

“All that is needed for evil to prosper is for people of good will to do nothing”—Edmund Burke

The



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Toni Hoffman, whistleblower (see page 2)

Life-saving nurse “treated like a leper”

Hedley Thomas

The Australian

16 December 2011, p. 3

THE senior nurse who put her career on the line to expose killer surgeon Jayant Patel in one of Australia's worst medical disasters revealed yesterday how Queensland Health and the Bligh government had treated her “like a leper” since she blew the whistle.



Toni Hoffman

Toni Hoffman told *The Australian* that her career, health and psychiatric wellbeing were now severely affected because bureaucrats and successive ministers caused her to be increasingly shunned and ostracised in the six years since the debacle was exposed.

She said doctors who resented her for raising the alarm about a fellow clinician had undermined and ridiculed her.

Ms Hoffman, whose serious complaints about Dr Patel were largely ignored for two years by management at Bundaberg Hospital, issued a plea to Premier Anna Bligh to personally examine “the way I’ve been treated the past six years for trying to do the right thing for the patients”. “I do not regret raising the concerns about Dr Patel because patients were dying, and I think about them all the time, but

Queensland Health wants me to feel guilty — they ostracise me, treat me like a leper and want me out,” Ms Hoffman said yesterday.

“The truth is I haven’t coped. I need support but my employer wants to punish me. But I’m not going to let them wreck my life and my career after I did the right thing. I’m not going away. But people need to know that the bureaucracy is just out of control. Its culture is sick.”

Ms Hoffman’s outspokenness comes at an acutely difficult time for Ms Bligh as she struggles to manage fallout from a new crisis in Queensland Health, following the alleged \$16 million embezzlement by Joel Morehu-Barlow, in the lead-up to a state election tipped for late February.

The head of a royal commission-style inquiry, former Supreme Court judge Geoff Davies QC, lauded Ms Hoffman as a hero in late 2005. He found her care, passion and courage were key in bringing to light a disaster, that led to at least 13 deaths and injuries to dozens of patients.

But Ms Hoffman, whose lawyers Maurice Blackburn this week launched a District Court action seeking \$500,000 in compensation, said she was now treated by Queensland Health and its corporate chiefs as “the untrustworthy nurse who embarrassed us all”. Legal documents filed by Maurice Blackburn accuse Queensland Health of gross negligence in failing to care for Ms Hoffman over several years of extreme stress. The firm’s Brisbane partner, Peter Koutsoukis, said: “The message she constantly gets is ‘we do not want you in our organisation’. They have treated her abysmally even though she ... saved lives.”

Her solicitor Sugath Wijedoru said: “Their conduct shows a complete lack of respect and appreciation for the extraordinary things Toni Hoffman has done.”

Ms Hoffman said she still suffered trauma over the deaths and injuries of patients despite her repeated attempts to force management to stop Patel from operating.

She said Queensland Health had compounded the damage in its treat-

ment of her after a Google search had revealed Patel was a struck-off, grossly negligent surgeon in the US whose past had not been checked. Her employer rejected her repeated requests for specialised counselling.

Ms Hoffman, who received the Order of Australia medal and Local Hero recognition in 2006, said she was threatened with “performance management” and left in no doubt that her career was at a standstill or worse.

Bligh’s “concern” for Patel exposé

Hedley Thomas

The Weekend Australian, 17–18

December 2011, p. 2

PREMIER Anna Bligh expressed concern yesterday for the senior nurse who has resorted to legal action against her employer, Queensland Health, for allegedly treating her appallingly since she exposed killer surgeon Jayant Patel.

Ms Bligh described Toni Hoffman, who leads the intensive care unit at Bundaberg Base Hospital, as an outstanding Queenslander who “has done us all a great service by whistleblowing on an important case.”

“I have nothing but admiration for Toni Hoffman,” she said. Ms Bligh has pledged to personally examine the circumstances surrounding Ms Hoffman’s complaints that she has been “treated like a leper.”

“Ms Hoffman is entitled to take further legal action and I’ll certainly be looking more into this matter,” she said.

But correspondence obtained by *The Weekend Australian* yesterday shows Ms Hoffman repeatedly pleaded with ministers in the Bligh government, Ms Bligh herself, and senior bureaucrats for help in coping with the stress arising from the Patel case and his criminal trial.

In one of Ms Hoffman’s letters to Ms Bligh and then health minister Stephen Robertson, she described her plight: “The return of Dr Patel to Australia, whilst of course welcomed by me, has caused me severe anxiety

and trauma. I was surprised myself by the intensity of the physical symptoms which have occurred. The main issues are anxiety and debilitating insomnia which I find the most distressing.

“It pains me to detail these personal issues to you both, as I am sure you don’t want to hear them. I feel embarrassed to ask your office for assistance, but I do believe that this is work-related and I deserve to be treated like others who have required extended time off.”

Her affidavit states that she received no reply to another letter last year in which she sought Ms Bligh’s help because she could not cope with her hours and the stress over Patel. She said she had sought help from the then Queensland Health director-general, Mick Reid, and told him of her health problems but he did not reply.

Her request for paid leave during Patel’s criminal trial was rejected, forcing her to use her holidays on days when she was not giving evidence.

The final report of the inquiry led by Geoff Davies QC stated: “It was her courage and persistence which, in the face of inaction and even resistance, brought the scandalous conduct of Dr Patel to light.”

Ms Hoffman said that while her role in exposing Patel led to numerous requests to speak at medical and nursing conferences, Queensland Health, which was found by the inquiry to have been plagued by a “culture of concealment”, pressured organisers to cancel such engagements.

Additional reporting: Rosanne Barrett

What Queensland Health bureaucrats don’t want you to see

Rob Messenger MP
Media release, 13 December 2011

INDEPENDENT Member for Burnett Rob Messenger has launched, for the first time, the “Suffering in Silence” documentary free to the web, so that all Australians can see just how dysfunctional Queensland Health and the Crime and Misconduct Commission have become.

Speaking from the Bundaberg Base Hospital today, Mr Messenger, along

with Pregnancy and Birth Protection Network Spokeswoman Ursula Holzberger, launched the online documentary at www.robmessenger.com.

Mr Messenger said that “Suffering in Silence” was essential viewing for not only residents of the Bundaberg-Burnett region, but for all Australians and health professionals. “This is a movie that Queensland Health bureaucrats, Labor and LNP [Liberal National Party] don’t want you to see,” Mr Messenger said.

“The 47-minute film reveals the harrowing experiences suffered by five women and one nurse whistleblower. It uncovers incompetence, fraud, waste, systemic failures and corruption which was ignored by both the CMC and Queensland Health bureaucrats,” he said.

The film, shot on location in Bundaberg, six years after the Patel crisis, shows the entrenched, systemic failures in Queensland Health, including understaffing, under-resourcing and inadequate monitoring and supervision of overseas trained doctors.

Both the patients and the nurse whistleblower, Christine Cameron, give practical examples of how health bureaucrats cover up complaints and patients are silenced. It also shows how the CMC turned a blind eye to a nurse whistleblower’s serious allegations of fraud.

Mr Messenger said that Queenslanders were sick and tired of hearing about serious allegations that are sent to the CMC for investigation, only to have the CMC refer the allegations back to the agency that had been complicit in the first instance.

“With the launch of this documentary, people will now be able to witness what really goes on — and make their own minds up about the entrenched failures in the official patient complaints system and how incompetent doctors’ mistakes are covered up and patients are silenced. It should send a shiver down the spine of every Queenslander when they discover how both the HQCC [Health Quality and Complaints Commission] and AHPRA [Australian Health Practitioner Regulation Agency] have failed to protect patients from incompetent doctors,” he said.

Mr Messenger said that when this documentary was first shown, that

Queensland Health bureaucrats were so frightened by the content of this film they worked with nurses union officials to plan protests and pickets to prevent the public from seeing the truth of what was happening at the Bundaberg Base Hospital.

“I’m expecting the same again, but I will not be silenced by corrupt and negligent individuals who would prefer to see these types of allegations being swept under the carpet for fear of embarrassing the Minister and Queensland Health fat cats,” Mr Messenger said.

“I make no apology for putting the health and wellbeing of my constituents above everything else.” Sunshine is the best disinfectant — and I encourage everyone to log on to my website, download “Suffering in Silence” (for free) and to see for themselves what is really going on,” he said.

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Rob and Ursula at the 13 December media conference outside the Bundaberg Base Hospital

Why doctors don’t blow the whistle

Phil Hammond
Blog, “Medicine balls”
12 December 2011

ON December 7, the Health Select Committee will hold an evidence session on professional responsibility of healthcare practitioners. One of the

big questions coming out of the Mid Staffs inquiry is the apparent lack of whistleblowers, and committee chair (and former health secretary) Stephen Dorrell has put pressure on the GMC [General Medical Council, UK] and NMC [National Medical Council] by reminding them — and the doctors and nurses they regulate — that we have a professional duty to speak up when we encounter unacceptably poor standards of care, and that failing to do so should result in sanction and perhaps even striking off.

This is nothing new — the GMC's guidance obliging doctors to speak up came in after the Bristol heart scandal a decade ago, and the Public Interest Disclosure Act 1998 (PIDA) entitles whistleblowers who are persecuted for speaking up to unlimited damages at an employment tribunal. So why — when standards of care were so poor at Mid Staffs — were doctors and nurses not shouting about it from the rooftops?



Phil Hammond

Whistleblowing is never easy but — having studied and supported whistleblowers for twenty years and tried it a few times myself — I'm shocked at how hard it still is to do in the NHS [National Health Service, UK]. Healthcare is unique amongst industries in that it causes significant harm alongside huge benefits. A decade ago, a number of studies in many countries found that around 1 in 10 patients are harmed by hospital care, and as medicine gets more complex the risk of harm becomes greater. The working conditions in the NHS are seldom ideal with inexperienced, unsupervised staff muddling their way through, particularly out of hours. All of us have been in situations where our actions have, or may have, harmed patients and the gut reaction to observing substandard care is often (a) there for the grace of God go I or (b) it happens all over the NHS,

all the time, so why blow the whistle here?

Since the Bristol heart inquiry, all NHS employers are supposed to have clear whistleblowing policies but the reality remains that anyone who speaks up — particularly if it goes against government targets or policy, or causes political or financial embarrassment — is viewed as a trouble maker rather than a force for good. The NHS is a monopoly employer and any employee who goes public with safety concerns can find it hard to get work elsewhere. Whistleblowers are often counter-smearred, suspended on spurious grounds, referred to the GMC for psychological reasons, isolated from their friends and repeatedly fobbed off in their attempts to get the NHS to release information to help them prove their case. Their battle for justice can drag on for years while they face career and financial ruin. Unsurprisingly, many end up leaving their employment, accepting a pay off in return for signing a gagging clause that prevents them from ever making their safety concerns public.

Such gags are theoretically void under PIDA, but their use is still widespread in the NHS and individuals seldom have the financial clout or mental strength to take on the might of the NHS legal machine. Consultant surgeon Ramon Niekraash was suspended from Queen Elizabeth Hospital, Woolwich for 10 weeks after raising concerns about the impact that closing a urology ward was having on patient care. The tribunal found in his favour but left him with a £160,000 legal bill. Hardly an incentive to speak up.

Obliging doctors and nurses to blow the whistle without a commensurate obligation on NHS managers to listen and act on those concerns is one-sided and unworkable. What's needed is a change of culture that frees up front line staff both to innovate when they can see ways to improve care and to speak up when patients are being put at risk. As GPs take on commissioning roles in a deeply over-stretched NHS, we may find themselves at times needing to blow the whistle and to respond to whistleblowers in services we are commissioning from.

It's a huge responsibility and a huge change of culture for many. Less than

1% of the significant events and near misses reported to the National Patient Safety Agency came from general practice and nearly all of those from nurses. GPs traditionally like to keep problems in house but in future consortia will have to share all their data, monitor each other and pick up problems swiftly before they turn into disasters. The days of isolating and smearing intensely ethical individuals who raise concerns have to end, and it's up to doctors to lead that cultural change. So put a sign on your door now. Whistleblowers welcome here.

Why sources must be protected

Editorial [extracts]
Sydney Morning Herald
19 December 2011, p. 8

LAST week's police raid in Melbourne on the Fairfax newspaper *The Age*, and the current federal government inquiry into the future of print journalism, are reminders of the adage: "News is what somebody wants suppressed; everything else is advertising." More specifically, they should focus attention on the crucial role of whistleblowers in making it possible for investigative reporters to disclose wrongdoings, follies, corruption or unethical practices in the government and private sectors — and on reporters' reciprocal obligation not to divulge these confidential sources. ...

On Thursday night, the Supreme Court prevented police from removing the three journalists' personal computers from [*The Age's*] office. The paper provided police with access and assistance to inspect the relevant files on its premises. ...

The Age's editor-in-chief, Paul Ramadge, told the court the computers that the police wanted to take away contained much highly confidential information from many sources, much of it outside the scope of this investigation. If the sources for this or other stories were revealed, even inadvertently, the consequences would be dire, not just for the whistleblowers, but for public-interest journalism. That would be a tragedy for democracy.

WBA conference and AGM

Whistleblowers Australia conference

Sydney, 19 November 2011

Notes by Brian Martin

The conference was held in North Parramatta, in the conference centre of the Uniting Church Ministry. Cynthia Kardell, president of Whistleblowers Australia, chaired the proceedings.

Robina Cosser told about the artwork initiative for the conference: everyone was invited to use documents from their whistleblowing cases to prepare some sort of collage or display that expresses their experiences through images and text. These artworks were prepared later in the day.

Cynthia introduced the first session by noting that 20 years ago, when WBA was established, few people knew much about whistleblowing. Things have changed. One sign is the establishment of a dedicated unit to support whistleblowing, within the NSW Ombudsman's office: the Public Interest Disclosures (PID) Unit. This is something along the lines of what whistleblowers have been advocating for many years — though it is not guaranteed to satisfy all expectations. The new unit does indicate a change in thinking. Cynthia also noted the importance of WikiLeaks, providing a new option for making disclosures.

The first speaker was **Chris O'Mallon**, manager of the NSW PID Unit. He started by saying he has seen some of the worst aspects of human behaviour — but also some of the best. He said that he cannot change the terrible things that had happened to people, but he did hope to be able to use information to reduce problems in the future. The PID Unit has to remain impartial: it doesn't advocate for those who make reports, nor the organisations reports are made about.

Chris referred to an article in the July issue of *The Whistle* on "The practice and politics of leaking" (by Kathryn Flynn). The article presents two options for making disclosures: whistleblowing (speaking out, with identity revealed) and leaking (providing documents to the media or

activists, while remaining anonymous). There is a third option: using the PID Unit.

There are two strong emotions relevant to disclosures: fear and trust. Employees like to work in organisations where they trust their bosses; this means disclosures are more likely to be made internally. When employees see wrongdoing but make no report, the most common reason is that they don't think anything will be done about it: they lack trust in their superiors to act. The ideal, from the PID Unit perspective, is that workers should be able to make reports and not worry about reprisals (no fear) and know that their reports will be dealt with conscientiously and expeditiously (trust in management). The key is cultural change in organisations.

Chris gave a brief background to the present situation, including the "Whistling While They Work" research project led by AJ Brown and the various amendments to the PID law in NSW. For 15 years, NSW senior public servants have had an obligation in their contract to make workers aware of PID processes, but only one acknowledged knowing this — so the PID Unit has a plan to ensure that these obligations are fulfilled. The PID Unit has many other plans — most related to cultural change in organisations.



Chris O'Mallon, Cynthia Kardell and David Shoebridge at the conference

Photo: Debbie Locke

In question time, Gillian Sneddon asked whether there was a problem in relation to disclosures about the NSW parliament, given that the PID Unit is funded by parliament. Chris said that the Ombudsman would proceed without fear or favour, reporting to parliament as a whole and not an individual.

A questioner asked about disclosures about government policy. Chris said they are not covered by the Ombudsman's Act — and he can't advise about alternative methods (such as leaking). In response to another question, Chris emphasised that the Ombudsman cannot advocate for individuals: the office deals with systems. Feliks Perera asked about organisational rules that workers must report internally; Chris said that the NSW Act overruled any such rules.

David Shoebridge, the next speaker, is a Greens member of the upper house in the NSW parliament. He began by saying that a by-election, being held on the very day of the conference, was triggered by a whistleblower: a parliamentarian's staff member planned to reveal that she had been pressured to sign a false statutory declaration, leading the parliamentarian to resign.



David Shoebridge

David described the incredible power of the NSW Crime Commission: it can wiretap your home and never have to tell you. The NSW Police Integrity Commission found out about Crime Commission deals with organised criminals. The only way people learned about this was through stories by *Sydney Morning Herald* journalists — and these journalists relied on whistleblowers. The Crime Commission didn't like this, and subpoenaed the journalists' phone records. If this had been allowed to proceed, the whistleblowers would have been exposed. This shows that NSW needs shield laws, so that journalists cannot be compelled to reveal their sources, unless there is some compelling public interest involved. Journalists need this sort of protection, otherwise potential whistleblowers are discouraged. There-

fore David proposed a shield bill. The NSW government then proposed its own copycat bill, which was passed into legislation. It is a worthwhile bill, but there is crucial difference from David's bill: the government's bill only protects professional journalists, and doesn't protect, for example, bloggers (who are apparently treated by the government as equivalent to terrorists!).

David mentioned that in his previous life as a barrister, he had defended a couple of whistleblowers. This made him realise how difficult it was for those working in government or private enterprise to speak out. For him, as a politician, speaking out was part of the job. For others, it involved greater courage.

In response to a question, David said that opposition political parties love whistleblowers but when the same parties are in government, they hate whistleblowers, because they just cause trouble for those in power.

Following morning tea, **Suelette Dreyfus**, from the University of Melbourne and a former journalist, chaired a session with **John Thompson**, formerly of the Australian Broadcasting Corporation and now with the NSW police media unit, **Belinda Hawkins** of the ABC's "Australian Story" and **Fanou Falili** of SBS Insight. Suelette began by asking Fanou about whether Australians had a special antagonism to dobbing. Fanou distinguished between dobbing and whistleblowing. Contrary to common thinking, she said, dobbing is quite institutionalised in Australia, for example about immigration or taxation, in a way that would be seen as abhorrent in France, with its memories of collaboration with the Nazis. Dobbing is much safer — it's anonymous. Fanou said that whistleblowers, when speaking to journalists, should give as little personal information as possible.

Belinda gave a different perspective. On "Australian Story," the journalists are in the background: the protagonist, called the "talent," provides the text. There's no way to provide such a story without being public. An anonymous whistleblower has much less punch on television. Simon Illingworth, a police whistleblower, met with Belinda for quite

some time before they trusted each other. (See his book *Filthy Rat*, reviewed in the January 2007 issue of *The Whistle*.) The story had a tremendous impact, but Illingworth could not maintain his career. Trust between journalist and whistleblower was crucial.

Fanou agreed that for this sort of story, being public is valuable. But for other sorts of stories — such as her panel on hactivism (which refers to hacking and other online activism), which was more about the issues than the individuals — remaining anonymous is sensible.

John said the relationship between a journalist and source will always remain important. Leaked documents do have an impact, but the impact can be increased through coverage in the mass media. Journalists need to make sense of information received; talking to individuals enables perspective to be gained.

Suelette commented from the point of view of a print journalist. She said, "Telling the truth has rarely been popular." Whistleblowers desire some acknowledgement. There are commonalities between popular protest (such as the Occupy movement, in which protesters have come under attack) and whistleblowers. One thing that happens is that when people tell the truth in the face of power, those who speak and act suddenly see the world in a completely different way. After people tell the truth, their opponents put a lot of effort into trying to discredit them. The Occupy protests have largely been ignored by the mass media, but have been reported extensively on social media. Whistleblowers played an important early role in facilitating protests.



Fanou Falili, Belinda Hawkins, Suelette Dreyfus and John Thompson
Photo: Debbie Locke

Suelette's next question was, "Has going to the media helped whistleblowers achieve their goals of righting an injustice?" Fanou said that the outcome has seldom been as strong as hoped. Belinda said that Toni Hoffman (whistleblower at Bundaberg Hospital) had had a significant impact (the hospital's problems were initially exposed in the *Courier-Mail*, and later on "Australian Story"), but few cases have had this impact. The biggest hurdle for whistleblowers is getting their story out in the public in an understandable fashion. Fanou said it was important that people learned that they were not on their own: there are others with similar experiences. John referred to the story in the *Sydney Morning Herald* about nurses at Westmead Hospital. This didn't "change the world," but every bit of effort and publicity makes a difference. An example is the royal commission into the NSW police in the 1990s, which helped improve the situation in the police force.

Suelette asked whether popular opinions about whistleblowing are more favourable than 20 years ago. Belinda said that whistleblowers are often revered by members of the public, while they are hated by members of their own organisation. Individual whistleblowers may not be remembered, but their efforts will be remembered. Fanou said that, compared to other countries, the situation of whistleblowers is not so bad in Australia: laws are not perfect but are improving. In France, there is not even a word for whistleblowing. John referred to the case of Dave Reid (a speaker in the afternoon session). John said that most complaints about NSW police come from other police. This is a sign of improvement, given that, within the police, informing on mates was previously considered the worst possible sin.

Suelette next asked what sort of whistleblower protection was needed at the federal level. Fanou said she couldn't think of any reason against it. Belinda referred again to the Illingworth case. For her, the most attractive story was one involving whistleblowers currently working in the organisation they are questioning, such as Illingworth did, but it is not obvious what sort of protection there could be

that wouldn't mean every organisational secret could be legally revealed. John said that employees have an obligation to employers to protect confidential information and the like, but there also is an obligation to the public to report criminal activity. Even if making disclosures is protected, life afterwards may be made impossible (for example, through ostracism and harassment).

Suelette asked about the implications of new tracking technology. It is now much easier to copy and distribute electronic information, but also easier to discover who leaked it. Belinda said documents are crucial because "Australian Story" receives many calls from people with horrible stories, but it's hard to know how credible they are. It's vital to have both documents and a personal presence to explain the significance of the information. Fanou said that it's becoming more important to be able to understand how to deal with digital information, for example using cybercafes, multiple email accounts and other techniques that make tracking less easy. She has spent hours in chatrooms with people who seek to remain anonymous. There are a number of issues involved in building trust in the electronic environment. Belinda said that some people in Eastern Europe, because of concerns about surveillance, refuse to use email, Skype or phones — so she meets them in person. John noted that new technology makes it possible to get the message out to a lot more people.

Feliks asked the panel why a story involving professors at the University of Queensland had not been covered by the ABC. Belinda said that the processes by which stories are chosen for broadcast are complex, involving resources, competing stories, news values and producer priorities. Suelette commented that social media now provide an alternative outlet. Executive producers for television and radio programmes decide what goes to air: there is no single person who sets priorities. In response to a question about what to do when the mass media continually knock back a proposed story, Fanou said it's useful to find out why the story is rejected, and possibly to make the story more attractive. Belinda suggested learning about what sorts of programmes are broadcast, and

then pitching your story to what is likely to be appealing and, for television, what can be filmed. Providing a human face to the story makes a big difference. She suggested three steps: 1. Find most suitable news outlet. 2. Contact a particular reporter. 3. Provide a one-page outline of the issue.

John said to find the human face to the story — and consult with Cynthia. Fanou said to go ahead and make contact with a journalist even if you haven't decided whether to go public. Belinda also said to go ahead and get in touch with a journalist — through a third person if you want to remain anonymous — because so many stories never make it to air.

Suelette concluded by saying that a story given a significant Twitter distribution gets to more people than does the mass media; in addition, the media keep track of Twitter. Using Twitter means you have more control over the message. Many whistleblowers, having lost their jobs, have no structure of support. Social media like Twitter allow you to set up a personal support system. (Incidentally, this conference session was tweeted as it happened — and we could read the tweets on the screen.)

The next speaker was **Michael Cole**, a whistleblower who worked in Westmead Hospital in Sydney. A version of his talk begins on page 8.



Bronte Locke, Ismet Vardar and Vanessa Locke performing at the conference
Photo: Debbie Locke

WBA — THE FIRST DECADE

After lunch, **Cynthia** introduced a session on the first ten years of Whistleblowers Australia by telling about Jean Lennane's contribution to the organisation.

In the late 1980s, Jean headed the mental health section of Rozelle Hospital in Sydney. Following the

Richmond Report on deinstitutionalising psychiatric institutions, the state government planned to close the institutions but didn't provide adequate support for the people who were moved out. Jean spoke out about this, received some media coverage — and was fired from her job. She set up her own psychiatric practice and continued her social agitation. She became president of Whistleblowers Australia in 1993 and capably steered the organisation, as president or vice-president, over the next 15 years.



Jean Lennane

Sadly, Jean now suffers dementia, and can hardly remember anyone. Cynthia movingly told about making contact with Jean and prompting her into memories of her years with Whistleblowers Australia. Cynthia led the meeting in an appreciation of Jean's contributions over many years.

Debbie Locke told about her experiences in becoming a member of the NSW police, discovering incredible abuses by police, becoming a whistleblower and, years later, helping instigate the Royal Commission into the NSW police. At a crucial stage, Debbie visited Jean Lennane, in her psychiatrist role, who told Debbie "you're a whistleblower".

Debbie testified at the royal commission, the stress contributing to the premature birth of her son, who had serious disabilities. Debbie said she will live her entire life with the consequences of her whistleblowing. Since then, Debbie has written a book, set up a website, given many talks and sup-

ported many whistleblowers. She gave testimony to all whistleblowers.



Debbie and Greg Locke

Debbie's husband, **Greg Locke**, gave a partner's perspective. His advice to whistleblowers was not to put too much pressure on family members, as the intensity of the experience, conveyed through endless stories, can be overwhelming for others. The issues can take up all your time and attention; it's important to take breaks and to enjoy life.

Cynthia next called me to comment on the early years of Whistleblowers Australia. I told first about my experience studying and opposing suppression of dissent, starting in the late 1970s. Then in 1991 Whistleblowers Anonymous — as it was then called — was set up. Two years later I attended an executive meeting of the newly named Whistleblowers Australia; Jean Lennane was the president. At the end of 1995, Jean asked me to become president. At that stage, I thought I knew a lot about the issues, but it seemed that every whistleblower wanted to talk to the president, and before long I had learned more than I ever imagined. The stories became so predictable and my suggestions so repetitious (to me) that I wrote *The Whistleblower's Handbook* so I could refer people to it.

My final comment was that the survival of Whistleblowers Australia is an accomplishment in itself. Our members have divergent political and social beliefs and come from a diversity of occupations; many of them are obstinate, principled and psychologically damaged from their experiences. Holding together a group of such people is challenging — and most worthwhile.

WHISTLEBLOWING TODAY

Dave Reid told his story about being a whistleblower at the Australian Nuclear Science and Technology Organisation (ANSTO). He said his story had many of the same elements as reported by others: he reported on a health and safety issue, was treated badly, with the reprisals leading to him being off work for two years and eventually sacked. He went to a watchdog body, hoping for the best, but it turned out the regulator, rather than being independent, was in bed with ANSTO. The problems at ANSTO — accidents, safety violations — continue. He described ANSTO as having a “fear culture.”

Gillian Sneddon spoke next. The text of her comments begins on page 9.

Max King told the story of Ignác Semmelweis, who in the mid 1800s spoke out about the deaths of women during childbirth which he linked to doctors not cleaning their hands after working with cadavers. He found that the death rate could be dramatically reduced by the simple measure of doctors sterilising their hands. But the medical establishment did not welcome this criticism. Semmelweis suffered reprisals and died in an asylum.

Whistleblowing at Westmead Hospital

Michael J Cole

In late 1999, Professor William Tarnow Mordi was appointed director of the neonatal unit at Westmead Hospital in Sydney. From the first week I believed that Professor Tarnow Mordi lacked clinical competence. As a doctor at the hospital, I attempted to alert the Westmead Hospital administration (Sydney West Local Health District and its predecessors) to what I believed were the dangers faced by severely premature babies and sick term babies in the neonatal unit.

In 2001 Professor Haslam from Adelaide was asked to perform an external review of the unit. Professor Haslam's report stated, “Primary nurses expressed uncertainty as to who they should turn to when ... they were genuinely concerned at clinical deci-

sions and standards of care.” The obvious person they should turn to was Professor Tarnow Mordi, the director of the neonatal service. They apparently were saying that they felt unable to turn to him when they were genuinely concerned about clinical decisions and standards of care.

It appeared to me that Professor Tarnow Mordi maintained control by labelling any perceived criticism as uncivil behaviour, by chairing and editing the minutes of all management, audit and peer review meetings, by chairing the committee that reviewed deaths and harm to patients, by favouring those who supported him, and by having the full support of Human Resources, governance and the executive of Westmead Hospital.

From 1999 to 2009, I notified the hospital administration about problems in the management of many babies in the neonatal unit. Many doctors and nurses expressed similar concerns.



Michael Cole speaks at the conference
Photo: Debbie Locke

An example (the case of Baby G)

The unit protocol for exchange transfusions required the use of packed cells from the blood bank. Professor Tarnow Mordi insisted on using whole blood instead, although it is very time consuming for the blood bank to obtain. In 2004, the director of the blood bank and I separately wrote to Professor Tarnow Mordi advising him that packed cells (and not whole blood) should be used to avoid delays in initiating what is often an emergency treatment.

This email exchange was intended to be both educational and a warning about the dangers of insisting that only whole blood could be used. Instead the email was used in disciplinary proceedings against me as an example of my “intolerable behaviour and open criticism of colleagues.”

In 2008 Professor Tarnow Mordi insisted on waiting 8 hours for whole blood before performing an emergency exchange transfusion for jaundice which had already reached a level of 850 in a newborn baby, Baby G. There is an increasing likelihood of severe brain damage the higher and the longer the jaundice level is above 340. The baby suffered severe brain damage, mental retardation, cerebral palsy, seizures, deafness and blindness. In my opinion, the severity of Baby G's condition was preventable by earlier exchange transfusion.

Problems in speaking out

There were many other occasions on which clinicians tried to correct less dramatic errors or lack of competent clinical judgement on ward-rounds, in peer review meetings, in patient management meetings and by direct email to Professor Tarnow Mordi.

Professor Tarnow Mordi insisted that some consultants bill Medicare in a way that they felt was fraudulent. Professor Tarnow Mordi accepted a "gift" from a doctor who was applying for an appointment as a fellow in the unit. Under pressure from concerned staff, he eventually returned the gift.

It appeared to me that the Sydney West Local Health District supported the professor and exacted reprisals against any consultant or nurse who dared to speak out. One nurse who spoke out about the professor's lack of practical skills in resuscitating newborn babies left the workforce less than 24 hours after attending a meeting led by Local Health District managers.

Many nurses and doctors said much the same thing to me: "I have a career, children and a mortgage to consider and I am not willing to speak up." They saw what happened to anyone who spoke up and it scared them enough to silence them permanently. The greatest danger they faced was appearing to side with someone who made trouble for those who have power.

Between 2004 and 2010, I was subjected to three performance improvement plans, three disciplinary investigations, three performance investigations and two psychiatric evaluations.

In 2008 there was an external review of the unit by Professor David

Tudehope, a paediatrician from Brisbane, and a nurse, Sandie Bredemyer, which in my view fully vindicated my concerns about Professor Tarnow Mordi's care of the babies in the neonatal unit. Professor Tudehope found that Professor Tarnow Mordi lacked clinical skill and should not be allowed to manage any baby in the unit. The Health District removed Professor Tarnow Mordi's clinical privileges, though allowing him to remain as director of the unit and to continue to experiment on babies in the unit until his contract ran out.

The Health District and the Area Human Research Ethics Committee, chaired by Professor Stephen Leeder, did not act on concerns that babies were being experimented on by Professor Tarnow Mordi after having his clinical privileges removed. The babies' parents were not fully informed of the professor's reduced status, nor were they informed that the District refused to allow him to practise medically.

Dr Michael J. Cole, LRCP, MRCS, FRACP, is a former senior Paediatric Consultant at Westmead Hospital.

Reflections on whistleblowing

Gillian Sneddon

My name is Gillian Sneddon, otherwise known as "the Orkopoulos Whistleblower", and to be honest I would rather be at home washing dishes than being here, speaking today.

Anyone who knows me and how much I hate washing dishes would understand my revulsion at rehashing my ordeal yet again, but I have come to see how important the whistleblower tag, that I first rejected, has become, in continuing to tell what happened to me and how that has been covered up.

I thought that what I did in reporting allegations made to me, first by one young man, and then another, about predatory behaviour and child sex abuse by my boss, the former NSW State Minister and Swansea MP Milton Orkopoulos, was the right, the legal and the responsible thing to do. I thought it was what anyone else in my

position would have done. How wrong I was.

I was not naive — I have worked in politics for a long time and knew the consequences of scandal, even if it is unfounded. But I had no idea of the personal toll on my health, my family and my future.

I relied on ethical and moral standards in parliament and government that just did not materialise. Worse than that, I came to understand the forces of power which, it is impossible not to conclude, were mustered to, by accident or design, to protect an accused paedophile and discredit his accuser.

After Milton Orkopoulos was arrested, I felt that I had another important story to tell — that of just how allegations of the sexual abuse of children had been handled in parliament. I knew just how difficult it had been to make that arrest in the place where, before me, MP Franca Arena had tried in vain, to raise the alarm. I was afraid, like she was, "... that such behaviour in high places, (if it ever came to light), would be covered up and the perpetrator quietly removed ..." (Hansard, Legislative Council, 27 September 1997). I did not know who to trust!



Gillian Sneddon at the conference

Photo: Debbie Locke

Every effort was then put into keeping me quiet, and much of the media, which I have briefed extensively, appears afraid to tackle the truth.

To those who had hoped for some satisfaction in the ICAC Whistleblower Inquiry, I owe an apology — efforts to keep me quiet prevented you from being allowed to tell your stories publicly. I am sure you will be heartened to know that the Labor Party, which would not allow a single one of

us to appear before their inquiry, recently offered to pay for US whistleblower Erin Brockovich to come to Newcastle over the Orica business!

I am here to tell you what no inquiry has so far cared to examine — what I now know: that alarm was raised politically about the behaviour of Milton Orkopoulos long before he entered parliament.

Three months before his arrest, knowledge was available in parliament of a document whose contents ultimately contributed to Orkopoulos's conviction for crimes against three other victims. I myself delivered a copy of this document to the police and to the office of the Police Minister, so I know this to be the truth.

A month later I advised parliamentary officers that I had spoken with the police about another allegation, one that I had been led to believe had been dealt with; as a result, my position in my workplace had become untenable. I believed with some justification that my efforts to assist the, by then, covert investigation were being betrayed to Orkopoulos, who was understandably trying to get rid of me.

What was the result of my request for assistance? Within minutes of being informed of it, a most senior parliamentary officer made a phone call to the very subject of that supposedly covert investigation. I, on the other hand, was not asked to supply information in confidence and, it has since been admitted, no one used the police contact that had been supplied for a confidential briefing. We must assume that no one made the necessary and mandatory reports which should have seen Orkopoulos (who was aware of the original police investigation) stood aside whilst under criminal investigation for crimes against children.

Instead, I believe, for political expediency, he was allowed to continue contact with young people from the most vulnerable group in the state, for whose welfare he was responsible as minister. The government claimed complete ignorance of any prior knowledge about him, which simply defies belief! He was left with all the resources of the electorate office with which to protect himself and cover up his crimes and one of those tactics was to blame me for his misfortune.

What happened to me *after* I reported the criminal investigation into my boss? Well, with the knowledge of both a police investigation and that I was a police witness, Parliament agreed to Orkopoulos's request to have me locked out of my own workplace from where I had been trying to assist the police, with documentary evidence. Those documents, appeared to confirm what one boy had alleged, about early contact and payments made to him. Each document was used in court, to help convict Orkopoulos.

Because I assisted the police, to this day I continue to be castigated by a parliament that has never been confronted with its failure to deal properly with victims and information about their abuse.

I was refused assistance even after my boss was arrested and finally sacked. It should have been evident to Parliament that I had told the truth and acted properly; but my efforts at redress were stymied at every turn, because of the fear of what I might tell!

The toll on my life has been enormous, as many of you would understand. Being caught up in a shocking criminal case was bad enough. Even worse was the way I was treated by parliament, by the previous government, namely the Labor Party and its members, who have shunned and vilified me in public and in private. These are the people I worked with for years. All this has eaten away at my confidence, my self-belief, my health, my ability to eat, to sleep and to support myself and my family.

My ordeal was as public as it is possible to be - in the long wait for the trial of my former boss I could feel, as I walked down the streets of my own home town, the aggression of those who fell for the Labor Party line that "our Milton's" misfortune was all my doing, as if the beloved member was an innocent bystander and a victim of my vendetta, as if I had made it all up, and even colluded with young men the same age as my sons, in my quest to cause political damage. This is the legacy of my employment from a party which claims to be for "the workers" — a party which will sacrifice one of its own, to hold onto power, power that it did not deserve.

I ended up hospitalised for five weeks in a psychiatric facility, having lost the will to live — so bad had my life become. All I wanted was medication to make me oblivious to the days and weeks passing, so that I did not live in unbearable pain in waking hours.

The saddest part of all of this, though, and what did break my heart, was that my sons could not understand what was happening to me. My ranting and raving about the case, my endless rehashing of events, indeed of evidence I needed to have a firm grip on for the trial, only drove them away. They looked at me as if I was obsessed, even mad. I know now that the closeness of our relationship, their love for me, their ages, in teens and twenties, was what blocked the empathy I wanted from them. But for me at the time, I felt totally alone. I knew that my sons loved me, but I felt lost to them. Their mother as they knew me, someone always in control, who had kept a semblance of normality in their lives after their father left, whilst they were very young — she was gone. I would be curled up in bed for days at a time, in the foetal position, wishing I could be zoomed up, like in a Star Trek film.

I have come to the understanding now that life is meant to be lived, or even endured, as I have come to feel sometimes. It's not like a Monopoly Board where you can pick up a card and get to go home and collect \$200. You can't escape any of it! Life's surprises and shocks have to be dealt with; life is to be lived, even when it seems unbearable and unliveable.

I have not, though, been able to imagine a future for myself since this whole ordeal started back in October 2005. Coming from a person who dares to dream, who believes in dreams and works towards those dreams, it is as if a black marker has crossed out any future for me, that might have been.

I am skilled as an electorate officer, extensively trained to provide a close and personal link for constituents, with government departments. I am looking for meaningful employment which will use those skills, but no Member of Parliament would employ me now, as I am tarnished, someone not to be trusted. Yet it is because of my ethics

and being a trustworthy person that I responded the way I did when, out of the blue, an abused young man asked for my help.

At this point you may ask, "Would I have done things differently?" To which I would reply, "No, I did what every fibre of my being knew was the right thing to do. I have no regrets! I could not have done things differently, even with hindsight." But my advice to anyone who becomes aware of corruption, or horrible crimes as in my case, and is considering blowing the whistle, they would be better off if they could do so anonymously, if that is possible. Because as surely as night follows day, there will be retribution for anyone who blows the whistle. In my opinion, no amount of legislation can protect anyone. When it comes down to it, everyone will do whatever it takes to protect their own position; this includes the people you might rely on to "do the right thing," such as human resources staff, as I have witnessed first-hand. Legislation only works when everyone complies, but not everyone has that inbuilt standard of ethics. Some people, in fact I believe most people, turn a blind eye, pretend not to notice, or blatantly lie to avoid the truth, and to protect their jobs at all costs.

If I had abandoned what makes me a human being, who could have blamed me? We all need employment; I certainly did as a single mother. Why would anyone jeopardise their career knowing they will be virtually unemployable, vilified, and suffer ill health for years to come? Even after all that has happened to me, I would say this: "We all should have an in-built desire to do whatever it takes to uphold the values which contribute to our humanity."

My two good friends, here with me today, as they have always been, recently took me with them to the US, to try to draw a line under the last six years. We visited the new memorial to Martin Luther King, Jr, recently opened by President Obama in Washington. I was persuaded to tell my story today by a quote on that memorial: "Injustice anywhere is a threat to justice everywhere." That is something our leaders often appear to forget — so let us never give up the fight to remind them.

Support the whistleblower's support person?

At the conference, Jane Longhurst led a session on personal supporters of whistleblowers. Below is the draft text for a brochure on this topic.

Whistleblowers are the guardians of society's morals and should by rights be lauded as heroes instead of suffering persecution and ridicule. They make great sacrifices and suffer great wrongs in their efforts to put right what they perceive as immoral or corrupt behaviour. Whistleblowing is often an act of social, financial and professional suicide. Many, perhaps most, whistleblowers don't realise they are actually blowing the whistle till the reprisals start in earnest. Till then they thought they were just doing the job expected of them and reporting problems up line management.

What is often overlooked is the trauma that is suffered by the whistleblower's spouse and children who suffer a similar fate for reasons they barely understand and for actions they were not involved in. They suffer the same social and financial burdens as the whistleblower and also have to deal with a spouse or parent who is now suffering the psychological symptoms that come from the sustained and unjust retaliation of the organisation. One can understand it if some spouses are angry to have been placed in such a horrible position, without their consent or even knowledge.



The whistleblower's support person certainly needs support. Perhaps that support can be divided into three broad categories.

1. There are things the whistleblower can do to support their support person.
2. There are things the support person can do to support themselves.

3. There are things a whistleblower's support organisations can do to support the support person.

What can the whistleblower do for the support person? (Preserving support)

Whistleblowers become withdrawn and fixated on the injustices of the situation they are in. They go over the situation repeatedly in their minds. The psychological effect of dealing with a situation which is both unjust and insoluble leaves them with no reserve and no resilience. They show symptoms which are common to a number of psychological diagnoses, for example adjustment disorder, anxiety, depression and post traumatic stress disorder. The continuous 'rumination' (going over thoughts, again and again, in one's head) leaves them 'unavailable' and 'absent' to their partners and children. Their whistleblowing experience becomes their only topic of conversation, talked about continually.

Whistleblowers must work hard to get past this fixation, to reduce ruminating, and instead to become an active part of their partner's and children's lives again. They need to have you with them mentally.

Whistleblowers should do the following for the support person:

- Include the support person in discussions on decision making for the future. Listen to their opinions.
- Tell them you need them. Praise them for their ideas and suggestions.
- Include them in proceedings. Lawyers, doctors and advisers usually talk to the whistleblower alone and ignore the partners even if they are in the room. Try to have your partner acknowledged and part of the discussion.
- Try to limit the time you spend 'ruminating' and lost in your own world and thoughts. Set a limit and stick to it. Quarantine the time spent thinking about whistleblowing, the reprisals and in planning strategies. Maybe set a limit of 10 minutes at the end of 4 hours or half an hour a day or something similar. Set a limit for the time you spend talking about the subject.

- Making family meals a ‘no whistle-blowing time’ may be useful.



Whistleblowers:
don't take the family here!

- Plan time out from the issues and stick to it. Help plan days out, to the beach, BBQ picnics, walks, movies and other treats.
- Try to join in family occasions. Play with the children.
- Keep them informed about the facts of the whistleblowing issue.
- Recognise that they are also hurting. They have shared the suffering, but may not have had any say in events. The events may be a complete mystery to them. They may feel that they were not consulted about something which affects them profoundly. Recognise and acknowledge their hurt.
- One may need to come up with creative ways to get through financially. Consider swapping roles, one becomes wage earner the other home keeper.
- Set aside time each day to help in the house.
- Maintain a spiritual life together.
- Stay physically healthy, keep active. It is difficult to eat healthily while depressed or anxious. Try to eat well and regularly. Vitamin and mineral supplements may be needed for a while.
- Let your support network know what you are going through. Explaining the good one is doing by exposing corruption or fraud may be better than describing the reprisals one is suffering. Many people suffer compassion exhaustion after a time. Everyone in the support network must at least know

about what you are going through.

- You may be lucky and have a ‘bad weather friend’ who will support you in the really bad times. Use the ‘bad weather friend’ for support and a sounding board. Your support may have good suggestions.
- Look after yourself. Keep in touch with your doctor. Learn skills to cope with your symptoms. Improve ‘sleep hygiene’ (8 hours sleep, say 10PM to 6AM, get up once awake, dozing may increase anxiety, avoid daytime naps).



It can be hard to sleep when someone is blowing the whistle

You can also do many of the things in the section below.

What can the support person do for themselves? (Self support)

(You can also do many of the things in the section above.)

- Try to learn more about the fixation and constant rumination that the whistleblower will find hard to escape. Perhaps look up the symptoms of PTSD, depression or Anxiety Disorder. It helps to know what is happening to the whistleblower psychologically. You will be able to develop skills to lessen those symptoms.
- Find a way to quarantine the time that the whistleblower dwells on problems and injustices. Perhaps ban whistleblowing talk during meals, and other defined times. Have whistleblowing-free times.
- Organise time out for family and self.
- Get a hobby or interest. Stay healthy. Eat healthy.
- Remove alcohol and recreational drugs from the home.
- Find a group or person to talk to who can relate to the problem (bad weather friend).

- Mirror what the whistleblower is doing to support you.
- Visit the experts with the whistleblower (legal, financial, doctor, etc.) to have a better understanding of the situation.
- Listen to other people's stories. It may help to know you are not alone.
- Try not to resolve the issue or lay blame on the whistleblower.
- Understand that a change is coming. Try to be prepared and proactive. Whistleblowing often involves significant financial, social and career change.
- Explain to children who are old enough to understand what is happening and why there will be changes.

What could a whistleblower support organization do to support the support person? (Holistic support)

- Send supporters a brochure at first contact.
- Actively include the support person in all discussions.
- Provide advice and suggestions as needed.
- Encourage them in their supporting role.

These were some of the suggestions made at a workshop at the Whistleblowers Australia Conference 2011, where the idea of a brochure or pamphlet to give to supporting people was raised. The fact that 17% of whistleblowers end in a broken relationship is tragic. Ways and means of reducing this figure must be found and employed.

This brochure and a trifold are a work in progress. We suggest that we should have a support network for the supporting people, rather like Al-Anon for AA supporters. A place where they can know they are not alone in the support of their hero.

Early days and baby steps ... but then, that's how you climb a mountain.

Whistleblowers Australia Annual General Meeting

20th November 2011

North Parramatta, Sydney NSW

1. Meeting opened at 9.05am

Meeting opened by Cynthia Kardell,
President

Minutes taken by Jeannie Berger,
Secretary

2. Attendees: Cynthia Kardell, Robina
Cosser, Bob Steele, Florencia Peña,
Graham Schorer, Alan Smith, Ross
Sullivan, Vince Neary, Clare Kearney,
Karl Pelechowski, Katrina McLean,
Ken Smith, Dave Rowe, Gail
Mensinga, Geoff Turner, Brian Martin,
Jeannie Berger, Feliks Perera, John
Murray, Jane Longhurst, Michael
Cole, Soad James, Greg McMahon (4
names withheld)

3. Apologies: Margaret Love, Lesley
Killen, Tom Lonsdale, Stacey Higgins,
Lisa Hamilton, Debbie Locke, Brian
Holden, Frances Scholtz, Richard
Gates

4. Previous Minutes AGM 2010

Cynthia Kardell referred those to
present copies of the draft minutes
which were published in the January
2011 edition of *The Whistle*.

Cynthia invited a motion that the
minutes be accepted as true and
accurate record of the AGM 2010.

Proposed: Feliks Perera

Seconded: Robina Cosser

Passed

4(1). Business arising (nil)

5. Election of office bearers

5(1) Position of president

Cynthia Kardell, nominee for position
of national president, stood down for
Brian Martin to proceed as chair.
There being no other nominees,
Cynthia Kardell was declared elected.

5(2). Other executive positions.
(Cynthia resumed the chair.)

The following, being the only
nominates, were declared elected.

Vice President: Brian Martin

Junior Vice President: Robina Cosser

Treasurer: Feliks Perera

Secretary: Jeannie Berger

National Director: Greg McMahon

5(2). Ordinary committee members (6
positions)

There being no other nominees, the
following were declared elected.

Geoff Turner

Toni Hoffman

Katrina McLean

Margaret Love

Lisa Hamilton

Stacey Higgins

John Pezy, being chair of the SA
branch, is automatically a part of the
national committee, which includes all
of the above.

6. Public Officer

Vince Neary, the current Public
Officer, has decided to stand down.
Cynthia told the attendees that Vince
has done a commendable job over the
years and thanked him. Feliks also
expressed thanks on a great job on
over a decade's work for Whistle-
blowers.

Vince thanked the meeting and on
being asked by Cynthia, obliged by
telling the meeting a little about how
he blew the whistle on the (then) NSW
State Rail Authority.

Cynthia advised Margaret Banas
had offered to become the public
officer and asked whether the meeting
would accept her offer.

Agreed.

7. Treasurer's Report: Feliks Perera

7(1). Feliks tabled a financial state-
ment for 12 month period ending 30
June 2011: copy had been circulated to
the attendees before the meeting.

There was a discussion about the
possibility of opening an interest
bearing account or term deposit for a
part of the current balance: the
committee to consider.

A motion was put forward to accept
the financial statement.

Moved: Greg McMahon

Seconded: Vince Neary

Passed.

Feliks' Report

Dear Members,

*Once again I have great pleasure in
presenting the Annual Accounts of the*

*Association for the financial year
ending 30 June 2011.*

*This year, our operations have
recorded an excess of expenditure over
income. Our main income streams,
mainly by way of subscriptions and
donations, were slightly less in
comparison to the previous financial
year. There were no new additional
expenditures for the year. WBA
subsidised the conference held by
Whistleblowers Action Group in
Brisbane in November 2010, and also
paid the full expenses of the Annual
General Meeting.*

*Your Association had no creditors
at 30th June 2011, and there are no
charges against the assets.*

*Once again, I appeal to our
membership to continue actively to
support the work of Whistleblowers
Australia. In the past years, your
constant support has made it possible
to bring this fundamental issue of
speaking out against corruption
without suffering reprisals to the
notice of governments, and create a
greater awareness among the members
of the public. In the coming years,
much will be achieved by your
continued support, cooperation and
commitment, and I sincerely thank you
for that.*



Whistleblowers Australia savings bank

ANNUAL ACCOUNTS TO YEAR ENDING 30TH JUNE 2011

INCOME

SUBSCRIPTIONS, \$2,939.00

DONATIONS, \$547.00

NET INTEREST FROM BANK, \$2.61

TOTAL, \$3,488.61

EXPENDITURE

WHISTLE PRODUCTION COSTS, \$2,538.48
RETURN TO BRANCHES: NSW RENT,
\$48.00
SUBSIDY FOR 2010 BRISBANE
CONFERENCE, \$526.81
NOVEMBER 2010 AGM EXPENSES,
\$360.50
TOTAL, \$3,723.79

EXCESS OF EXPENDITURE OVER INCOME,
\$235.18

BALANCE SHEET, 30 JUNE 2011

RETAINED EARNINGS BROUGHT FORWARD
FROM 2010, \$25,527.09
LESS EXCESS OF EXPENDITURE/INCOME
FOR 2011, (\$235.18)
NETT TOTAL, \$25,291.91

ASSETS

BALANCE AT NATIONAL BANK AT 30TH
JUNE RECONCILED, \$25,216.91
ADD SUNDRY DEBTORS, \$75.00
TOTAL, \$25,291.91

7(2). Form 12A for submission to the
Department of Fair Trading and
lodgement fee.

The meeting nominated Feliks to sign
the Form 12A for submission to the
Department of Fair Trading, together
with the lodgement fee.
Moved: Greg McMahon
Seconded: Vince Neary
Passed

8. Reports

Cynthia Kardell, President

Cynthia told the meeting it had been a
busy year and a year of renewal and
new directions, starting with the
committee itself. Brian Martin
developed an Advice Skills Program
for those committee members, who
were either already listed as 'contacts'
for WBA or thinking about becoming
one. The training offered looked at
ways of utilising the existing knowl-
edge and skills base to enhance the
way we deal with inquiries from the
public. At the last AGM Stacey
Higgins undertook to start up a
Facebook account for WBA. Stacey
had it up and running early this year. It
is currently being used to advertise
WBA in another forum as it refers our
'friends' back to our website; but this
might change over time as we get

better at it and we try to branch out in
other social media like Twitter.

Jeannie Berger, Secretary

Jeannie said she enjoyed her first year
as secretary.

Geoff Turner, Communications

Geoff is still maintaining and updating
the website and handling incoming
inquiries.

Brian Martin, international matters and *The Whistle*

Brian spoke about the Advice Skills
Program held with some of the
committee members. Seven partici-
pants began the first program. It
included online exercises and a two-
day face-to-face workshop in Sydney.
The feedback was that it was worth
doing. The program will be offered
again.

Occasionally there are international
inquiries. Recently Brian met with a
small group of whistleblowers,
journalists and lawyers, while in
Norway. He said Whistleblowers
Australia is seen as a model in many
countries, because they see us as doing
meaningful things, for whistleblowers.

Brian spoke about *The Whistle* and
its topics. He encouraged members to
send in their stories for publication.

Brian also talked about his website
and how links between different sites
are quite helpful. The more links, the
more information people can obtain.

Feliks put forward a motion that Brian
has been doing a great job and that
how helpful the Whistle has been to
all.

Bob Steele seconded.
Passed.

Bob made tribute to Brian for editing
and Cynthia for distribution of *The
Whistle*. Cynthia said her 88-year-old
father did the hack work. The meeting
asked her to thank him.

Greg McMahon, Queensland

Greg reported on the activities of the
Whistleblowers Action Group (WAG),
sister organisation to WBA. Greg said
the big event of the year was the
Queensland flood and the commission
of inquiry. The inquiry is defending
the way the flood was managed. Greg

is up to his fourth submission to the
inquiry.

Greg also discussed how he was
trying to confront the "Whistling while
they work" study. Greg complained the
study doesn't give good advice.

Greg discussed environmental
issues and the Jim Leggate case.



Greg McMahon

- WAG Whistleblower of the year:
Major Harry Smith, Officer Com-
manding Delta Company in the battle
of Long Tan

- WAG Whistleblower Supporter of
the year: Julian Assange, founder of
Wikileaks

Robina Cossar, Schools contact

Robina discussed how there is an
increase in teachers being bullied and
whistleblowing. Robina is receiving
more and more calls from teachers.
Robina passed out a printed card/flyer
that she will be sending out to teachers.
It is a reminder to them about the past
year with bullying and the Labor
Government.

Robina also pointed out new pages
on her website and the number of
people that visit her website. Please
visit <http://www.theteachersareblowingtheirwhistles.com/>

9. Agenda Items & Motions. None
were advised or notified.

9(1). AGM 2012: Sydney

10. Closed AGM 12.40

I do cry

Lotte Fog

Lotte Fog blew the whistle on radiotherapy underdosing at Royal Adelaide Hospital. She told her story (under the pseudonym Geraldine Macdonald) in the April 2009 issue of *The Whistle*, where a poem of hers was published. This is the second of a series of six poems Lotte wrote during the period of her whistleblowing. She can be contacted at lottesfog@yahoo.co.uk.

I do cry for my husband: the choices he now cannot have, for his hobby, the smile on his face for his job, for the pride and the joy it has brought

I do cry for myself, for the hundreds of times I was mocked and belittled: my pride gradually being stomped on, reduced, to a stain on the floor

for mistakes I was blamed for which I did not make for the ag'nising battle to which I've been drafted, with dread in my belly, no vict'ry in sight

for the gossip, the crit'cism, usually heard through third parties, ahush deep in dark corridors for the fear in the eyes of my colleagues: it shines

I do cry for the slow systematic erosion of my confidence, both at work and at home for my sleeplessness and for the numbness it brought

which has made me just a walking shadow of me for my brain in its long search for answers; ways out of this trap that I'm in, now imprisoned and caught

I do cry for the years that my marriage became endless days, sterile talk of this Sisyphus' task of existing through increasing onslaught, in daze for the days without smiles and the joy which was not

Author's note This poem describes

- ▲ my realisation that I could not keep working within my profession in South Australia so my family and I might have to move;
- ▲ my reaction to the bullying
- ▲ the effect of it all on my marriage and my friendships
- ▲ finally my thoughts on my workplace which supported the manager who tried to hush up the whistleblowing matter
- ▲ my thoughts about the patients who likely would have been cured had the error not occurred; and the fact that they had not been told of it

I do cry for my colleagues, afraid to speak up for their symp'ty, but whispered in darkness, in fear for their gazes averting as I am abused as their heads bend, unable to watch

I do cry for the friendships which I leave behind seeds were planted with care, and I nurtured their growth into hard sturdy trees; these my friendships that thrived we have offered each other cool shade, tender care now uprooted, the pain in their eyes as it ends

I do cry for the system that chose to reward such behaviour, aggression, quite blind to the harm as this cancer of fear and repression does grow injures further and more, when allowed and unchecked

but the bitt'rest of tears are for those who don't know

those whose lives now will end prematurely, in pain through her arrogance and her incompetence, and through her utter disdain as she's lost in her own

overwhelming ambition, desire for power which, when given free rein, will continue to hurt to wreck lives, to intimidate, to self-promote I see pain, past and future, what can I but cry?

Whistleblowers Australia contacts

Postal address PO Box U129, Wollongong NSW 2500

New South Wales

“Caring & sharing” meetings We listen to your story, provide feedback and possibly guidance for your next few steps. Held by arrangement at 7.00pm on the 2nd and 4th Tuesday nights of each month, Presbyterian Church (Crypt), 7-A Campbell Street, Balmain 2041. Ring beforehand to arrange a meeting.

Contact Cynthia Kardell, phone 02 9484 6895, fax 02 9481 4431, ckardell@iprimus.com.au

Website <http://www.whistleblowers.org.au/>

Wollongong contact Brian Martin, phone 02 4221 3763.

Website <http://www.bmartin.cc/dissent/>

Queensland contacts Feliks Perera, phone 07 5448 8218, feliksperera@yahoo.com; Greg McMahon, phone 07 3378 7232, jarmin@ozemail.com.au

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WBA Advice Skills Programme

One of the most important functions of Whistleblowers Australia is to respond to queries from whistleblowers and potential whistleblowers. All sorts of people with a need for information or advice ring a member of the national committee or someone they know who happens to be in WBA. Many send emails.

Some of us in WBA receive numerous queries, others just a few. We can all learn to do better in our responses.

As described on page 13, in 2011 Whistleblowers Australia ran a programme to help improve our skills in responding to requests for advice and assistance. It was called the Advice Skills Programme (ASP). Seven members of the national committee participated in the first stage. I picked an email from a whistleblower that I had received several years ago, removed all identifying details, sent it to the others in the programme and asked them to write responses. I collated the responses and sent them to everyone, inviting them to comment on each other's responses, mentioning good points and ways to improve. Everyone was invited to send in a revised response. We went through several emails this way. It was very educational.

The second stage involved just four of us. We did telephone-conversation role plays. One person would pretend to be a whistleblower and ring another, who would respond. Afterwards, each noted down answers to some questions specified in advance. We had several rounds of this exercise. The third stage was a two-day meeting of the four of us in Sydney.

If you are a member of WBA and interested in participating in the 2012 version of the Advice Skills Programme, let me know.

Brian Martin

Whistleblowers Australia membership

Membership of WBA involves an annual fee of \$25, payable to Whistleblowers Australia. Membership includes an annual subscription to *The Whistle*, and members receive discounts to seminars, invitations to briefings/ discussion groups, plus input into policy and submissions.

To subscribe to *The Whistle* but not join WBA, the annual subscription fee is \$25.

The activities of Whistleblowers Australia depend entirely on voluntary work by members and supporters. We value your ideas, time, expertise and involvement. Whistleblowers Australia is funded almost entirely from membership fees, donations and bequests.

Send memberships and subscriptions to Feliks Perera, National Treasurer, 1/5 Wayne Ave, Marcoola Qld 4564. Phone 07 5448 8218, feliksperera@yahoo.com