



News Release

May 20, 2020
For Immediate Release

Ombudsperson releases first annual report under BC's new Public Interest Disclosure law

Victoria – Since BC's new whistleblowing protection law came into effect in December 2019, current and former provincial government employees have been coming to the Ombudsperson with enquiries, seeking advice, or making disclosures, according to the office's first public interest disclosure annual report.

"The *Public Interest Disclosure Act* is designed to increase transparency, integrity and accountability in government," said Ombudsperson Jay Chalke. "Experience in other jurisdictions indicates that through the investigation of serious concerns, public administration is improved. While it is very early days for this law, what this report tells us is that public servants are becoming aware of this Act and are coming forward," Chalke added.

The *Public Interest Disclosure Act* came into force December 1, 2019 making BC the 12th jurisdiction in Canada to have a legal framework protecting whistleblowers. The law gives current and former provincial government employees a way to bring forward concerns about wrongdoing in their workplace. The Ombudsperson now has the statutory mandate to conduct whistleblowing investigations if employees do not wish to report those concerns internally to their employer. Individuals are protected from reprisal under the new law and the Ombudsperson has the sole mandate to investigate if an employee believes they have been retaliated against for bringing a concern forward.

According to the Ombudsperson's annual report, between December 1, 2019 and March 31, 2020, the office received 57 matters pertaining to the *Public Interest Disclosure Act* - 18 of these were general enquiries, 17 were requests for advice and 22 were disclosures. Before the end of the reporting period, initial assessment of 11 of the disclosures was completed. As a result of those 11 assessments, one investigation was initiated. In the other ten disclosures the legal requirements for commencing an investigation were not met. Assessment of the remaining disclosures received in 2019-20 will continue into the next fiscal year.

"Supporting public sector employee awareness of these legal protections will continue to be a high priority for my office," said Chalke. "It's very important that public interest disclosure investigations, whether they be conducted by my office or within government, are done

according to the new law and that all people involved are treated in a manner that is fair, reasonable and just.”

The Ombudsperson’s report not only highlights statistical information, it also outlines outreach and engagement work the office conducted to ensure awareness of the new law. In the last fiscal year, the office engaged with public servants – from frontline staff to ministry executive - as well as external groups such as unions and professional organizations.

“Central to the success of whistleblower protection laws are employers that promote a culture of speaking up among their employees. It is my hope that this speak-up culture will continue to develop in the public sector,” said Chalke adding that although the law currently only covers current and former employees of the provincial government and independent offices of the legislature, government has indicated an intention to cover the broader public sector in coming years.

To view the full report: https://bcombudsperson.ca/assets/media/Public-Interest-Disclosure-Annual-Report_2019-20.pdf.

-30-

Media contact: Sara Darling | Communications Lead | 778 679 2588