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To: [RSCommittee.Admin](#)
Subject: Written Presentation from the Chair of the Alberta Criminal Code Review Board
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Thank you for the opportunity to make a submission to the Standing Committee on Resource Stewardship regarding the current Alberta Public Interest Disclosure (Whistleblower Protection) Act in Alberta. I commend you for making this possible and being open to amendments to strengthen the legislation.

Revealing governance and corruption issues sometimes comes at a personal cost to whistleblowers, whether it be demotions in their employment or even being fired from their employment or being exposed to civil lawsuits. Whistleblowers protect society and the Government from possible incompetence or corruption.

In my view the Legislation should include others in Alberta who contract with the Government in the private sector. The current legislation does not include all public agencies, health corporations, or private post-secondary institutions. In addition, there needs to be protection to ensure that all Whistleblowers are protected from liability through the Civil Court system. All those who report wrongdoing should be protected. They should not be left open to civil legal action simply for reporting any wrongdoing which in their estimation is reportable.

The legislation should cover all of Alberta's public agencies currently excluded from the Legislation, and private post-secondary institutions that receive government funding. Currently there is no duty to protect those who may complain and when there is a consequence to the complainant as a result of the complaint, the burden of proof is on the Whistleblower.

The Legislation should create a safe environment for employees and others to bring forth allegations of wrongdoing in accountable public sector organizations and professional workplaces. An area of concern

with the current legislation is the lack of protection from civil liability for individuals who disclose wrongdoing or participate in investigations. Gaps in protection from legal repercussions can create anxiety and deter potential Whistleblowers from coming forward. The fear of legal consequences can outweigh the desire to report misconduct, compromising the effectiveness of the Legislation's accountability mechanisms.

Confidentiality of those who are Whistleblowers must be protected. If confidentiality is not protected, then this serves as a barrier to reporting.

A safe reporting environment must be ensured. Those who are not employees or those who are former employees are not currently protected under the Legislation and they should be provided with protection. If those who are not employees or former employees are included in the Legislation, any form of retaliation should be considered to be inappropriate, whether it is related to employment or not.

In summary, after a review of the Alberta Public Interest Disclosure (Whistleblower Protection) Act, there are my comments. If there is anything further that is required, please contact me at your convenience. I appreciate the opportunity to make this submission.

Thank you.

Gerald C. Hawranik, K.C.

Chairperson for the Alberta Criminal Code Review Board

