

**INQUIRY INTO PROTECTION OF PUBLIC SECTOR
WHISTLEBLOWER EMPLOYEES**

Organisation:

Name: Suppressed by resolution of the Committee

Telephone:

Date received: 6/05/2009

Partially Confidential

Committee on the Independent Commission Against Corruption

Dear Committee

Inquiry into the protection of public sector whistleblower employees

I wish to take up the Committee's invitation to comment on the proposals contained in the Discussion Paper.

It is my opinion that the report succeeds in highlighting how the current protection available to Public Sector whistleblower employees in NSW does not work. At best it is unsatisfactory and is completely dysfunctional.

While the frameworks seem to be in place eg. The Protected Disclosures Act stipulates in Section 20 & 21, that protection against reprisals or detrimental action exists, with various penalties listed etc, that seems to be where the process stalls.

The revelation contained within the Discussion Paper in Chapter 4.41, that not a single prosecution for detrimental action has ever been successful is staggering.

This is overwhelming proof that the PDA, with all its well-meaning promotion and armoury is but a sad, old toothless tiger.

This is why many bureaucrats within various NSW Government Departments and Local Councils, treat the law with such disdain.

They know only too well that they are untouchable and many act above the law. They are aware that it's most unlikely they become the first successful prosecution victim.

A quick search on the Internet reveals numerous examples of cases that highlight the extent of various degrees of detrimental actions that fellow Whistleblowers have had to endure.

The whistleblower is often isolated, but still the agencies give the impression that it's expected that the person still function normally, and the person receives little or no feedback on the complaints progress.

That is why I fully support Proposal 15's sentiment.

I also believe Proposal 7 deserves investigation. Perpetrators should be punished regardless of their rank or standing in the community. Victims deserve compensation, and I would pursue that option if it were available.

I don't think the Committee or the general public quite understand the impact that the detrimental action that is inflicted after whistleblowing, has on the person or those around them.

It makes people ill.

It changes people's lives forever.

Some people take their own lives.

Some lose everything they own.

Marriages disintegrate, families are disrupted.

Children suffer.

The list goes on.

This Inquiry MUST convince the NSW Gov't that things must change.

People who legitimately whistleblow MUST be protected.

The present situation is an embarrassment to our Democratic system.

Finally I wish to add a final comment.

I believe the average Australian and their mindset actually abhors people who 'dob', and that's basically what whistleblowing crudely is.

Deep down our society doesn't approve of the idea of dobbing on others. It's a deep-rooted feeling that is nearly bred into our conscience.

I propose that similar to the Anti-Bullying programs that are now prevalent in our children's Education Curriculum, that research be done into a similar scheme exploring the subject of Whistleblowing, and that it be introduced to the younger members of our community.

Thanks for the opportunity to contribute to the debate.

Yours Sincerely,