:19 literally 80:10 litigation 86:18, 20 livelihood 28:20 29:1 lives 26:18 80:10 lobbying 44:19, 25 46:4 logical 37:4 long 6:24 14:24 23:10 43:20 80:9 LONG-TERM 1:1 2:4, 7, 9, 13, 15, 18, 22, 25 3:4 6:1 13:14 19:7, 10 37:22 53:20 54:5 55:11 58:20 59:3, 6 90:12 looked 50:20 61:24 looking 13:15 40:16 45:17 50:6 71:12 73:7 82:16 84:16 85:2, 4, 5</p>
---	--	---	---	---

looks 56:21
loopholes 62:12
lose 28:14, 17,
25 29:1, 6
63:12 72:22
loss 29:3 35:2
lot 7:11, 24
9:18, 20 13:20
20:2 26:25
32:21 39:5
42:16 45:9, 11
47:14 51:2
69:23 73:20
77:23 80:4
87:11 90:14
93:5
lots 13:13
15:22 16:9
58:13
love 29:2 81:25
lowest 27:11
LTCHA 53:19
Lynn 2:21

< M >

made 9:24
28:18 52:15
54:15 61:18
66:18 70:21
94:11
magic 65:19
Mahoney 2:21
Mail 41:8
main 23:24
35:13 36:1
62:14 66:8
maintaining
79:25
major 37:10
52:22 77:10
88:14
majority 22:5
making 4:22
27:23 46:18
51:7 59:21
88:15
management
6:10, 13 18:12
20:9 21:1 28:4
33:22 36:3
37:3 56:3 63:9
95:14
mandate 26:8
82:2

manifestations
61:8
map 25:14
Margaret 8:9
mark 44:18
45:4 96:5
Marketplace
14:10
markets 81:3, 4
Marrocco 1:13
4:3, 4, 14 5:13
36:7 38:17
55:17 75:17
83:4 86:23
87:2 91:9, 24
93:12, 17
massive 39:4
40:19 41:1
42:21
material 26:14
materials 7:24
14:22 61:15
matter 66:6
86:9
matters 39:10
86:19
maximum 78:14
McAdam 8:13
McGrann 2:24
means 14:4
22:11 65:10
71:19
measure 20:22
64:24
measures 89:20
mechanism 67:3
mechanisms
74:17
media 7:22
8:17 14:8
24:19 32:12
34:8, 13, 21
35:11 41:13
95:18
media's 34:23
medications
35:24
MEETING 1:1
meetings 26:8
member 7:12
9:6 18:2 95:4
Members 31:2
48:5 75:22
menial 30:10
mental 91:7

mention 23:24
26:17 40:3
42:16 45:15
51:10
mentioned 25:4
29:17 32:4
33:10 44:11
48:24 54:25
61:15 62:25
63:10 68:12
83:8 88:22
mentioning
41:24 44:10
message 14:19
17:19, 23 23:25
42:25
messages 7:5
messenger
17:23
messengers
17:21, 22
messy 43:20
met 8:15
methodologies
18:12
methodology
49:3
microphone
35:7
mid 47:1
million 41:16
millions 17:8
30:20
mind 5:11
29:11 68:23
80:19
mine 18:6
minimum 65:23
75:16 87:10
92:5
Minister 2:4
43:14 73:2
Ministers 15:13
43:17
Ministry 2:6, 21,
24 3:3 83:22
minor 77:8
minute 16:22
22:9 36:8
misconduct
95:10
missing 67:18
Mission 8:14
35:21

Missions 26:21,
24
misuse 5:24
model 69:25
74:5 79:12
81:13, 23 83:10
89:16, 17, 19
96:22
moment 30:25
31:24, 25 50:9
59:24
moments 42:15
money 10:5
26:25 27:1
42:21 73:13
month 50:24
moral 24:6
29:12
motives 24:20
Mount 43:13
57:21
move 9:22
23:18 42:23
52:15 53:11
68:20
moved 14:21
MPs 43:15
myths 34:6
40:8

< N >
Nader 47:1
96:8
narcotics 9:19
narrow 52:4
54:11, 12, 14
nation 47:17
national 30:14
47:17 48:10
nations 47:20
50:6
naturally 82:14
nature 16:9
52:25 65:9 86:9
Nearly 43:25
44:2
necessarily
80:4 88:9
needed 13:17
61:18
needs 14:5
16:3 65:19
72:15 87:11
NEESONS 94:23

negative 13:22
16:19 22:5
24:25 40:7
74:25 76:22, 23
neighbourhood
11:7
neither 37:16
38:14
net 55:14 63:2
Network 7:13
New 50:4 62:11
nicely 31:9
nine-year 59:4,
14
non 24:14
norm 48:9
normally 79:19
note 59:15
noted 7:22
notes 40:17
94:16
not-for-profit
13:4
not-for-profits
7:14
noticed 70:19
notion 91:3
not-related
26:15
novel 84:21
novelty 47:23
96:11
November 1:7
94:19
nowadays 10:2
NSA 30:16
number 19:21
34:12 60:21
61:19 79:9
85:15 91:15
numbers 81:19
numerous 67:10

< O >
obligations
67:12
observation
25:10 91:13
obvious 13:14
51:14 88:9
occur 24:10
37:25
odd 77:24

<p>office 61:1 73:1 85:20, 24 86:1 officers 60:15 offices 16:25 oftentimes 85:23 86:5 old 15:20 72:6 olden 17:20 OLRB 58:20, 23 59:5, 15, 23 ombuds-like 85:10 Ombudsman 21:15 22:14 58:5 83:9 Ombudsperson 22:4 81:18, 25 83:15, 17, 23 84:3, 9 Ombudspersons 82:8 one-on-one 27:20 ones 8:8 50:3 ongoing 86:7 88:11 online 45:24 Ontario 21:20 51:3 52:10, 20 53:12, 16 59:9 76:15 78:21 79:7, 11 93:6 Ontario's 59:10 onus 63:10 77:18 84:5 96:15 op-ed 14:10 open 45:8 70:16 opened 6:20 operating 17:15 operational 6:13 11:2 35:22 Operations 2:13 9:5 15:4 26:19 35:1 operators 57:20 opinion 75:5 77:16 88:1 91:18 opportunity 53:11 56:18 72:3, 9 79:16</p>	<p>opposite 19:21 34:10 opposition 40:24 43:15 95:21 option 57:1, 2 options 11:22 39:15 71:8 72:13 83:24 orchestrate 28:3 order 47:8 74:18 91:16 orders 54:17 63:5 organization 12:1 16:5 17:15 18:1 21:9, 18 22:8 24:2 25:20 33:5, 21 34:9, 25 37:3 42:11 47:11, 13 55:25 56:3 65:11 67:19 68:15 81:4, 19 organizations 7:14 13:1 33:23 55:21 72:2 80:25 95:16 organize 76:21 organized 9:19 10:6 orientation 24:21 originated 46:25 OSC's 72:8 Ottawa 26:18 41:6 ought 36:25 37:6 47:7 53:6 outside 50:20 outstanding 88:23 overall 92:8 overcome 73:10 oversight 36:19 71:11 overstated 52:21 overwhelming 25:7 < P ></p>	<p>p.m 1:8 4:1 93:19 PAGE-LINE 95:2 96:3 pages 45:12 paid 41:16 60:13 painted 84:18 Palin 2:12 panelist 9:13 panic 29:20 panoply 79:18 paper 27:7 49:5 51:3 58:3, 11 Parliament 43:10 46:12 70:7, 25 Parliamentary 6:22 45:5 part 6:3 8:15 10:14, 16 11:21 13:24 33:1 58:8 73:4 82:12 partial 41:11, 12 participants 1:6 2:1 3:1 particular 5:21 17:6 particularly 60:5, 20 parties 75:19 partnership 69:22 parts 72:14 82:8 party 65:2 67:16 pass 70:25 passed 43:9 45:2 48:4 70:6 79:5 passionate 12:18 path 81:16 pathway 83:2 Patient 22:14 58:5 81:17 Patients 21:15 pay 90:25 peers 27:21 PEI 40:20, 21 42:17 pencil 27:7</p>	<p>people 4:19 11:3, 12 12:25 13:8, 10, 11, 22 14:2, 11, 23, 24, 25 15:13, 25 16:24 17:2, 4, 18 19:4, 9, 15, 23 20:13, 18 22:3, 10, 23 23:10 24:1, 3, 6 25:5, 7 27:19 28:3 32:10 34:7, 18 35:17 41:7, 16 42:8, 12 43:9 47:2, 7 49:12 51:5, 9 55:6, 9, 12 57:22 58:6, 9 59:5, 14, 24 60:21, 22 61:8, 22 62:21 64:5, 11 65:10, 12, 13, 22 66:9 71:19, 24 74:18 77:23 79:10 80:4, 9 83:24 87:7 88:12 90:1, 14 92:15 93:3 95:12, 22 percent 16:18 18:15 19:9 34:12 perfect 6:3 12:24 91:8 perform 34:1 performance 21:8 27:10 period 59:4, 14 75:23 periodic 57:14 perpetrator 18:23 person 25:23 26:1 27:5 28:13, 22 30:2 43:23 44:13 54:13 59:7 60:9 64:6 77:9, 10 personae 24:14 personal 56:2 95:23 personally 7:9 25:6 66:25</p>	<p>personnel 27:16 95:24 persons 67:3 75:9 91:17 person's 27:21 56:11 perspective 74:16, 24 93:13 phenomenon 16:13 77:2 phone 22:21 26:12 phones 30:21 photograph 17:12 pick 15:21 picked 16:11 22:21 picking 54:19 picture 28:2 84:18 piece 23:3 49:21 58:10 81:16 pieces 14:10 84:13 pill 70:13 pills 71:1 place 5:22 20:24 35:21 36:4 37:5 41:3 55:21 66:18 69:3 83:10, 11 84:20 94:8 95:20 places 70:15 72:5 plan 33:2 pocketing 26:24 point 42:8 48:13 50:2, 11, 23 53:9 56:25 57:18, 22 59:20 60:15 66:12 71:8 72:13 84:8, 12, 14 88:16 91:12 pointed 8:17 58:1 70:20, 23 72:8, 16 pointing 42:2 points 11:18 41:18 49:16 57:25 63:8 80:14</p>
---	--	---	---	--

<p>poison 70:13 71:1</p> <p>Police 9:17 18:20</p> <p>Policy 2:6, 9 74:16, 23</p> <p>population 52:5</p> <p>position 24:12 56:18</p> <p>positions 33:16</p> <p>positive 86:12</p> <p>possibility 65:19</p> <p>possible 55:15 63:3, 17 71:5</p> <p>possibly 36:23</p> <p>post 4:18</p> <p>potential 59:23 63:14 87:21</p> <p>poured 62:2</p> <p>power 4:22 7:6</p> <p>powerful 49:21 87:23</p> <p>powers 44:5, 6 56:16 82:7 84:10</p> <p>practical 39:1 73:10</p> <p>practice 4:16 14:16 28:23 40:5 49:6 54:9 55:21 59:22 60:2, 3 63:15 74:5 76:2, 3 82:25 85:5</p> <p>practices 7:16, 17 37:23 53:15 62:1, 24 68:6 71:18 76:19 78:3 84:22</p> <p>praised 69:18</p> <p>precarious 60:22</p> <p>precariously 71:25</p> <p>predictable 44:15</p> <p>preemptive 25:19</p> <p>preemptively 25:24</p> <p>preliminary 5:6 49:2</p> <p>preparation 58:18</p> <p>prepared 88:18</p>	<p>prescriptive 11:23</p> <p>PRESENT 3:8 31:5</p> <p>presentation 19:12 31:6 32:21 84:2 86:25 87:20 92:7</p> <p>PRESENTING 1:17</p> <p>press 11:16</p> <p>pressing 5:7</p> <p>pretty 41:22 49:11 62:18 71:13 88:18</p> <p>prevail 44:14</p> <p>prevent 10:8 89:2</p> <p>preventative 20:22 71:19</p> <p>preventing 54:1, 19 55:20 62:15</p> <p>price 90:25</p> <p>primary 59:10</p> <p>principal 10:3 29:12</p> <p>prioritizes 89:17</p> <p>prison 17:13</p> <p>private 8:24 10:1 13:4 81:2</p> <p>pro 14:15</p> <p>problem 16:13 17:3, 24 25:12 26:2, 3 36:22 61:2, 8 76:12, 18 77:7 79:8 93:7</p> <p>problems 18:9 20:6, 19 21:12 36:6, 10 38:7, 9 51:14 93:8</p> <p>procedural 67:11</p> <p>proceed 61:5</p> <p>proceeding 86:7</p> <p>proceedings 4:17 29:23 94:7</p> <p>process 8:11 14:18 15:6 32:3 38:25 44:14, 23 46:3, 12 49:11 50:21 56:23 69:14 70:24 72:14</p>	<p>73:14 79:24 86:10 92:23</p> <p>processes 87:12</p> <p>produced 46:5</p> <p>profession 28:23 30:10 63:13</p> <p>profit 89:18</p> <p>program 10:23 15:14 26:19, 23 41:25</p> <p>programs 10:11 12:6 14:9 30:13</p> <p>project 9:7 47:12 48:21, 22, 23</p> <p>proof 23:3 51:15 57:10 62:16</p> <p>proper 41:6 89:18</p> <p>properly 65:7 72:6</p> <p>property 89:1</p> <p>proposals 89:9</p> <p>pro's-con's 11:22</p> <p>prospect 59:19</p> <p>protect 14:13 43:16 46:6 47:8, 17 48:10 54:15 55:1, 22, 24 56:4 63:9 66:1 80:15 90:6, 8, 9, 16 91:16</p> <p>protected 38:12 43:23 46:25 47:7 57:9 73:14 85:12</p> <p>protecting 55:5 62:16 82:6</p> <p>protection 5:20 6:17, 23 8:21 11:15 13:8 38:23 39:3 43:13 45:22 55:2 56:8, 21 57:22 59:10 60:11 71:10 75:5 88:5 90:21 92:5</p> <p>protections 21:25 65:3 87:12</p>	<p>protects 54:12 59:11</p> <p>prove 51:16, 17 77:1 84:7</p> <p>proved 69:10</p> <p>proven 15:2 21:7</p> <p>proverbial 76:8</p> <p>provide 4:9 43:24 78:8, 11 86:17 88:4, 14 92:5</p> <p>providing 13:7</p> <p>province 52:24 70:3 82:1</p> <p>Provinces 50:18 70:10 85:2</p> <p>Province's 50:25</p> <p>provincial 50:22 59:12 83:15, 22</p> <p>proving 9:23</p> <p>provision 70:14</p> <p>provisions 62:9 89:13 90:22</p> <p>PSDPA 9:5 15:4 44:17 51:2 59:13 62:10 68:25</p> <p>PSIC 73:1</p> <p>PTSD 29:19</p> <p>Public 6:23, 24 8:20, 24 12:19 13:3, 12 14:7 15:9 16:18 17:14 27:13 35:2, 25 43:12 45:21 47:4, 8 56:21 57:3, 9 59:9, 11 60:10 62:16 78:10 81:3 85:8</p> <p>publicize 69:18</p> <p>publicizing 69:16</p> <p>publicly 42:10</p> <p>published 6:11 18:7</p> <p>publishing 50:23</p> <p>purse 17:14</p> <p>pursue 80:11</p> <p>pursuing 60:13</p> <p>push 90:14</p>	<p>pushback 88:18 89:22, 25</p> <p>put 11:5 17:2 18:3 26:11 27:6 28:7 29:11 30:18 40:24 42:5 44:22, 24 49:13 52:9 76:20 80:10 81:6 82:22 89:9 90:9 95:21</p> <p>putting 84:20</p> <p>puzzled 42:9</p> <p>< Q ></p> <p>qualified 32:10</p> <p>quality 6:12</p> <p>Québec 83:13 84:3</p> <p>question 54:23 55:16 63:19 68:2 82:17 83:6 84:15 89:24</p> <p>questioning 85:20</p> <p>questions 5:10 27:22 63:1 74:9</p> <p>quick 41:22</p> <p>quickly 6:16 74:6 78:17</p> <p>Quite 6:1 8:25 24:9 25:23 33:7 34:22, 25 40:12 43:3 47:22 49:10 50:23 57:25 62:3 67:7 74:22 82:23 84:4 93:1</p> <p>quote 11:5 30:11</p> <p>< R ></p> <p>raised 31:12 32:7, 11</p> <p>raising 13:21 31:16</p> <p>Ralph 47:1 96:8</p> <p>ran 25:6</p> <p>range 5:23 12:13 50:2</p> <p>ranks 45:19</p>
---	---	---	---	--

<p>rare 76:8 rate 70:9 rating 27:11 RCMP 60:8, 15 reaction 90:18 Read 8:12 21:14 35:9 60:8 reading 26:14 ready 5:14 61:13 real 12:2 13:8 19:12 23:14 32:5 38:6, 7 39:12 52:15 71:15 72:24 91:18 realities 6:20 reality 17:17 34:10 89:14 really 7:6 8:8 10:9 13:7, 14, 15 14:12, 23 15:15, 24 16:6, 23 17:16 20:4, 16 23:15, 22 28:5 40:19 46:13 56:25 58:3, 9 61:21 72:10, 13 77:3 86:14 89:6 92:7, 9 reason 22:21 76:23 reasonable 54:8 reasons 24:15 60:18 61:19 66:8 79:3 reassigned 77:9 receive 57:11 76:21 receiving 80:21 recognized 6:12 recommendation s 5:3, 7 22:16 31:4 45:10, 11, 25 46:19 60:19 69:15 89:9 96:7 reconcile 26:20 record 24:5 27:16 recorded 94:12 recording 35:23 recruited 9:17</p>	<p>redress 54:1 56:15 62:15 63:10 96:15 reduce 20:20, 21 refer 78:25 reference 78:2 92:4 referral 58:20 referrals 58:25 reflects 53:2 reform 45:10 refused 44:9 regarding 6:22 82:24 regardless 33:14 60:23 regime 36:12 37:1 38:2, 13, 18 regimes 84:25 Region 17:7 regions 37:8 regrettably 69:18 regularly 10:15 19:20 30:22 38:5 regulated 81:3 regulation 37:10 regulations 13:3 regulator 37:1, 5, 8 38:2, 22, 24 39:6 52:23 57:20 73:18 81:11 82:15 regulator's 36:21 regulatory 36:18, 20 reinforce 37:1 reinstated 77:11 related 6:14 75:6 86:2 Relations 76:15 78:1 relationship 36:19, 25 37:16 71:4 75:19 85:17 86:6 relatively 30:6 released 5:2 relevant 12:9 32:16 relief 31:25 39:12 56:5</p>	<p>67:14 73:12 79:10, 22, 24 reluctant 42:13 rely 64:14 relying 28:8 remaining 33:10 remarks 94:11 remedies 38:20 67:14 77:6, 12 remedy 41:21 43:25 59:24 remember 58:1 remotely 1:7 remove 70:25 removed 16:12 repercussions 31:1 74:25 replace 37:17 report 21:17 22:19 45:10, 13, 23 46:5, 11, 14, 16 54:13, 14 55:14 58:5 63:3, 4 64:21 66:9, 15, 17, 18 67:20 69:20 83:20, 21 reported 41:5 Reporter 34:3 94:4 REPORTER'S 94:1 reporting 58:25 reports 10:16 21:22 27:8 58:23 72:18 80:22 reprisal 66:10 67:8 75:6 76:1, 7 77:3, 19 78:13 80:16 82:16 86:2 reprisals 25:15 40:4 44:1, 6 51:17 54:1, 2, 19 55:20 56:2, 5, 15 62:15, 16 63:18 73:24 74:24 75:10 76:8 96:15 reproduce 27:7 reputation 24:5, 10 28:18 29:4 35:2 42:11</p>	<p>56:11 request 92:2 require 65:16 required 74:18 requirement 44:16 requires 48:4 Research 9:11 12:11 28:8 34:11 57:5 88:2 residents 35:17 36:4 40:1 55:10 resist 46:18 resolution 38:19 resort 57:3 resources 25:25 93:1 respected 30:9 42:12 respectful 53:9 respectfully 32:19 79:7 respondent 67:14 respondents 67:12 77:21 79:17 response 62:25 responsibilities 36:21 responsible 15:13 33:7 43:14 44:21 rest 42:6 63:14 restocked 39:25 restore 63:17 result 29:8 70:8 resulted 47:10 results 49:2 50:14, 23 76:4 retaliated 16:11 23:5 retaliation 12:3 22:11 23:16 58:11 84:7 90:11 91:4 retired 6:16 Retirement 59:7 retribution 90:12 91:4 revealed 26:23 Reverse 63:10 77:17 84:5 96:15</p>	<p>review 18:12 44:17, 20 45:1, 2, 6 50:12 69:2 72:8 reviewed 15:4 62:4 RHA 53:20 57:20 rid 92:15 rife 22:11 rigged 44:22 right-hand 21:6 rights 57:12 76:2 77:13 78:21 79:9, 11 risk 20:9 24:7 28:13 60:23 road 74:12 Robert 8:12 60:8 rod 7:8 Rokosh 2:12 role 82:4 83:14 96:18 roles 83:18 roll 47:19 48:1 56:24 room 26:12 27:6 rooting 71:18 roughly 43:11 route 21:23 routinely 80:2 Royal 9:16 RPR 94:3, 24 rubber 74:12 rumours 56:11 run 10:11 34:8 64:25 running 7:2 10:14 24:2 25:19 44:18 68:23 rushing 92:9 Ryerson 12:11</p> <p>< S > sadly 35:3 safe 7:5 90:19 safeguard 75:8 safety 38:4 sake 31:3 sanctions 56:7 Sandy 1:18 4:12 23:20</p>
--	--	--	---	---

<p>25:1, 4 28:6, 10 33:10 35:4 40:6, 11 45:20 46:21 48:11 52:8 55:3 58:15 59:21 68:10, 19 71:2 74:13 88:22 95:3 sanity 24:20 Saskatchewan 83:13 sat 6:24 46:15 Saving 17:13 scam 25:19 scandal 40:19 41:2 scared 22:1, 10, 24 58:5 scent 76:6 scientist 30:16 scores 49:15 scruples 64:10 scrupulous 64:7 season 70:16 secondly 70:12 73:7 75:25 81:10 secret 38:10 Secretariat 2:4, 10, 16, 19 section 8:18 27:25 39:19 51:25 52:4 61:13 68:21 sector 8:25 10:1 35:3 52:6 78:10 81:3 85:9 secure 24:12 securely 72:18 Securities 52:10, 20, 25 96:14 security 29:7 30:14 52:2 seek 92:3 seeking 67:13 sells 30:21 send 86:3 sending 17:21 Senior 1:19, 22 28:4 sense 64:2 sensitivity 76:13</p>	<p>separate 82:17 sequence 40:14 series 14:10 74:9 serious 22:3 31:13 34:25 35:16 86:13 92:12 seriously 81:20 servants 41:3, 13 43:12 45:21 59:11 Service 6:23, 24 8:21 27:13 59:9 60:10 services 41:7 95:22 session 58:18 set 5:2 14:18 21:17 26:10 39:8 44:22 55:24 61:7 62:2, 24 67:18, 20 68:14 94:8 settlement 95:25 sever 88:25 severe 32:5 sexual 24:21 95:10 shameful 42:22 sharing 89:2 shield 64:4 65:20, 24 Shiv 8:9 shock 96:4 shocked 35:25 shoot 17:22, 23 short 19:1 43:1, 21 shortcomings 6:23 43:10 shorten 20:19 Shorthand 94:4, 16 shortly 47:9 52:7 show 9:8 14:11 20:4 22:8, 12 37:18 46:17 58:4, 7 showed 37:15 58:4 shown 61:7</p>	<p>shows 18:7 19:8 34:11 92:19 shut 16:11 42:1 side 21:6 67:6 74:17, 21, 22, 24 75:7, 13 significance 52:19 significant 52:23 67:10 81:19 significantly 83:14 silence 25:3 silenced 23:4 silos 75:4 silver 20:5 similar 51:1 57:21 71:4 76:18 77:2 91:17 92:19 similarly 86:6 simple 11:14 15:24 16:23 67:17 88:9 simply 25:18 39:7 44:9 45:14 47:4 50:18 51:7 59:24 68:7 95:7 96:9 single 27:12 43:23 sir 87:1 sit 40:21 sits 82:14 situation 6:2 25:11 35:16, 19, 20 36:2 40:9 42:6, 22 50:17 55:8 68:9 70:2 74:7 81:1 83:1 84:25 87:22, 25 88:6, 8 89:5 situations 46:20 82:10 92:19 93:4 skill 39:8 sky 89:11 Slanders 26:9 slide 15:19 21:13, 21 22:8 23:18, 24 25:1 28:6, 10 33:2</p>	<p>37:15 40:6, 15 45:20 48:11 52:8, 16 58:16 62:13 67:24 68:10, 19 69:3 71:2 80:12 82:21 87:1, 15, 17 slides 66:8 slightly 11:2 92:19 small 91:12 smoke 11:11 smoking 76:8 Snowden 30:13, 23 social 14:8 Society 9:11 11:8 12:23 solely 86:21 solution 6:4 11:23 93:7 solutions 68:6 88:7, 19 89:14 90:6, 15 solved 38:7 somebody 7:22 60:25 73:7, 23 74:3 77:18 somewhat 49:2 71:4 soon 13:25 sorry 8:1 16:15 33:3 45:22 91:10 93:9 sort 90:25 sorted 4:24 sorts 19:15 84:19 sought 34:3 sound 62:6 source 18:8 sources 62:1 spare 10:22 speak 5:18 7:5, 22 10:14 11:19, 20 12:3 13:8, 10, 11 15:17 38:12 82:20 83:23 speaking 35:14 speaks 13:9 speak-up 20:13 special 44:6</p>	<p>species 76:18 specific 58:25 specifics 23:23 25:11 spend 12:18 20:2 spent 9:18 sphere 60:6 spilled 86:19 spite 44:5 spoke 35:9 55:3 spoken 7:10 37:3 39:24 spouse 29:14 spreading 56:10 squashed 82:11 squished 16:10 staff 25:21 35:17 55:7 stage 5:4, 8 69:6 79:21 stakeholder 21:8 stand 11:14 13:25 16:1 17:4 20:18 72:1 84:19 standard 54:8 81:2 Standards 9:12 10:19 standing 72:25 96:21 stands 85:17 stark 6:20 start 6:5 25:24 43:8 started 9:16 15:6 19:5 22:7 31:16 32:15 44:19 58:19 starting 53:8 88:5 state 79:16 States 30:14 47:15, 24 statistics 17:25 18:4 37:17 61:7 stay 23:11 stayed 69:13 stealing 18:22 Stenhouse 60:8</p>
--	--	---	--	---

Stenographer/Transcriptionist 3:10 stenographically 94:12 step 23:7 53:1 72:9 93:11 steps 91:8 stood 17:9 22:6 stop 17:5 25:8 70:23 stopped 56:7 store 30:21 stories 12:20 15:22 34:9 story 8:15 34:22 43:20, 22 straightforward 68:8 strategy 6:14 10:24 95:6 strengthening 36:14 stress 29:16 79:23 80:14 stresses 29:7 strip 40:5 strong 48:5 49:21, 24 56:16 77:24 strongest 49:18 strongly 22:14 46:17 structure 73:5 structures 87:9 struggle 29:23 struggles 29:17 struggling 32:3 studies 45:17 study 16:17 19:8 95:5 stuff 6:14 42:19 subconscious 76:5 subject 7:21 28:8 40:4 submission 53:10 subordinates 27:22 Subsequent 41:11 95:23 subtle 76:6 90:12 91:6 success 59:19	successful 91:20, 22 successfully 6:10 suddenly 24:14 27:17 45:4 suffer 16:19 suffered 44:1 suffers 56:1 sufficient 38:23 65:3 86:3 suggest 69:25 suggested 69:8 suggestions 68:22 superiors 26:1 suppliers 55:11 support 7:16 14:16 20:15 60:17 78:8 86:18 supported 60:12 supportive 86:16 Supreme 60:7 surround 40:8 surveillance 18:18 survive 30:10 Susan 40:18 41:2 sweeping 45:10 Sylvie 8:16 32:6 44:9 60:9 symptoms 29:19 system 7:9 10:12 11:12 20:18 21:1 32:8, 17 44:3 47:15 49:4 52:22 53:4 57:7, 10 62:17 63:23 67:1, 19 70:24 76:14 78:6, 20, 21, 22 79:9 80:1, 3, 8 81:5 85:8 86:12 systems 10:20 12:6 13:5, 15 20:5, 14 21:17 32:20, 22 55:23 57:15 64:19, 25 < T >	tailored 68:8 88:8 takeaway 35:13 36:1 takes 55:23 talk 8:22 11:25 12:5 13:23 14:1 15:14 16:22 17:16 20:14 21:19 22:10, 21, 23, 24 23:14 24:16 30:22 36:16 39:14 40:7 42:14, 23 43:18 45:7 52:7 56:24 63:25 71:8 72:12, 23 73:9 77:3 82:13, 19 talked 19:3 42:1 45:25 63:11 69:1 80:23 87:4 talking 12:23 13:9 15:12 22:7 33:4 36:18 40:7 55:20 58:6 67:8, 13 69:7 84:6, 20 89:25 talks 18:4 tally 59:1 targeted 13:25 96:19 targeting 64:10 targets 32:7 task 72:1 tasks 26:15 Team 9:6 10:16 technology 30:18 television 30:22 tend 7:23 10:4 33:19 tended 5:10 tends 11:1 16:10 ten-year 45:3 terminated 31:18 32:13 77:11 terms 34:25 39:9 49:18 54:12 70:21	80:14 86:18 92:3 testified 6:21 testify 43:10 testimony 40:23 text 45:13 thankfully 79:7 Thanks 32:24 33:1 46:21 74:13 theory 15:19 56:22 Therrien 8:16 32:6 44:10 60:9 thin 27:18 64:3 thing 7:4 10:9 20:8 34:19 39:22 45:15 54:10 69:10 70:4 72:21 76:7 things 5:25 16:9 17:1 19:22 20:10 21:3, 9 22:20 24:17 25:2 33:25 36:9 38:7, 13 39:17 42:2 46:6 52:12 53:6 54:20 58:13 60:25 62:7 64:23 67:6 71:16, 20 74:17, 21, 24 75:7 77:9, 10 79:2 80:2, 18 81:6 82:23 84:20 85:13 88:21 89:12 90:10 93:9 95:17 Third 42:18, 20 59:8 65:1 78:6 Thirdly 73:16 Thornton 10:3 thorough 49:11 61:21 thought 5:7 19:23 thoughts 31:4 threat 25:23 37:11 thrilled 22:18 tidal 48:9 time 5:18 6:21, 24 7:7 9:18, 21	10:22 12:18 14:24 20:2, 19 24:18 25:5 40:21 43:12 44:19 47:21 51:9 54:20 65:20 75:23 85:25 91:7, 14 92:11 93:10, 16 94:8, 11 times 10:15 11:10 18:14 34:23 tiny 34:12 tips 18:9, 13, 15 today 10:24 11:18 12:23 30:20 32:14 told 18:21 27:7 50:12 65:8 69:11 Tom 30:15, 20 tool 33:19 61:23 68:11 87:23 tools 12:6 23:8 84:9 91:19 top 9:1 13:1 30:16 49:16 77:5 topics 12:13 62:18 total 65:24 tougher 44:19 toxic 56:19 track 24:5 27:16 51:22 trained 29:2 65:7 training 57:12 61:22 87:5 trajectory 30:8 transactions 26:20 transcribed 94:13 transcript 4:10, 17 94:16 transcriptionist 4:9 transfer 56:18 transformation 48:2 transnational 9:20
--	--	--	---	--

<p>transparency 13:16 66:3 Treasury 44:21 treat 4:22, 23 treatment 76:22, 24 Tribunal 8:21 43:24 44:2, 8, 14 60:11 74:3 75:14, 22 76:11 77:6, 13, 15 79:1, 4, 10, 15 86:4, 7, 20 tribunals 91:15 troubled 80:25 true 64:19 77:21 91:2 94:15 truly 86:16 90:6, 7, 16 91:2 trust 35:2 69:6 73:6 trustee 7:12 truth 14:12 66:6 truthfulness 24:20 trying 7:4 9:8 10:6, 8, 23 14:11, 15, 16, 17 22:23 27:20, 23 31:25 65:22 72:1 76:20 81:6 92:18 turned 18:20 turning 27:8 turnkey 10:12 turns 25:20 type 25:12 42:19 types 62:12 typical 30:8 68:4 89:3 typically 89:8</p> <p>< U > uhm-hmm 65:11 UK 9:17 16:15, 17 47:20 ultimate 86:8 unable 28:23 unanimous 45:9, 13 46:11 unchecked 33:10</p>	<p>unconscious 76:4 unconventional 56:9 uncovered 35:20, 24 underlines 84:8 undermines 89:19 understand 14:3 19:5, 24 28:5, 13 29:10 58:10 62:19 75:18 understandable 29:9 understanding 40:9 55:4 understatement 28:15 understood 81:20 undertaking 52:23 underway 48:22 unethical 33:17 unfair 76:18 78:3 unfortunate 54:10 71:1 unfortunately 16:8 50:19 union 60:13 76:21 unionized 60:16 76:24 78:2 universal 88:22 University 12:11 unknown 27:19 unprepared 24:9 unproven 84:21 untouchable 24:11 unusual 48:9 77:25 unwittingly 33:12 urge 32:24 79:13 USA 47:16, 20 50:4 useful 58:24 62:7 user 62:3</p>	<p>< V > valuable 67:7 68:12 value 46:16 53:2, 3 values 91:5 valve 38:4 various 9:21 48:21 76:9, 10 vast 73:9 vendors 19:19 VERITEXT 94:23 vested 89:6 veterinary 8:11 31:13 victim 67:9 77:19 victimized 85:23 victims 80:16 view 8:25 11:15 13:23 43:3 67:15 69:21 vindicated 42:2 Virtually 1:6 63:3 visited 75:1 visiting 19:14 volunteers 12:17</p> <p>< W > waiting 4:11 walks 60:25 wanted 48:13 52:9 70:17 80:14 82:19, 20 89:21 wants 44:1 warning 11:12 Washington 30:21 wasteland 43:2 watch 11:8 30:12 33:15 watching 92:1 water 81:15 wave 48:9 ways 5:23 9:9 11:10 13:13 14:11 15:11 57:6 62:11 93:4 weak 51:3</p>	<p>weakest 51:4 wears 85:14 website 14:22 45:24 85:11 websites 14:8 week 10:15 well-being 29:13 well-intentioned 52:13 well-run 16:4 whistle 26:4 39:2 40:19 54:1, 7 62:15 Whistleblower 1:19, 22, 25 5:23 6:17, 19 7:8 8:6 10:12, 20, 23 12:2, 16 14:3 15:22 16:10, 16 17:9 21:17, 25 22:11 23:9 24:19, 23 25:11, 16 27:24 29:11 30:14, 23 31:12 34:17 36:11 38:21, 24 43:13 45:18 48:3, 5 49:23 51:16, 21 55:22 56:1, 14 57:4, 8 59:10, 18 60:6, 24 63:11 64:3, 5, 11, 24 65:8, 10, 17 67:8 72:25 82:5 83:19 85:11, 18 86:5, 21 89:5 90:1, 20, 24 96:19 whistleblowers 6:3 7:3, 11, 25 8:24 9:3, 9 10:10, 14, 24 11:1, 7 12:19 13:23, 24 14:12, 15 15:16 16:19, 24 17:18 18:10, 16 19:1, 3 20:15 22:4 23:4, 15, 25 25:3 29:19 34:6, 13 37:1 38:4, 11 39:4 41:25 42:9 43:2, 16, 17, 25</p> <p>46:7, 25 47:18 48:10 49:9 55:24 69:9 70:17, 22 72:17 73:5, 8 75:1, 9 80:15, 23 81:1 82:1 83:9 86:14, 17 87:21 89:2 90:6, 16 whistleblowers's 85:22 whistleblowing 5:19, 20 7:13, 20, 23 9:10 12:1, 15 13:2, 4 15:18, 24, 25 20:5, 14 28:12 36:11 40:8, 23 57:12, 15, 21 58:11 63:23 67:1, 19 68:14 69:23 71:10 72:10 79:14 81:12 83:14 88:12 89:7, 18 96:11 white 10:1 90:11 wide 55:15 63:2 window 55:13 wish 4:23 81:24 witness 9:4 30:7 36:16 witnesses 69:8 wonderful 61:23 wondering 40:13 won't 28:6 39:7 46:6 64:20 71:20 word 24:23 70:14 words 53:5 56:6 90:5 work 7:9 8:5 10:1, 4, 10 12:7, 25 13:5, 18, 20 15:15 18:5 19:4, 13 20:8 21:1 22:18 26:11, 12, 15 29:1 30:10 37:6, 7, 9, 18 39:17, 18 46:8 49:5, 21 51:7</p>
--	---	--	--

<p>56:19 62:8 64:8 65:20 69:16 79:2 80:2, 7 82:5 84:5 85:20 88:20 worked 8:7 9:11 10:19 14:9 20:4 27:13 38:5 45:7 65:15 83:16 working 5:19 7:15 8:6, 10 9:25 10:22 12:18 14:14 15:9, 11 32:14 37:21 48:25 49:8, 19 52:3, 11 57:11, 16 58:7, 14, 20 59:25 62:17 73:21 83:17 87:7 workplace 20:13 76:21 workplaces 16:25 work-related 95:8 works 57:7 58:3 73:15 78:1 world 7:15, 18 12:25 16:16 18:1 26:21 27:3 32:20 42:19, 20 45:18 70:21 72:10 worldwide 15:2 36:22 worried 44:20 80:6 worst 45:19 worth 41:24 worthless 51:13 wrestling 92:1 written 7:20, 24 49:10, 18 51:18 70:13 wrong 10:7 16:1, 2 17:5 21:3 24:7 42:3 46:6 58:13 wrongdoers 25:24 64:8, 9</p>	<p>wrongdoing 8:18 27:4 33:9 34:20 54:11 67:4, 5 71:16 73:18 74:17, 20 75:2, 7 77:20 78:13 80:5, 16 82:13 85:16 wrongdoings 74:19 wrote 26:19 96:8 < Y > Yazbeck 1:24 4:12 8:3, 4 10:18 29:24 30:24 38:16 44:11 48:12, 14, 17, 19 52:17 53:17 60:1 66:23 72:11 73:9 74:2, 10, 13 85:6 91:11 Yeah 28:2 55:17 74:14 82:22 90:17 91:1 year 9:8 15:8, 20 25:8 48:6 61:17 years 5:20 6:11, 18 8:5, 7, 17 9:16 12:12 13:22 17:9 18:7, 8 32:2 33:11 41:21 42:5 43:22 44:17 45:2, 3 46:11 47:19 48:1, 8 50:13 58:22, 23 69:3 79:9 84:24 88:24 < Z > Zealand 50:4 zero 27:11 Zoom 1:6 61:1</p>			
---	---	--	--	--