

WHISTLEBLOWERS AUSTRALIA INCORPORATED

NSW BRANCH

P.O. BOX 269, Gladesville, NSW 2111



"All it needs for evil to prosper is for people of goodwill to do nothing" - E. Bourke.

NEWSLETTER, APRIL 1995

MEETING TIMES

"Sharing and Caring" meetings are on every Monday, from 7.00 p.m.

The next General Meeting is on Sunday, 7 May at 1.30 p.m.

The next Committee meeting is on Thursday, 18 May at 7.00 p.m.

All meetings are held at the Presbyterian Church Hall, Campbell Street, Balmain. **NOTE** - if we are not in the Main Hall, we are in the room at the back, up the wooden staircase. Also, we have changed the time of the Monday night meeting to start at 7.00 pm, although it doesn't matter at all if you are late.

LETTER FROM THE NSW PRESIDENT

Hi Everyone,

At the last General Meeting Geoff Marr gave us a talk to update us on his experiences (he originally came to speak to us last October about his battles with Telecom). Geoff's experience has been that, providing a WB can take a matter into a proper court of law, justice will be served by the judiciary. As we all know, this can pose tremendous problems given that most WBs have little or no experience with the legal system. Many WBs have had poor experiences with solicitors and, also, high legal costs have often made pursuing legal remedies impossible. Geoff avoided many costs by bravely and successfully representing himself in court, which has caused a bit of a stir in the legal profession. It just goes to show that this can be done, if you are determined enough and persevere.

Frank Nejad also spoke at some length about the problems he had experienced with trying to get his matter into court and problems with getting legal aid. I hope that one day the Association will be able to provide more advice in this area and this is something that the WB Committee is looking towards.

A few Whistleblowers have court cases and other forms of inquiry coming up in the next few months. They have said that they would appreciate any "supporters" coming along. If anyone has a few hours to spare on weekdays and is interested in showing their support by sitting in public galleries, please call Debbie Locke for times and dates.

Apologies to any WB who turned up for the last General Meeting and could not find us. The main Hall of the Church had been booked to someone else and as this may occur again, please look for us in the room at the back of the Hall.

Apologies also for an error in the last Newsletter regarding harassing phone calls. I have since been informed that, in order for calls to be traced, a person has to make a request to the police, who then arrange for a "malicious call trace". One WB contacted us and described the "tracing" process to be so complicated, disruptive and useless that he did not recommend bothering. Although the police knew where the calls were coming from, they refused to advise the WB concerned, so no action was ever taken. Again, the Committee hopes to be able to follow this up in the future.

Finally, I would like to thank Jim Regan for agreeing to be Secretary of the Association, a position which we have been trying to fill for some time. Jim has only recently become involved with WB's and has many new ideas for the future.

See you at the next meeting,

Regards, Bob Amato, NSW President

NEWS FROM THE NATIONAL PRESIDENT

At the last General Meeting, Jean Lennane, our National President, updated us as follows:

The National Committee has agreed to hold the National Annual General Meeting in Sydney, at the Church Hall in Balmain, during the weekend of the 29/30 July 1995. All members and supporters are welcome and this is a golden opportunity for people to meet WB's from other states and from the National body. Jack King is currently formulating the Agenda for this meeting. If anyone has ideas about any subject matter they wish to see addressed at the meeting, please let Bob Amato know.

Stan Karpinsky has virtually completed compiling the results of the ICAC questionnaires. We now have to make a decision as to what to do with them, i.e.: whether they should be submitted to the ICAC, with the hope that they will take action on them; or whether this is a lost cause and more could be achieved by publishing the results in some other forum. A couple of interesting points noted were that: (1) no person who was alleging possible criminal activity was referred by the ICAC to the police, and (2) no person was referred to the ICAC's "Internal Security Section" for an assessment of any risk to them as a result of any breach of confidentiality. Of those people who completed the Questionnaire, 100% were, in general, very dissatisfied with the ICAC, although the sample was obviously biased.

(At the meeting, we discussed the question, "do the ICAC have any satisfied customers?") This is a question the Committee is considering further.

A letter has been received from the NSW Council of Civil Liberties who have expressed support for WBs.

Dr. Bill de Maria, at Queensland University, is undertaking research into the Public Interest Disclosure Laws in Australia and New Zealand. He has drafted a report in which he has basically concluded, not surprisingly, that legislation, and political will, is a long way off what is required to protect WBs and/or to compensate WBs for any loss or disadvantage which they have incurred as a result of their WB activities. He is in the process of writing two books, one on Whistleblowers and the Law, and one on the impact on families of Whistleblowing.

Bill has also written two other books called "Wounded Worker" and "Un-shielding the Shadow Culture", which can be obtained at a cost of \$10 each, from W.A.G., P.O.Box 2080, Ashgrove, QLD 4060.

Jean Lennane has suggested that it would be extremely useful if all WBs could prepare a brief "potted history" of their experiences, which would greatly assist any research which is to be undertaken and will help to identify the common problems which the Association wants to address better in the future, by increasing awareness and changing public perception and legislation.

FUNDING, MEMBERSHIP, ETC

Although the National Executive of WBA, in exceptional circumstances, can waive membership fees for people who are not in a position to pay, we urge those who can afford the \$25 membership fee to send this in with an application form. Application Forms can be obtained from Vince Neary, the National Treasurer, on 02-449 6370.

Currently the Committee is discussing various fund-raising propositions, including a fund raising dinner and the possibility of WBA providing guest speakers at Service Clubs. This will take a lot of organising, but could be very successful. If any one has any ideas about this (venue, speakers, fund raising) suggestions and offers of assistance would be very welcome.

If anyone has any other ideas for increasing our membership, or for raising funding for the Association, please call Lesley Pinson.

NEXT GENERAL MEETING

At the next General Meeting we intend to have another "Problem solving" session to follow up on the work which was organised by Charles Willock at the meeting in January. The problems to be solved are many and varied, so as many brains as possible will be welcome to further some of these ideas.

SHARING AND CARING MEETINGS

The Monday night meetings give you the opportunity to talk about your trauma or case and can be very good therapy. We have also been using this time to discuss how we can better handle our cases, sharing useful tips and ideas.

COMMITTEE MEETINGS

At the last Committee Meeting we discussed the usual problems of lack of funding, time and resources and we desperately need more "active members". We would appreciate any offers of assistance and input at the committee meetings.

SOCIAL ACTIVITIES

In the last Newsletter, we advised of another lunch at Sizzlers on Sunday 16 April, not realising that this was Easter Sunday and probably not the best day to arrange something. None the less, 10 people turned up and had a very merry time. We will remember to check our dates better in future!

Ed Spiteri and his wife, Anne, have kindly offered their home and garden for a Barbeque on Sunday 21 May, at 12.00 pm. The address is 28, Edward Bennett Drive, Cherrybrook. BYO meat and drinks, and if you can bring a salad or dessert, this would be most appreciated. Please call Debbie Locke if you are coming so that we can cater for the right numbers.

LETTERS AND CONTRIBUTIONS

We would like to hear news and views from other WBs and branches, and welcome contributions to our newsletter. A copy of this Newsletter is sent to WB Committee members in each state and territory with the hope that each will keep us informed about what is going on in their neck of the woods.

The Ethics of Whistleblowing

I became interested in Whistleblowers as a scientist who was concerned about the lack of a well defined code of ethical behaviour for scientists. I was encouraged by the code of ethics of the Australian Institute of Engineers which states as its first clause that "The responsibility of engineers for the welfare, health and safety of the community shall at all times come before their responsibilities to the profession, to sectional or private interests, or to other engineers". The fact that this is the very first clause of their code of conduct suggests that they would take it extremely seriously, and if you asked one of the executive members of the institute you would no doubt be assured that that was true.

Yet we know from the experience of Whistleblowers that in many cases when matters of public health and safety are brought to light, the professional institutes offer little or no support to the whistleblower. The reason is that the whistleblower is almost always going to be criticising other members of the profession, and even though that is specifically foreseen and catered for in the code, it will be the protection of the other members of the profession which the Institute will see as its primary responsibility.

I don't want to confine this to engineers, because the other scientific bodies are probably even worse, since they either don't have, or are only just considering, this sort of clause in their code of ethics. What is needed is an approach where the only criterion the whistleblower has to face is the genuineness (not correctness) of the perceived complaint. If it is neither trivial nor merely vindictive, then the professional institute should support the whistleblower in seeking the proper enquiry. Even if the result goes against the whistleblower, an ethical professional institute would then concentrate its attention on rehabilitating the whistleblower, not encouraging the victimisation, as seems so often to be the case.

I would like to see the day when a professional society would routinely offer a prize or reward for whistleblowing. A "Whistleblower of the Year" Award would really turn the ethos around.

From Bob Hunter, our Treasurer

Editor's Note An award like this is something the committee will give some thoughts to and comments from readers are welcome. Any nominations from our readers?

OTHER NEWS

Kay Maisey is in the process of writing a book on the trauma experienced by people who have suffered abuse at the hands of health care professionals. She is a member of a growing voluntary organisation called STAMP (Sexual Trauma and Abuse by Medical Practitioners and allied therapists) which provides support to people who have had such an experience. If anyone is interested in contacting them, Kay can be reached on 09 483 5855. A similar organisation in Sydney is called Advocates for Survivors of Abuse in Therapy - write to P.O. Box 934, Leichhardt, NSW 2040.

Over the last few weeks, Debbie Locke, Lesley Pinson and Bob Amato have been going through our database and contacting people, basically to make contact, to check details and to make sure people are still interested in being involved and in receiving the newsletter. So far the continued interest, enthusiasm and support for the Association is overwhelmingly positive.

Lots of offers of support were made in terms of time and office facilities (thanks Frank and Christine), contributions of articles (in the post, maybe?) and assistance with sending out the newsletter (thanks Ann). A couple of people have mentioned donations which will be greatly appreciated, and Patrick G'Sullivan, a legal practitioner, has kindly said that he is more than willing to talk to anyone with legal problems, not to give legal advice as such, but to run over things on an informal basis. A second or third opinion always helps. Patrick can be reached on 02 283 1400.

Lots of ideas and suggestions have been made and noted and will be acted on as time and resources permit. An increasingly larger concern is for the many WBs who live out of the Central Sydney area, and we are trying to put more people in contact with each other. One suggestion to people who can't get to the meetings in Sydney is that, if they are keen to get together with other WBs in their area, it would be worth putting an advert in a local newspaper to see if there is any response and interest in setting up a local branch. Many local papers advertise community and charitable events and meetings for free. There is always a risk, if you put your phone number in the paper, of getting the odd crank call. However, as it would be a worthwhile exercise for increasing the awareness of the general public about WB issues, and in putting WBs in contact with each other, the risk of crank call should be out weighed by the potential benefits.

There are other organisations which pursue similar objectives to the WBA, which members may be interested in contacting. The Free Speech Committee (whose aims are to promote freedom of expression and information) contact Dinah after hours on 02 389 4009.

Justice Action, a group who produce an interesting quarterly magazine and hold meetings on the first and third Wednesday of each month at 6.30 pm, on the 3rd Floor, 391 Sussex St., Sydney.

Network for Intellectual Dissent in Australia who bring together individuals who have experienced or are concerned about suppression of intellectual dissent.

For further information about any of the organisations, contact Lesley Pinson.

COMMITTEE MEMBERS

NSW President	Bob Amato	0412 972 900
NSW Secretary	Jim Regan	016 288 920
Treasurer	Bob Hunter	02 427 6261
Social Organiser	Debbie Locke	02 810 3526
Media Liaison	Charles Willock	02 411 4420
Newsletter	Lesley Pinson	02 365 1723

Any member interested in joining or assisting the committee would be very welcome.