

INQUIRY INTO PROTECTION OF PUBLIC SECTOR WHISTLEBLOWER EMPLOYEES

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INQUIRY COMMITTEE

- 7 MAY 2009

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New South Wales Government

Department of Premier and Cabinet

- 6 MAY 2009

Mr Frank Terenzini MP
Chair
Committee on the Independent Commission Against Corruption
Parliament House
Macquarie St
Sydney NSW 2000

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Dear Mr Terenzini

INQUIRY INTO THE PROTECTED DISCLOSURES ACT

Thank you for inviting the Premier to make a submission to the Committee in response to its recent Discussion Paper.

On behalf of the Premier, this Department has reviewed with interest the proposals in the Paper for possible changes to the *Protected Disclosures Act* ('the Act'). The Department has also been reviewing the recent report of the Legal and Constitutional Affairs Committee into whistleblower protection in the Australian public sector, as well as the 2008 report of the Griffith University review of whistleblower laws.

The Act is an important part of the suite of NSW legislation designed to promote accountability and transparency in public administration. As the Premier has previously advised the Committee, the Government will carefully consider any recommendations for reform in the Committee's final report.

The Government is also conscious, however, that there may be advantages - for both whistleblowers and the public sector - that flow from greater consistency between Australian jurisdictions. Some NSW agencies may wish to provide specific information to the Committee about their particular experience of managing protected disclosures. The Department looks forward, however, to considering the Committee's final recommendations, together with any response to the recent Commonwealth developments in this area, before a final Government position is adopted on the options for improving whistleblower protection in the NSW public sector.

Thank you again for the invitation to participate in the Committee's review.

Yours sincerely

A handwritten signature in blue ink, consisting of a series of fluid, connected loops and a long horizontal stroke at the end.

Leigh Sanderson
Deputy Director General (General Counsel)