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MEDIA RELEASE

Making it easier to blow the whistle

Whistleblowers report wrongdoing in their workplaces. In many cases corruption, maladministration and waste wouldn't come to light without whistleblowers speaking up. It's important to have a culture that encourages and supports whistleblowers to build trust in the public sector.

A Parliamentary Committee has looked at NSW whistleblower legislation and found that while it works well overall, there is room for improvement. The Committee has made 38 recommendations to improve the legislation.

"The changes we've recommended aim to make the Act simpler and improve protections for whistleblowers", said Lee Evans MP, Chair of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission.

"With these changes, our system will give better protection to public sector whistleblowers."

The Public Interest Disclosures Act provides reporting pathways to public servants, gives protections to whistleblowers and creates a framework for managing disclosures.

"Looking at the disclosure process we found gaps, which mean that people who report wrongdoing to the wrong agency miss out on protection. To fix this, we supported a change to allow protection for misdirected disclosures", Mr Evans explained.

"We've also recommended that people who become aware of wrongdoing but aren't covered by the Act - like former public servants - can be deemed to be a public servant in some cases."

The Committee found that protections could be improved to better support whistleblowers and stop reprisals.

Mr Evans said that "there should be an emphasis on preventing retaliation against whistleblowers. Agencies should assess the risk of detrimental action and tell the Ombudsman about any instances, so they can get help with handling these cases."

"We also found that the bar for proving detrimental action is too high. At the moment, prosecutions are unlikely to succeed", Mr Evans added.

The Committee concluded that whistleblowers should be able to claim for exemplary damages as compensation if they are found to have suffered detrimental action.

The NSW Government has six months to respond to the Committee's recommendations.

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