



**Whistleblowing  
Canada Research  
Society**

## **Whistleblowing Canada News**

**October 2021**



## **ANNOUNCING . . .**

### **Policy Brief Series on Whistleblowing and Drug Safety**

A policy brief is a concise summary of a particular issue, the policy options to deal with it, and some recommendations on the best course of action to take. This series of six monthly policy briefs exposes the results of a deep-dive into the

political and organizational dynamics of a whistleblowing case and Health Canada's drug approval process in the 1990's. The first in the series provides an overview of the facts of the case and you can view the Trailer and the Policy Brief on [our website](#). The series is aimed at better informing Canadians and government policymakers about this critical issue which continues to impact our health and safety to this day.

Coming on the heels of Saturday's CTV W5 documentary, [The Problem with Pills](#), documenting a horrifying story of an adverse reaction to an anti-depressant drug resulting in the tragic killing of an 11 year old boy by his father, this series of six policy briefs is fortuitous. The W5 documentary paints a stark picture about the serious problems with the safety of prescription drugs on the market today. However, it raises questions that require fuller answers which our *Policy Briefs* will provide. Also, the **myth that the 2014 Vanessa's Law gave Health Canada many new powers** they didn't have before to regulate the marketplace for prescription drugs will be corrected. Whistleblowing Canada's *Policy Briefs* will provide detailed, evidence-based answers and the "story behind the story" of how and why we have arrived at a place where up to **22,000 Canadians or more die in our country yearly** from adverse reactions to legally prescribed prescription drugs. And how and why this is happenings in spite of Health Canada's mandate in the Food and Drugs Act " - - - to protect the public against health hazards and

fraud in the sale and use of foods, drugs, cosmetics and medical devices.”



## **Canada is Called on by United Nations to Report on How It Is Enhancing the Protection of Whistleblowers**

Whistleblowing Canada recently wrote a [letter](#) to the UN's *Human Rights Committee (HRC)*, *Office of the High Commissioner for Human Rights* with concerns about Canada's failure to protect whistleblowers and how that relates to the UN's *International Covenant on Civil and Political Rights* to which Canada is a signatory.

Subsequently, we are pleased to see that Canada has been called on to report to the Human Rights Committee (HRC) for ". . . legislative or other measures it has

taken to enhance protection of whistleblowers". Part of the UN's periodic reporting process is to develop a list of issues they would like the reporting countries to respond to. See "[List of Issues Prior to Reporting](#)" related to Canada and section 22 in the list which contains questions pertaining to Covenant articles 19 – 21 on *Freedoms of expression and assembly* and includes whistleblowing. Canada signed on to this Covenant in 1976.



## **New Web-Portal Makes it Easier to Find Various Pieces of Legislation Pertaining to Whistleblowing**

Thanks to the University of Ottawa's *Centre for Law, Technology and Society's* Professor Florian Martin-Bariteau and his team for their important work and recently announced new [web-portal](#) that tries to bring order and easier access

to “- - - an array of legal rules protecting secrets and disclosures found in dozens of federal, provincial and territorial laws, not to mention procedures specific to certain agencies or regulatory bodies. Each framework sets different definitions and protection criteria, which is further complicated through case law, adding to the vagueness through specific definitions and interpretation criteria. There is also an important technological and digital literacy gap that comes from both the organizations that are trying—and are often required—to protect whistleblowers as well as from the whistleblowers themselves.” The site may be searched by jurisdiction, sector, industry or issue.

The authors make it clear under the ***Tips*** tab on their website, the safest way to blow the whistle in Canada is **anonymously**. They state, “With the uncertainty surrounding the legal framework, whistleblowers’ best protection relies on their anonymity.”

## **Appointments**

We are delighted to announce the appointment of two prominent and eminent Canadian whistleblowers who have made extraordinary contributions to the common good in Canada. We welcome and immensely appreciate their insights and support as we pursue our goal of enhancing whistleblowing practice in Canada through education and research.

They are:

**Joanna Gualtieri**, lawyer and former Analyst at Canada's Department of Foreign Affairs, currently working on the development of *The Integrity Principle (TIP)* and

**Nancy Olivieri**, MD, MA, FRCP(c), internist, hematologist, and researcher, currently Professor at the University of Toronto, Senior Scientist at the Toronto General Hospital and Executive Director at Hemoglobal.

#### **Joanna Gualtieri**



Joanna Gualtieri, while a public servant at the Department of Foreign Affairs in the 1990's, identified what she believed to be systemic and widespread abuse of public monies, enabling lavish lifestyles for Canada's diplomats through the provision of extravagant overseas diplomatic residences. This systemic abuse

was estimated to cost taxpayers billions of dollars, in violation of the government's own laws and policies.

Joanna subsequently was a pioneer in the whistleblowing movement in Canada, advocating that honest employees must have the right to speak out about workplace wrongdoing that threatens the public interest. As a lawyer, Joanna believed that the rule of law dictated that in the face of wrong-doing, corrective action need be taken. As a citizen, she believed the public had a right to honest, transparent, and responsible government. Her dedication and honesty led her through legal battles with the Government of Canada that lasted over a decade and finally resulted in a settlement. [Read More](#)

### **Nancy Olivieri**



Nancy Olivieri, MD, MA, FRCP(c) an internist and hematologist, began clinical research in the hemoglobin disorders, thalassemia and sickle cell disease at the Hospital for Sick Children, University of Toronto in 1982. In 2003, she obtained a Masters in Medical ethics and Law from King's College, London, UK with a thesis examining ethical dilemmas in medical research.

Olivieri is famous for raising doubts about an experimental drug with which she was treating thalassemia patients. The drug was deferiprone and the drug company involved was Apotex. Once Olivieri discovered preliminary evidence of deferiprone's toxicity, she did her duty and warned her patients as was her moral obligation. She did this in the face of company threats intended to silence her and hospital harassment, and has been honored for so doing.

Her principled stand in putting patient safety first and the resulting scandal and legal battles led to many changes. Dr. Olivieri is currently Professor of Pediatrics, Medicine, and Public Health Sciences at University of Toronto, Senior Scientist at the Toronto General Hospital and Executive Director at Hemoglobal. [Read](#)

[More](#)

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*The success of Whistleblowing Canada's work will largely depend on the strength of the political will to lead change. Developing the political will for improving the*



*legal protections and culture around whistleblowing will depend on the strength of the public will to become informed and to campaign for needed improvements.*

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