

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

# *The*



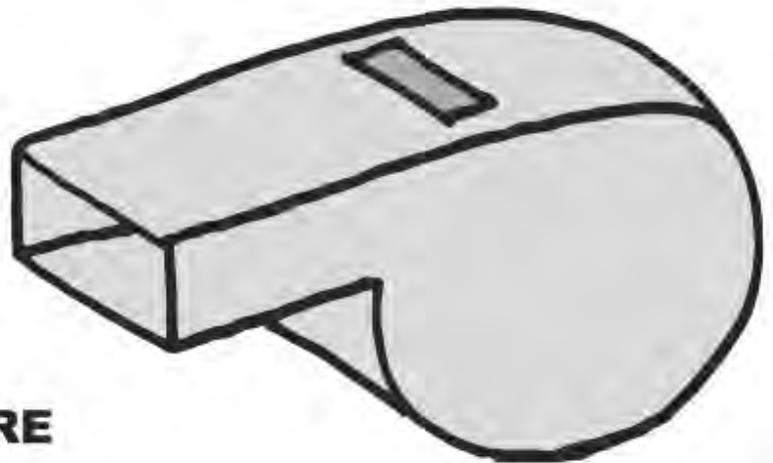
# *Whistle*

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**BLOW HERE**



*The Dilemma  
of a  
Whistleblower*

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## WBA conference

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WBA's annual conference and AGM were held at the Uniting Church Convention Centre, North Parramatta, Sydney on 17–18 November 2018. WBA President Cynthia Kardell introduced the speakers. Her comments plus written versions of, or notes on, the talks are reproduced here.

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### Conference

#### Saturday 17 November

- 9:00 Welcome: Cynthia Kardell
- 9:15 Jason Fairclough, “#MeToo — men for cultural change”
- 9:55 Maggie Dawkins, “A 26-year whistleblower journey”
- 10:35 Morning tea
- 11:05 Sally Harding, “Your mother must despair that you can't turn a blind eye”
- 11:45 Cynthia Kardell, “Kindred spirits, milestones and intriguing possibilities”
- 12:25 Lunch
- 1:45 Jim Regan
- 2:25 Ken Smith, “Stalking whistleblowers”
- 3:05 Afternoon tea
- 3:35 Michael Cole, “Getting away with it, easy peasy, lemon squeezey”
- 4:05 Richard Gates, “Whatever happened to public safety around our airfields?”
- 4:45 Cynthia Kardell, “A wrap, with jam”

### AGM and discussions

#### Sunday 18 November

- 9:00 Annual General Meeting
  - 10:35 Morning tea
  - 11:05 AGM, continued
  - 12:25 Lunch
  - 1:45 Discussion, “Why protect whistleblowers?”
  - 2:25 Discussion continued, “What needs to change and what might that look like?”
  - 3:05 Afternoon tea
  - 3:35 A final wrap, with jam and wine
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## A 26-year whistleblower journey

Maggie Dawkins

### Cynthia's introduction

Maggie has a degree in social science, a teaching diploma and a well-developed sense of justice that has its origins in the influence of her father, a Fabian socialist doctor and community leader, and in her education by the Sisters of Mercy at convents in Townsville and Brisbane. Maggie cut her political teeth in the West Australian office of Kim Beazley, a position she left to join Westrek, a program aimed at providing opportunities for unemployed youth.

In Katanning, Maggie became aware of the predatory activities of Dennis McKenna which she reported to both police and all her superiors in the Western Australian Department of Employment and Training. No action was taken, and McKenna's offending continued for another six years.

Following McKenna's conviction, Maggie took up the cudgels on behalf of the (now adult) survivors of McKenna's sexual abuse. Her campaign triggered the establishment of the WA state government inquiry into the response of government agencies and officials to allegations of sexual abuse, “How the system and society failed our children.”

The inquiry found that her attempts to expose McKenna represented the “gold standard” for any public official. It was a precursor to the federal Royal Commission into Institutional Child Sex Abuse in 2013. Maggie was also honoured in 2012 by Adults Surviving Child Abuse.



Maggie receives award from John Teer

Her presentation explores how and why the sexual abuse of children at a state government secondary school hostel in Katanning, Western Australia continued to occur after people in authority were told and did nothing.

In brief, in 1985 Maggie was approached by a young man who had been raped by Dennis McKenna, who was in charge of St Andrew's Hostel. He asked her to have McKenna investigated. Maggie went to the local police and rang her supervisor in Perth, who advised her to speak to the local government councillor in charge of her project. Within two hours of raising concerns and asking for assistance from the councillor, she was contacted by her superior in Perth and given 48 hours to leave the town.

A couple of weeks later, Maggie was summoned to head office in Perth and asked to resign. She refused and pushed for an investigation into the allegations of child sexual abuse by Dennis McKenna with each and every departmental manager above her, and to the head of the department, to no avail. Before the end of her employment contract she approached the patron of Westrek, Janet Holmes à Court, in the hope that she would assist to have the allegations investigated.

Maggie thought she had failed, but, six years later, Dennis McKenna was convicted and jailed for sexual abuse.

In 2011, Maggie was contacted by Mike Hilder, one of five survivors who had brought the original charges against McKenna. Mike asked her to assist him and other survivors to prove that state government officials had been made aware of McKenna's offending years before and chose to do nothing.

Threats of defamation, ruin and how she got the inquiry. The short-term collateral damage to her character and reputation, eventual exoneration and the lessons learnt. This is her story.

## A 26-year whistleblower journey

Maggie Dawkins



Maggie Dawkins and her daughter's horse Hillbro Aramec

IT HAS TAKEN ME SOME TIME to feel comfortable with the title whistleblower. For a long while, I felt unworthy of it. In fact, for 26 years I thought I was a failed whistleblower, which turned out to be a rather long apprenticeship.

I first advocated for an investigation into a suspected paedophile in 1985. For my trouble, I was run out of town. In 2011, 26 years on, I was able to get the Western Australia Government to examine how a twice-convicted paedophile had got away with grooming a town.

Whistleblowers are generally insiders embedded in a culture, who are confronted with a moral dilemma of righting a wrong. The wrongs we have righted, or for some here today, are in the process of righting, vary. However, we all seem to have confronted a similar template of deceit, supported by self-interest and power.

This is my story. I wasn't an insider. I was an outsider. An outsider because I was not from the town of Katanning. An outsider because I wasn't from the WA Department of Employment and Training. I did not belong in either place.



Katanning, Western Australia

I was employed on a short term, 9-month contract. Unlike other project managers on these contracts, I was not

jockeying for a future position with the department. I had made it clear at the outset that I would return to my job working in Kim Beazley's electorate office in December of that year. Departmental officials had no leverage over me.



Katanning is in the southwest corner of Western Australia, north of Albany

In 1985, I arrived in Katanning with the fresh eyes of an outsider. Dennis McKenna was in charge of the state government hostel connected to the high school, which provided accommodation for kids from outlying farms to board during the week, in order to attend secondary school.

The more affluent farming families sent their kids to Perth boarding schools. For many farmers in the district, this wasn't an option, and they lived too far from the town to drive to and from school each day. The established routine for parents with kids boarding at St Andrew's Hostel was that they would drop off their kids on a Monday morning and probably do a few errands, shopping, visit the doctor etc., then return at the end of the week, pick up their kids and take the opportunity to do whatever business was necessary in town.

The 110 kids who boarded at the hostel were crucial to the viability of the high school. Boarding in town stimulated the local economy. Shops, petrol stations, farm businesses and services benefited from and depended on having these 110 kids in Katanning.

In 1985, Dennis McKenna was untouchable. The Shire Council had

named him Citizen of the Year. Newspaper headlines declared him "King of the Kids."

I didn't like McKenna, but I had to work with him. I got on with my job and did it well. I ticked all the boxes. In fact, head office in Perth referred to me as "their golden girl" and used me as an example to other project managers. I was relied upon to handle a range of community engagement issues and manage the dozen diverse young people ranging in age from 16 to 23, for whom I was responsible. I was relied upon to get things done and to do things properly.

Out of the blue, I was approached by a local bloke about 18 or 19 years old. He told me he had been raped by Dennis McKenna when he was a boarder at the hostel. The lad had singled me out because I was an outsider. He asked me to do what I could to get McKenna investigated from Perth.

Being an outsider, I found no support from either the town community or my workplace. The issue raised did not arise from within my workplace. It wasn't a colleague who was a suspected paedophile. It was separate from, and outside of my responsibilities as a project manager. Yet, I felt a moral obligation to act.



Dennis McKenna

On 26 June 1991, The *Great Southern Herald* ran a story titled “Court reveals dark secret of a Katanning citizen of the year”, reporting on the conviction of Dennis McKenna for paedophilia. Accompanying the article was a letter from me titled “Hurried departure explained,” in which I explained why I had left Katanning six years earlier, and told about my efforts to inform authorities about McKenna’s crimes. Years later, this story and my letter turned out to be crucial, for a number of reasons.

The article placed on the public record that, despite my efforts to have this paedophile investigated, there had been no investigation. It explains why my bosses took no action: the program, Westrek, had to be protected at all costs. Dennis McKenna had threatened to withdraw the accommodation component, which would have ended the program in Katanning. By not investigating McKenna and getting me out of the way, Westrek was saved. The consequence was that McKenna continued to sexually abuse kids for another six years.



Dennis McKenna

However, the unnamed departmental spokesperson who spoke to the journalist clearly knew about my removal from Katanning and revealed that Head Office had believed me, but the program was more important to them than kids at risk of sexual abuse by McKenna.

It’s ironic that the youth program was an initiative in response to the UN International Year of Youth in 1985. It appeared that the youth of Katanning, farm kids, were not a consideration. They became collateral damage.

How many kids had their futures ruined? How many took their own lives because of the failures of these

self-interested departmental people? We will never really know.

The inquiry discovered that I wasn’t the only one who had attempted to have McKenna’s activities investigated. Over the 15 years of McKenna’s employment, 20 others were also unsuccessful. He was a protected species because the economy of the town flourished from a fully occupied hostel. An assortment of townspeople simply turned a blind eye.

In 1990, WA police launched Operation Paradox, a telephone hotline to report sexual abuse. A number of McKenna’s survivors phoned in. Five survivors made allegations which led to his conviction and jailing.

Following McKenna’s conviction, I was contacted by a TV journalist and gave an interview in which I expressed my regret that I couldn’t have done more to bring McKenna to the attention of authorities earlier. I outlined who I told, when I told them and the personal consequences of my actions. It was a belated victory, in my view, but better late than never. I decided to write a letter to the editor of the local paper explaining my sudden departure from the town.

That appeared to be the end of the matter. I had tidied up loose ends. In 1994, after keeping my Westrek file for 9 years, as my husband John and I were preparing to move to South Australia, and with McKenna in jail, I threw the file out.

#### Fast forward to 2011

I received a call in September from Mike Hilder, one of the survivors whose testimony had helped convict McKenna 20 years before. Would I assist with a case for compensation against the WA State Government? You betcha! This was my chance to reboot my stalled attempt at being a whistleblower!



Mike Hilder

Mike had tracked me down because his mum, Gloria, had kept the page about McKenna’s conviction published in the *Great Southern Herald* back in 1991, which coincidentally had my letter to the editor. He had showed the page to his lawyer John Hammond, who instructed Mike to find me.

The essentials for the case for compensation were on that page. I had been a public official, I had told state public officials in authority, my bosses. They said they believed me and surprisingly the article gave a reason why they did nothing to investigate. This was the evidence the survivors needed for their case.

The strategy for compensation involved me providing a list to Mike’s lawyer John Hammond of every person I had raised my concerns with and asked that they be investigated.

The local police sergeant at Katanning Bill Todd, the shire councillor Anslie Evans who was my community liaison person, my field supervisor in Perth Elizabeth Stroud, her manager Peter Sherlock, his colleague Ian Carter, Carter’s manager Peter Kenyon, and then his boss, the head of the Department of Employment and Training, Mike Cross. I also provided the name of the patron of the program, Janet Holmes à Court.

Hammond had in mind a court case – a class action. He represented 19 survivors. Hammond was working with journalists including senior *West Australian* newspaper journalist Gary Adshead. Hammond was pushing for me to agree to an interview with Gary.



Gary Adshead

Having had over 30 years experience dealing with journalists. I didn’t feel comfortable with the interview process in this instance, and decided to write

an opinion piece, and pay defamation lawyers to check it. I was concerned that Gary might leave out essential facts. I sent him my opinion piece on the proviso that the newspaper printed it in its entirety or not at all. He was free to quote from my piece for any story he wished to write, when it had been published.

Gary didn't like the agreement, but his front-page story appeared in the *West Australian* on Saturday 5 November 2011, with my opinion piece in the body of the paper.

The WA premier Colin Barnett read the paper that day and, 12 days later, announced an inquiry. Premier Barnett appointed retired Supreme Court judge Peter Blaxell as Special Inquirer.

In the two months between Mike's phone call in September and the announcement of the inquiry, I confronted intimidation and fear. My husband John was threatened too. This was a watershed moment in our marriage.

Janet Holmes à Court, who I had named, threatened me with a legal action for defamation. She certainly had more money than me to run a court case.

Hammond had given my list to Gary, the journalist, and he began to contact those I had named. Initially, I thought Janet would assist survivors.

Her threats to me and John were delivered by Peter Dowding, a former Labor Premier of WA, and who coincidentally was the Minister for Employment and Training when I was at Katanning. We knew him well. John and I attended one of Peter's many weddings, and he had attended ours.



Peter Dowding

The gist of Dowding's tirade went something like this: "It all happened so long ago. Who cares? These people don't matter! They are only after *the money*." When John calmly disagreed, Peter moved to attacking us, saying we would lose everything, including our

farm, and we would end up homeless, living in a caravan. Then Dowding — talking to John — rounded on me, saying I needed psychiatric attention, that I was crazy. How dare I upset his friend Janet? "John, just shut Maggie up!"

When John relayed the phone call to me, he was visibly upset. However, I didn't share his fear. I felt I must have been doing something right to get this reaction from Peter Dowding. I suggested we divorce in order to spare at least half of what we owned in order to fight a defamation case. I was prepared to put up my half and risk it. John rejected my offer. He knew I had told Janet. He said, we would box on together.



Maggie and John Dawkins

I was subjected to two strange visits to our remote rural property, when John happened to be away. At 6pm one evening, two blokes with shotguns arrived at my front door. They jovially yet menacingly informed me they were 'roo shooting on the neighbour's place and advised me to stay inside if I didn't want to get shot. Which neighbour, I asked. They waved towards the adjoining property but couldn't give me the owner's name. I asked why they would be shooting towards our property and not outwards over 600 acres? One of them commented that I was isolated out here. "Are you on your own? You must get frightened." Interestingly, I didn't hear any gunshots that night.

The second peculiar visit was six days later. At 9pm a bloke knocked at my door claiming to be lost. He was looking for directions to a "friend's" place nearby. Could I assist? The name he offered was unfamiliar. I was able to take the piece of paper he had in his hand, and discovered the mud map provided clear directions to our property. He made the same remarks: "You are isolated. Are you alone? Do you feel vulnerable?" Luckily, I had a

savage barking dog, Digger, that I held on a short lead. He was frothing at the mouth and keen to take a piece out this guy's crotch. To answer his questions, I looked down at the dog and went inside.

Once the inquiry was announced, I faced different threats and fears. I cooperated with the inquiry investigators providing them with information and leads. The 1991 TV interview had disappeared. They were mystified, especially as other interviews from those weeks were in the archives.

All departmental files from the program were missing. I was relying on those documents held by the department to validate my approaches to senior officials. I had created a paper trail in 1985 by putting in writing my concerns and requests for an investigation, and now it had apparently all disappeared.

Even my employment records with the WA state government could not be found. I had been employed in three different positions, in three different departments, over 10 years. However, I had received superannuation and was able to offer these records to the Inquiry to confirm my employment.

I was put through a gruelling process. Though it was not me who was being investigated, I felt like I was on trial for failing to do the right thing. Counsel assisting the Special Inquirer, Phillip Urquhart, phoned me on a regular basis. He was a straight shooter and I respected him.

However, nothing prepared me for the seven hours of cross-examination. I wasn't in great shape to begin with. I had almost lost my leg in a farm accident and wasn't allowed to fly to Perth. I was in a wheelchair and taking substantial doses of OxyContin, an opioid medication. A video link at the local TAFE was arranged.

Three barristers had hatched a cunning plan to justify the inaction of my former bosses. They decided to rip apart my character and reputation. Why should my former bosses have believed such a deplorable person as me? Without departmental documents to counter their claims, I felt defeated. They worked in tandem like a pack of feral dogs.

They must have been thrilled with the media headlines. According to the media, I was a drama queen, a pest, a

nuisance — a disreputable unprofessional person. These stories appeared in the *Australian*, the *Sydney Morning Herald*, and the *West Australian*. Yet what mortally wounded me and really did my head in was that these men — and they were all *men* — had got their grubby hands on my medical records from either the local Katanning doctor or the hospital.

In 1985, when I was 27, I had had a D and C. The barristers put my past life under the microscope, making murky insinuations about my sex life. The lawyers were unashamedly adversarial. Nothing was off limits.

I did my best to defend myself. Some of my rebuttals were:

“My job did not prohibit me from having a social life or a sex life.”

“A married couple was employed. Were they prohibited from having sex for the duration of their 9-month contract?”

My favourite was, “Just because I was living in a former convent, I wasn’t obliged to live like a nun.” (This even made His Honour laugh.)



For the seven months between my appearance at the inquiry and the tabling of the report in the WA parliament, I felt deeply shamed. My extended family in WA didn’t want to know me. It was the worst time of my life.

I was present in the WA parliament on 19 September 2012 when the in-

quiry report was tabled. It produced positive public policy outcomes. For example, the Country Schools Hostels Authority was abolished immediately. All the recommendations of the Inquiry report have been implemented.

#### Positive outcomes for the survivors

All survivors I have met tell me the inquiry changed their lives for the better. They were listened to and believed. Many felt they could finally take their rightful place in their community. They no longer felt the sexual abuse they endured was somehow their fault.

The Premier and Leader of the Opposition apologised to the survivors that day. There were survivors in the public gallery.

This inquiry, being held when it was, assisted with the building momentum in Newcastle and Melbourne for a national royal commission into institutional responses to child sexual abuse.

#### On a personal level

I was relieved when I read a particular paragraph, and it was reinforced on the occasion of meeting Royal Commission Justice Peter McClellan.

He let me know that what I had gone through in facing the lawyers at the inquiry had proved to be of great service to witnesses who had raised similar concerns at the Royal Commission. Lawyers across the country, who were defending the indefensible, had learnt from this inquiry that attacking witnesses was counterproductive. No witness raising allegations of child sexual abuse before the Royal Commission was submitted to the extent or level of character assassination that I was.

As they say, I am happy to have taken one for the team! I am glad that I was able to do some good for those courageous others who followed after me.

Justice McClellan chuckled as we discussed the following paragraph from the inquiry report.

Nevertheless, a public official who emerges with great credit from the affair is Mrs Dawkins. The personal traits which her superiors found to be objectionable and which made her a “pest and a nuisance” as well

as a “drama queen” turned out to be admirable qualities which drove her persistent attempts to put right what she correctly believed to be wrong. Throughout the entire 15 years of McKenna’s offending no other public official set a higher standard of response to allegations of sexual abuse at St Andrew’s Hostel. The efforts that Mrs Dawkins made against resistance from above can be reasonably described as the “gold standard” of response for any public official. (p. 170)

I have learnt valuable lessons for future advocacy.

- Create records and keep records. Don’t ever delete or throw away files.
- Be patient — it might take time, remember 26 years!
- Use process, even if you feel it is unfair. Process may become your friend. You may well be instrumental in changing that unfair or dodgy process, for the better.
- As a whistleblower there are always options. To walk away, to revisit the issue at a later date when the social or political climate is more conducive, or if you are lucky as I am, join with other likeminded people and work collaboratively.
- If briefing journalists is part of your strategy, respect that the relationship you forge is a professional relationship. No matter how close you become, it should remain a professional relationship. Let them do their job. Once you have provided information, it is theirs to use, and whatever the outcome, it is their story.
- Finally, know when to shut up.



Mike Hilder, Kim Daniels, Maggie Dawkins, Darryl Stephens and Todd Jefferis

## **“Your mother must despair that you can’t turn a blind eye”**

Sally Harding

### **Cynthia’s introduction**

Sally Harding is currently doing a bachelor’s degree in sociology and has worked in corporate public relations in Melbourne, a small publishing company in London, as a community education officer with the South Australian government, a newspaper journalist and a metropolitan newspaper photographer, covering Australia’s notorious “Snowtown” serial killings.

In her presentation “Your mother must despair that you can’t turn a blind eye” — which is a direct quote from one of her detractors — Sally reports on what drives someone to fly in the face of reason and blow the whistle.

As a volunteer and executive committee member of an Equestrian Australia affiliated club, she was alarmed by the lack of safety and administrative oversight in one of the world’s highest-risk sporting activities. Things reached fever pitch when two young riders died at related equestrian events in NSW 2016 and five horses died in one weekend in 2017 at the equestrian centre of which she was once a managing committee member.

When Sally went public with her concerns, the local payback was swift and unnerving. Since then she has worked tirelessly to draw state and federal government attention to the lack of regulation in sport and recreation, advocating for an overarching authority to ensure participants and volunteers of all sports are adequately protected.

Sally recounts the difficulties she experienced after speaking out as a member of the managing committee of an equestrian sports club, one of the highest-risk sporting activities in Australia — after realising that the organisation wasn’t being run according to the rules and revealing a deep flaw in the national sporting framework that was not only turning volunteers away in droves but also putting the lives of thousands at risk, many of them children.

Do you look away, as you are encouraged by others to do, hoping that the many oversights won’t lead to

death or injury? Or do you put yourself forward to straighten things out because you were raised to do better, when you know better? There is no easy answer, especially when you live in a regional community where social harmony is everything and one false move anywhere can impact your friendships, your family and even your income. Sally chose to blow the whistle. This is her story.



Sally with her son, daughter and Connemara pony Teddy

### **SALLY’S TALK**

I’M NOT QUITE SURE how a volunteer of a sporting club ended up presenting at a Whistleblowers conference, but it is very nice to be here all the same.

Lately I’ve been getting a lot of inspiration from a lady called Catherine Marriott, who famously tried to keep private a sexual assault allegation against a former cabinet minister and was unsuccessful.

Catherine says: “the standard you walk past is the standard you accept.” I think she borrowed the saying from someone else. It is something that we can all relate to. We speak out when something isn’t right because we have standards and principles.

I’ve often wondered if we are born that way or if we become that way and maybe there is no answer. What I do know is that an allergy to oppression is in my DNA.

My grandfather served in the German army, not technically a Nazi but something I still tried to hide all the same growing up. Now, this heritage has become something that fills me with pride.

As it turns out, my grandfather’s good friend and former boss, Carl Friedrich Goerdeler, was the former Mayor of Leipzig. He was the man who was meant to be Chancellor of Germany to replace Hitler if Operation

Valkyrie had worked (a bomb in the Wolf’s Lair went off in the wrong place).

Both of my grandparents were part of this resistance, from a distance. As my mother explained, they all knew the war was ending, their urgency to end Hitler’s reign was about stopping the genocide as soon as they could.

My mother remembers hearing her parents discuss that they’d caught Goerdeler in Poland, where he’d escaped. Like the others involved, he was later killed for his part in the assassination attempt.



Carl Friedrich Goerdeler

On days when I need inspiration I think of my grandparents. Writing letters to a few bureaucrats and not getting the reply you want, maybe being called a few names — troublemaker or unstable — and losing a few Facebook friends, it’s nothing compared to the bravery of trying to bring down the Third Reich.

Which brings me to the title of my presentation: Your mother must despair that you can’t turn a blind eye.

This was said to me by one of the detractors on my whistleblower journey and I think you’ve probably already formed an opinion about what my mother’s views on this might be.

She probably does despair at times from the pain that comes with standing up for issues, as do all mothers when their children are hurt, but it’s not because I can’t turn a blind eye. As she said to me when I ran the question past her: “You can’t help it if you have principles.”

So that’s a bit about my family background to set the scene about how and why I’ve gone from a mother and sporting club volunteer in a country

town to someone who has become an activist lobbying to try to change the national sporting framework.

### A new town, a new perspective

So how did I get here? In short, five years ago I moved to a new town in regional New South Wales with my family. We had been very happy in Adelaide but my partner's job promotion seemed the right thing to pursue at the time. Soon I began to feel isolated so did what we're told to do: get out into the community, join a sporting club, become a volunteer.

In risk management they talk about the Swiss cheese effect, the sum total of several small things that lead to one big catastrophic event. That's how this experience felt to me. My character, my experience and my circumstance just lined up like planets in such a way that it was inevitable that if there was trouble to find, I would find it.

And being the person I am, not only would I find it, I would try to solve it, and for better or worse — mostly the latter — my family was brought along for the ride.



Sally showjumping on her riding pony, Foxy

### The foundations of sport are fundamentally flawed

So what did I discover?

Sporting clubs — in my case a riding club that managed a large equestrian centre — have very few checks and balances to ensure they comply with a whole range of statutory obligations, including their governing bodies' policies and procedures in order to protect their members.

They are not only sporting bodies largely self-regulated at the grassroots, but governing bodies themselves are self-regulated. I'll just explain that.

The Australian Sports Commission (now rebranded as Sport Australia) administers sports funding on behalf of the Minister for Sport. It is expected \$230 million of taxpayer money will be contributed to sport over the next five years.



## Australian Government

### Australian Sports Commission

But when the money leaves the building and is distributed to governing bodies or sporting programs, the government's care and responsibility ends. There is no regulatory body, tribunal or ombudsman to provide oversight.

So if you are a member of a sporting club and have a problem with your sporting body *or* if you are an elite athlete and have a problem with your sporting body *or* if you are a club executive trying desperately to get support from your sporting body to educate and bring your community into the 21<sup>st</sup> century — like I was — there is nowhere else to turn.

If you have been wronged and want to appeal or be judged impartially, generally you have to pay a lawyer and go to court ... ending up in the supreme court. For most people, this is not only an extreme measure but financially out of reach.

As a sporting club executive, I was stunned by the lack of procedure and comprehension of modern practice: basic things like insurance and maintenance, having a legal constitution, not putting horses and riders at risk.

The equestrian centre hosted horse trials and two young girls died in this sport in New South Wales in 2016. You would think it would be a wake-up call — but it was not.

In 2017 there were a string of horse deaths at the centre, five from one weekend at a polocrosse tournament. A girl was airlifted unconscious to Melbourne and was lucky to be alive. I later heard an umpire desperately tried to call the tournament off when it was discovered the surfaces were slippery and deemed dangerous, but the show went on.

After this, I lobbied for investment to be put into surfaces (and also fencing because this was also substandard) and heard third hand that there had been joke-not-joke threats to hurt me if I wrote any more letters.

It was an environment where raising concerns was seen as a betrayal and a form of attack. Perhaps I would have ignored the many oversights I'd encountered if the sport hadn't been so dangerous, but it was extremely dangerous, so I couldn't.

The two comments I heard repeatedly in my quest were, "We are only volunteers" and "Things are done the way they are done for a reason."

This doesn't cut it in a court of law or a coroner's court and it didn't cut it with me as a person or parent in the 21<sup>st</sup> century. I found it unbelievable that the recreational and volunteer aspects of equestrian sport made it untouchable compared to workplaces and other areas that received government funding.

### The systems that are failing

These are a few main institutions to which most sporting clubs are accountable:

- The incorporated association legislation in each state
- Governing sporting bodies
- The Australian Sports Commission (Sport Australia)
- State ministers for sport
- The federal minister for sport
- Local councils (if the clubs operate on public grounds)
- The media

Organisations with employees are also accountable to:

- SafeWork
- WorkCover
- The Australian Tax Office, etc.



safe work  
australia

I can tell you now I've tested each and every one of these mechanisms and in all but two instances, the local council and SafeWork, my issues were either dismissed or deflected back to the club or individual which I had complained about.

At one stage I put in a bullying complaint with Equestrian New South Wales, only to discover that the Member Protection Officer, also the CEO, was closely acquainted with the president of the club I had complained about. They were both on the committee of the Sydney International Horse Trials at the time, which I didn't know about until later.

I contacted the Minister for Sport, The Hon Senator Bridget McKenzie, citing this example of bad complaint handling. The Minister replied and reported back that according to Equestrian Australia (EA), mediation had been offered to me and rejected — neither of which was true. It cost me \$500 to get a lawyer's letter to get EA to correct the misreporting of information, which they did do. Just.



### Falling foul of the establishment

I had an added complication in that I lived in a regional town that is particularly conservative (this is a nice way of saying behind-the-times). Added to this was the elite nature of equestrian sport, which has a particularly protectionist culture. If you draw attention to danger you are seen as ruining it for everyone.

When I decided to blow the whistle on poor practice at the equestrian centre, it was a conscious decision. I remember pressing the send button to the Minister of Sport for NSW, copying in the state member and also the coroner for good measure because the deaths of two girls were under investigation. Realising there was no going back, I may as well have pressed a self-destruct button.

The Minister for Sport's office didn't seem particularly fussed but I

instantly fell out with the town's establishment and anyone who wanted to be "in" with them. Which is a lot of people.

The "establishment" also had friends in high places — the local newspaper, the state member of parliament and multiple people at council — and I was reminded of this constantly.

Luckily, I was born irreverent. I have also worked in the media and for a federal member of parliament so I don't see these as anything to fear, rather I see them of instruments of society that are accountable and should serve to protect the community.

Of course it didn't make anything any easier to have this mindset. I had to live with the widespread ostracism and the names ... troublemaker, psycho. We could probably play a game of Whistleblower's snap with the common names we get called.

### Careful they might hear you

But I wasn't just a whistleblower. As I set about trying to straighten out a crooked situation, I was a whistle-blowing mum.

I don't want to bore everyone with the months of turmoil and confusion as our stories are always so similar, but I do want to pass on something that happened one day last year that really hit me hard.

Yet another friend had turned their back on me — they were dropping away left and right — and one day I lay paralysed on my bed, barely able to breathe. This particular friend was a "horsey friend," someone who I had spent a lot of time with, as had our kids. It was a painful break-up.

My daughter, then nine, came into my bedroom room and stood beside me and said to me softly: "I'm sorry those horse people are mean but I'm here to support you."

No lie, that's what she said.

I was gutted all over again because as parents we trying so hard to have a secure household for our children, and here I was, creating a problem impacting our whole house. Through my hobby and through intentions to do good, I had brought trauma into our house.



Sally cross country training on her Connemara pony, Teddy

### The champions

It is easy to remember those who are corrupt, obstructive or just plain cruel, but when I reflect on my journey and why I am tracking OK most days in spite of it all, it is because of the people along the way who made a difference:

For me, the first is my partner. How he stood by me I'll never know. A friend once said I was lucky that he "put up with it all." When I queried this with him he said I couldn't help being me. I think I'm pretty lucky.

We also have great, old-fashioned neighbours. I didn't have any friends or family from home to rely on, being new to town, which would have helped. This retired couple next door became a surrogate family, listened to me for hours and were kind to my children when I could barely function.

I also made a friend I called my "civilian" friend because most of my friends were horsey, which became a problem when I became a pariah in the horse community. This lovely woman would meet me every few weeks for coffee and lend me her ear and her wisdom. She could see I was a mess and struggling for answers and she kept me grounded.

My showjumping club, of which I was secretary, had a couple of club stalwarts who were judges and officials and liked following rules. One of these wrote a letter in support of my discovery that another club was operating uninsured and putting the centre and participants at risk if something went wrong. In all the time that I was trying to right wrongs, this person was the only one to put pen to paper in support.

Then there was the mayor of the town, who I didn't know personally but had been copied into various letters. A story appeared one day in the

local newspaper about the equestrian centre wanting to expand and build an indoor arena — something I found gobsmacking as they couldn't get their basics right, including financial management for big ticket items. The mayor said something along the lines of commitment needing to be shown and that this group couldn't expect entitlement and handouts and needed to give not take. That public statement in the newspaper was a huge turning point. I felt I was no longer alone in calling things out as they were.

Then, after seeing a few things on Facebook and sensing there were others just like me in the equestrian world, I connected with a few people interstate. One of them, Maggie Dawkins, is here today. Another is Hannah Brooks, founder of the Facebook campaign "Stop Bullying in Equestrian Sport." These women are incredible and offer great support, despite having gone through their own whistleblower journeys.

Earlier this year I also reached out to Juliana and Mark Waugh, whose daughter Sarah died in a horse riding accident at Dubbo TAFE in 2009 when she was 18. What this couple went through to find out how and why their daughter died is incredible. The horse world turned on them too, when they were at their most vulnerable. The Waughs continue to inspire me through their advocacy work, which includes the creation of a code of practice for new and inexperienced people working with horses in NSW.

The introduction to Whistleblowers Australia came through another champion, Dr Lynn Simpson, who I met through horses, ironically enough. It's fair to say I chewed her ear off regularly after recognising a shared trauma. I learned a lot from Lynn, including the need to take a break when it gets too much. She continues to inspire me.

### Where to now?

Maggie recently reminded me that the pain and confusion have been an important part of the journey. Without them, I wouldn't have the determination to fix the problem.

My partner calls it all research ... academics would call it auto-ethnography.



Sally cross country training on her Connemara pony, Teddy

I have written countless letters to bureaucrats, at first leaving a paper trail in case there was a terrible accident because of an oversight I'd picked up. I wanted it to be known that I was right and that the others were wrong and had failed.

Then when I became more aware that my experience was not unique, and that other sports were struggling with a lack of leadership, it became about finding a solution.

When Sport Australia announced its Sport 2030 national sporting plan to return a focus on grassroots or participation sport, I knew first-hand this plan would fail unless there was better oversight provided to protect and support people like me.

It is ironic that a nation so obsessed with sport and sporting rules does not have a third umpire.

So that is where my focus is now, along with the occasional hand to the causes of my newfound friends, Maggie, Hannah and Juliana (we tend to cross over in our pursuits).

Last week I wrote a story for an online publication about a popular touch rugby competition. It is an old-style village gathering of around 250 people ... mums, dads, kids, neighbours, colleagues. There is music playing and a big barbecue at the end.

I spoke to the organiser, a young dad who sees this as a way to get everyone back to grassroots participation. He is a strong leader and it is a strong club but, as he says, it is only the third year of competition and he

was able to start the culture from the ground up.

One of the very helpful things that Dr Lynn Simpson did for me was to lend me *The Whistleblower's Handbook* to read, which I did and it was very helpful. She also encouraged me to have a chat with Brian Martin, which I did.

I'm not sure if Brian remembers but I told him about the deaths and the dangers of equestrian sport that I felt would continue unchecked, and commented that the culture needed to change. I remember him telling me that was a fairly big ask — and I agreed. But I think it can and has to change and I think it might even be a part of that change.

I will never know what impact this experience had on my family, on my children. They saw friends come and go without explanation and saw me stressed and upset without realising why. I will always regret this.

But I also know they have also seen their mother stand up for what she believes in and watch me refuse to give up when things got hard. In time if they ever get told, like I was: "Your mother must despair that you can't turn a blind eye", I know they will already know the answer to that.

I'd like to end by quoting Catherine Marriott again because the following statement of hers is something that gives me a great deal of comfort and puts friendships into perspective: "... now I don't give another thought to people who are outside my boxing ring throwing stones. The people that matter to me are the people in the ring fighting with me."



Catherine Marriott

## Kindred spirits, milestones and intriguing possibilities

Cynthia Kardell

MY TALK TODAY is a sort of medley. Three quite separate things have caught my interest because of how we operate as a group and the wider events unfolding around us.

The first idea “kindred spirits” is courtesy of Maggie Dawkins, member and one of our speakers today.

When I was looking for speakers for today, it was committee member Lynn Simpson who put me in touch with Sally Harding and then Maggie. I soon learnt that Maggie and Sally were kindred spirits in a way that speaks to me about how we operate as an organisation. This is why I thought it best you hear this part of the story, directly from the horse’s mouth — pun intended — because going to the source is rule number one for any good WBA operative.

I asked Maggie, then Sally, to join me and so it went from there with Maggie and Sally explaining how four women who did not know each other came together to ensure that there would be inquests into two deaths during competition of young riders, open to the public. They are united in calling for the peak governing body of the sport, Equestrian Australia, to implement changes and adopt 21st century accountability in their administration, governance, and structure. This they say is best done by way of an independent inquiry to ascertain where and how best to make the changes necessary for the federal government to establish an ombudsman for sport.

So far Sally and Maggie have met twice face to face. Sally has met Hannah face to face. Maggie has not met Hannah or Juliana face to face. Hannah is the creator and administrator of a Facebook page “Stop Bullying in Equestrian Sports” and Juliana is the mother of a young girl who was killed at Dubbo TAFE while a student enrolled in a Jillaroo course.

They have a loose coalition of phone calls and emails which keeps them together and focused on their goals — sharing information and bringing their individual strengths to bear as a group. Juliana and Hannah

were unable to be here this year, but they hope to be part of a group *show and tell* next year. By then, they will have had the inquests, which have recently been rescheduled to May 2019. We’ll be watching that space!

I decided to explore Maggie’s idea a little further, knowing that former detective Debbie Locke would be here today. You see I recall Debbie being one of four kindred spirits, but memory can be fickle. I remember her meeting regularly in secret with our founder Jean Lennane, journalist Morgan Ogg and independent MP John Hatton. They shared intelligence and contacts and worked out how to push the government of the day into establishing what became the NSW Royal Commission into police corruption, also known as the Wood Royal Commission. Articles by Morgan Ogg prepared the ground for John Hatton and Jean Lennane to ram their message home, undermining the political pushback. I was able to ask Debbie whether I was right in remembering them operating as a team. I don’t think it was — or is — well known, but I thought they were kindred spirits too — and locked in, for the ride.



Debbie Locke

Debbie joined me at the podium and listening to her reminded me that the 1990s in NSW were dangerous times to speak out about police corruption. They knew they were up against some very scary people, who wouldn’t shy away from killing anyone. They had already tried to run Debbie down. This is why Debbie’s group operated in secret, knowing they needed to stay alive to tell the tale. And tell the tale,

they did! The reforms adopted out of the Wood Royal Commission bear testimony to the bond that joined them.

The second thing I’m interested in exploring is about milestones. About how the government is having to work out how to deal with an electorate that values whistleblowing, without giving up their control. There’s no doubt the default position is to badmouth the whistleblower, but recent events have seen that start to give way to a more nuanced approach that tries to have it both ways.



Faisal Ullah

I’m thinking here about minister Littleproud, who was quick to praise Pakistani whistleblower Faisal Ullah, but only to exonerate his farming colleagues, who he claimed didn’t know “their” sheep were being treated, so cruelly. That’s clearly nonsense, but I think the genie is out of the bottle and this toing and froing marks the shift from one position to another as Animals Australia, the RSPCA and people like whistleblower Lynn Simpson continue to mobilise strong public and political support against live exports.

Even more telling is prime minister Morrison’s apology last month, when he said sorry to the whistleblowers “who we didn’t listen to.” It was a nod to the electoral power of the victims, carers and supporters who pushed the government into acknowledging whis-

tleblowers, because it would have saved everyone a lot of time and heartache had government listened.

It's a milestone in the history of whistleblowing and we must not let this government weasel out of it. We must — each and all of us — hold that line wherever possible to force them into making the cause of whistleblowing their own. You see, I think government knows that society is well ahead of them. It's the marriage equality thing, all over again. And it's why we are seeing this one step forward and whoops, two back, when they sense they may have gone a little further than was absolutely necessary. They want the kudos without losing the control to tell us what we want and whether we should have it.

Like the banking and financial services commission, I think these events are milestones. They mark the shift in thinking that steadfastly controlling politicians will eventually try to claim as their own. The trick is to welcome the change, but resist all attempts to rewrite history, even as the face-saver gets them over the line.

The final part to this medley concerns the reform of our defamation laws.

I got thinking about the intriguing possibilities of reforming the defamation laws, after listening to an interview a couple of weeks ago with Sydney University media law academic Professor David Rolph, who has recently published his fourth book.



David Rolph

He was talking about the rash of very large, conventional defamation cases like those brought by actors Rebel Wilson and Geoffrey Rush, the more political cases, like the one brought by

Chinese developer Dr Chau Chak Wing and the huge number of person-on-person attacks — or “backyarder” claims — that are being brought by aggrieved, often very angry, users of social media, which NSW District Court’s Defamation List Judge Judith Gibson says are clogging up the defamation list and something needs to be done.



Judith Gibson

In a subsequent interview Judge Gibson explained why the legal profession believes that something needs to be done, but nobody quite knows what. Some mention a special tribunal, others a fast-track system or a small claims jurisdiction. David Rolph characterised a special tribunal as a “truth” tribunal, which rather piqued my interest, being rather fond of the inquisitorial systems operating under the European legal code.

Australia’s uniform defamation laws were enacted and passed in 2005 and came into effect 1 January 2006 — that’s the year after Facebook was founded and before the advent of iPhones, Twitter and the #MeToo movement — which is why Judge Gibson says Rebel Wilson-style defamation cases involving “typical tabloid excess” and large media companies were now the exception and “increasingly what we’re seeing is attacks on people on social media” by private citizens, which pose a range of difficulties for existing defamation

laws, including that available remedies were often ineffective when defendants were — as they often are on the social media — anonymous or penniless. This is likely why the remedies being sought do not generally include damages for reputational damage and loss. Instead, the claimants are looking for ways to force media operators like Facebook to take down and delete the offending posts forever.

In the US this is made possible by laws that require a media operator to remove and delete a post on being served with a court order: the claimant need only prove that the post is false in fact and by imputation, but it does not apply here. This is an obvious reform that our legislators could make: but it still leaves all the other questions about what needs to be proved and to what standard, whether to establish a separate category of claim within the existing framework, whether and when a claim for reputational damage might apply or not and how to overcome the international jurisdictional obstacles.

The intriguing possibility as I see it is for a specialist tribunal to develop into an inquisitorial style “truth” tribunal as distinct from the existing adversarial courts that we know and for that to grow into other areas of our law. Why is that an intriguing possibility? I see a time when whistleblowers will be able to weaponise the truth like never before!



Rebel Wilson: her sorts of defamation cases are no longer the norm

# Whatever happened to public safety around our airfields?

Richard Gates

## Cynthia's introduction

Dr Richard Gates, a retired neuroscientist widely published on the effects of noise and deafness and brain function, has been making representations about aviation safety and aircraft noise for a number of years, at all levels of government. He is president of the Evans Head Memorial Aerodrome Committee. The State Heritage Listed Aerodrome was the first of the Royal Australian Air Force's Empire Air Training Scheme Stations in World War II. More than a 1,000 who trained there died during the War.

His presentation today is about how a former RAAF and Qantas pilot spoke up publicly about the risk of an aircraft crashing on take-off and the need for Public Safety Zones around our airfields. He had been in an aircraft that had a catastrophic engine failure, but fortunately there was room to crash land. He was particularly concerned about the development of a nursing home at Evans Head (RSL LifeCare) right near a runway leaving little room to manoeuvre. He was heavily bullied by members of the local sub-branch of the RSL and treated poorly by both State and Federal RSL. He left town.

His case is ongoing as is the issue of PSZs which federal governments and others are failing to implement in response to standover tactics from big developers.

## RICHARD'S TALK

Notes by Brian Martin based on Richard's talk and slides



Evans Head Memorial Aerodrome with the then village of Evans Head in the background

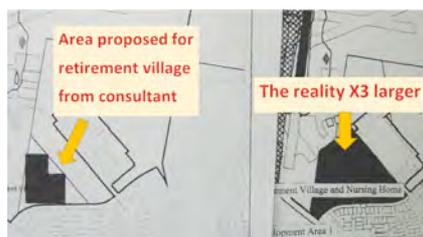
Richard has a long-term interest in air safety. Twenty years ago, he retired to Evans Head, a town north of Sydney with a population of about 3000, where he had spent his childhood. He became interested in the town's aerodrome, which had been used for training during World War II.

There were developers who had eyes on the aerodrome for real estate development including the mayor at the time. Richard was worried, as was the local community, about the carve-up of the aerodrome for housing so applied to get the aerodrome State Heritage Listed by the Heritage Council — and it was, in November 2002, much to the chagrin of council (the local government body covering Evans Head).

Richard learned that more than 200 lots of aerodrome land had been sold without the necessary permission of the federal department of transport under a Deed of Trust with the local council. What interested Richard was that council's solicitor had provided advice on the Deed of Trust regarding the disposal of land and had also acted for council in the sale of the land and yet the necessary permission had not been sought.

A formal complaint was made to the Ombudsman who confirmed that the sales were wrong but nothing would be done, telling Richard "You'll need to go to court to stop the development." The message to the council was clear: nothing would be done about the sale of the 200+ lots, so that if you want to ignore the rules you can do so without consequence!

With council's encouragement, a retirement village was proposed for the aerodrome that would be only 110 to 150 meters from the main runway. An aircraft noise exposure profile was drawn up. To accommodate the retirement village, the profile was much smaller than the original profile done a few years before.



The profile is supposed to be used to determine how close you can build to an airstrip in the state of New South Wales. The NSW planning department had been using noise contours as a surrogate for *safety*, which independent research shows is totally inappropriate.

Richard's group had "friends" who gave them documents showing the proposed development was three times larger than the proponent claimed. Richard exposed the deception involved in the plans and the consultant to the plan admitted that they knew the proposal was much larger. There was no consequence!



Aerodrome runways and the proposed retirement village

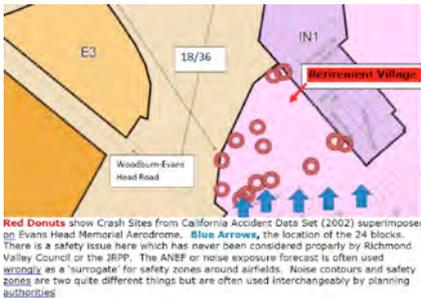
Richard's group commissioned an independent planning assessment which showed that the proposed development was flawed and inappropriate and that there were other locations where it could be built.

A new noise profile, drawn up on the advice of council, hardly touched on the retirement village, with the rationale that the runways are hardly ever used. But Richard pointed out that they *are* used, for bushfire emergency aircraft and for other emergencies. The aerodrome is also the nearest emergency landing field for the RAAF which has a weapons range nearby.

The area had been zoned for agriculture. The council proposed to rezone the land — obvious as a prelude to the retirement village development — and this was approved by Heritage Council following approval from the then Minister for Planning Kristina Kenally.

The then director of the Heritage Office refused permission for Richard to address the members of the Council, so Richard tracked down their addresses and emails and sent them information. He then wrote letters to the local media about the corruption involved, to no avail.

Ron Fisher, an 80-year-old experienced pilot and flying instructor living in Evans Head, went through air accident incidents and found lots of examples of safety problems. Ron and Richard made representation to council and gained publicity for their concerns. The local media were in the pocket of the Council (through advertising), so Richard and Ron sent information to independent media, which published their concerns. They used California accident data to show the possibility of accidents on the proposed retirement village site.



California accident data superimposed on the Evans Head Memorial Aerodrome

Richard's group made representations to Senate Estimates about the risk of accidents. Senate Estimates hearings are very productive. Richard recommends listening to them. At one hearing, jokes were made about the complaint. Richard rang immediately and complained and this led to an instant apology online.



Ron Fisher

Ron was the subject of a bitter personal attack at an RSL (Returned Services League) sub-branch meeting as well as at a Joint Regional Planning Panel hearing where he was harassed by sub-branch members. Ron next

went to the state branch tribunal. Richard went along as Ron's carer, but was not permitted to speak unless requested by the tribunal.

The tribunal — several of whose members had potential conflicts of interest — turned the hearing into an attack on Ron. The sub-branch president did not show up, claiming medical grounds even though he continued to carry out his role as sub-branch president. In Richard and Ron's view, procedures were misused: when Ron appealed the decision of the state tribunal, he discovered his appeal would go to the same body that had originally heard the matter.

Ron went to the national RSL secretary, who referred the matter back to the state. Ron received an apology from the State President Don Rowe for what had happened, but there was nothing forthcoming from the sub-branch president and no consequences for the attack on Ron. Ron left town and now lives in Victoria.

Richard's car was tarred and a stick was put up its exhaust pipe. Richard was defamed by one of the councillors who subsequently, after litigation was threatened, issued a public apology. Council paid the councillor's legal bill.

Richard and Ron's efforts must have been effective: RSL LifeCare eventually withdrew its development application, although it blamed council at the time. However Richard's committee continued to be blamed for the retirement village not going ahead, rather than the aviation dangers and abuses of process.



There are no safety zones around airports, except in Queensland, where they are 1 km long and initially 350m wide, tapering along the 1 km. In New South Wales, public safety zones have just recently been introduced, but they are not retrospective, so lots of development in NSW is well within what should be public safety zones, putting the public at risk. The guidelines are

advisory and based on a dodgy "affordable risk" model begging questions of how much a human life is worth.



How much would you sell yourself for?

## Conclusions

- Our public institutions are failing to take action on "public interest" matters, including public safety, which sends a clear message to local, state and federal governments that they can pretty well do as they please, *because there will be no consequences if they do something wrong!*
- There is undue influence from large developers on many matters, including planning decisions around airfields.
- Until November 2018, public safety zones existed only in Queensland and other countries. Public safety zones around existing NSW airfields do not exist. The government uses a flawed "affordable risk" model.
- Record keeping is in decline for many of our public bodies, for example the state's joint regional planning panels, which fail to keep adequate records of their hearings about development matters.
- Many senior public servants on contracts are no longer independent: they bend to the will of their political masters. Whatever happened to "free and fearless advice," a hallmark of an effective public service?



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# WBA AGM

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## Whistleblowers Australia Annual General Meeting

18th November 2018  
North Parramatta, Sydney NSW

### 1. Meeting opened at 9.25am

Meeting opened by Cynthia Kardell, President. Minutes taken by Jeannie Berger, Secretary.

2. Attendees: Cynthia Kardell, Jeannie Berger, Brian Martin, Feliks Perera, Richard Gates, Jim Regan, Lesley Killen, Karl Pelechowski, Yve De Britt, Maggie Dawkins, Ken Smith, Jason Fairclough, Michael Cole, Jane Cole, Tim Morrison and Adam Hadad.

3. Apologies: Margaret Love, Robina Cosser, Stacey Higgins, Alan Smith, Lynn Simpson, Rhonda Aubert, Toni Hoffman, Geoff Turner, Harry Albani, Deborah Locke, Karen Burgess, Jim Page, Katrina McLean, Anne Crofts, Lucie Litchfield, Carol O'Connor and David Reid.

### 4. Previous Minutes, AGM 2017

Cynthia Kardell referred to copies of the draft minutes, published in the January 2018 edition of *The Whistle*.

Cynthia invited a motion that the minutes be accepted as a true and accurate record of the 2017 AGM.

Proposed: Michael Cole  
Seconded: Richard Gates  
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 act as chair. There being no other nominees, Cynthia was declared elected.

5(2) Other office bearer positions (Cynthia resumed the chair.)

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

Vice President: Brian Martin  
Junior Vice President: Michael Cole  
Treasurer: Feliks Perera  
Secretary: Jeannie Berger  
National Director: Margaret Love

5(3) Ordinary committee members (6 positions)

Because there were no other nominees, the following were declared elected.

Robina Cosser  
Stacey Higgins  
Katrina McLean  
Lynn Simpson  
Richard Gates

Cynthia asked the meeting to consider nominating Toni Hoffman, who had been ill and unable to get her nomination form to the secretary in time.

Brian Martin nominated Toni Hoffman. No other nominees were proposed for the 6<sup>th</sup> position.

Seconded: Michael Cole  
Passed

Toni Hoffman was declared elected.

The president Cynthia Kardell thanked everyone for their continuing commitment to the organisation and welcomed Richard Gates to the committee.

Cynthia also thanked outgoing committee member Geoff Turner for the last 15 years on the committee. Geoff joined WBA in 1998 after hearing another member on the radio, being interviewed about the failure of government building inspectors to clean up the building industry. Naturally, he had a building problem. Geoff went on to be elected to the committee in 2003, taking on the role of communications director. He has been a caring, insightful contributor to the life of the committee in good times and bad and a good friend to us all.

Geoff is a software engineer, which is why Cynthia was pleased when he volunteered in 2000 to secure WBAs two domain names and email address [wba@whistleblower.org.au](mailto:wba@whistleblower.org.au) and to help

set up the website on the Suburbia Public Access Network. Geoff helped upgrade it in 2010 and is willing to do so again next year. Geoff remains a member.

### 6. Public Officer

Margaret Banas has agreed to remain the public officer. Cynthia asked the meeting to acknowledge and thank Margaret Banas for her continuing support and good work.

6(1) Cynthia Kardell invited a motion that the AGM nominates and authorises Margaret Banas, the public officer to complete and sign the required submission of Form 12A to Fair Trading on behalf of the organisation, together with the lodgement fee, as provided by the Treasurer.

Proposed: Feliks Perera  
Seconded: Jeannie Berger  
Passed

### 7. Treasurer's Report: Feliks Perera

7(1) Feliks tabled a financial statement for the 12-month period ending 30 June 2018. A motion was put forward to accept the financial statement.

Moved: Michael Cole  
Seconded: Jane Cole  
Passed

#### *Feliks' report*

Once again, it is my great pleasure to present to you the accounts for the financial year ending 30 June 2018.

This year too, we have an excess of expenditure over income of \$2,998.54. The total income from membership subscriptions and donations amounted to \$3,955.00. A large portion of the income for this year was spent on the conference subsidy, and also the production of *The Whistle*, which is entirely for the benefit of the membership. I am sure your association will continue to keep subsidising the major expenditure, as it enables the membership to fully participate in the activities planned by the national committee.

Our bank balance at 30 June 2018 stands at \$2,182.94, and we have a fixed deposit investment with the National Australia Bank of

\$14,106.14. Your association had no outstanding liabilities at 30 June 2018.

# Thanks for Donating!

I want to thank the members who so generously sent in donations to support the work of the association. In this financial year the donations amounted to \$1,455.00. To keep the association moving forward as a strong voice in the community, it is imperative that we expand our membership in this coming financial year. So, this is yet another call to the members to bring in at least one new member.

Lastly, I want to thank the members of the national committee and the membership for the trust they have placed in me to take care of the financials of the association.



Whistleblowers Australia hasn't yet tried to raise money by selling whistles

## ANNUAL ACCOUNTS TO YEAR ENDING 30 JUNE 2018

### INCOME

DONATIONS	\$1455.00
MEMBERSHIP FEES	\$2500.00
INTEREST ON FIXED DEPOSIT	\$322.17
BANK INTEREST	\$0.42
<b>TOTAL INCOME</b>	<b>\$4277.59</b>

### EXPENDITURE

WHISTLE PRODUCTION	\$3567.21
2017 CONFERENCE SUBSIDY	
	\$3378.92
RETURN TO BRANCHES	\$250.00
WEBSITE FEE	\$35.00
ANNUAL RETURN FEES	\$45.00
<b>TOTAL EXPENSES</b>	<b>\$7276.13</b>

EXCESS OF EXPENDITURE OVER INCOME (\$2998.54)

### BALANCE SHEET, 30 JUNE 2018

ACCUMULATED FUND BROUGHT FORWARD	\$18886.82
LESS EXCESS OF EXPENDITURE OVER INCOME	(\$2998.54)
SUNDRY ACCRUALS FOR 2017-2018	\$1055.00
<b>TOTAL</b>	<b>\$16943.08</b>

### ASSETS

FIXED DEPOSIT WITH NATIONAL AUSTRALIA BANK	\$14160.14
BALANCE OF CURRENT ACCOUNT DEPOSIT FOR 2017 CONFERENCE	\$2182.94
	\$600.00
<b>TOTAL</b>	<b>\$16943.08</b>

### 8. Other Reports

#### 8. (1) Cynthia Kardell, President

This year we got off to a flying start in February when we got to know the "bushie" who gave us the Cabinet Files Leak, who wasn't prosecuted for leaking them to the press after buying them at an auction.

And all the planets were aligned on St Valentine's Day, when a jury delivered a "not guilty" verdict for former police officer Rick Flori, deciding that going to the press was not misconduct even though, technically, it broke the law.

In March I submitted a lengthy objection to the proposed Foreign Interference Transparency Scheme Bill 2017 and its three companion bills, which will limit our freedoms perhaps even more than for those wretched terrorists. Our government, just like terrorists, uses lies, spin and hypocrisy to terrorise us.

On a lighter note I was pleased that whistleblowers like Jeff Morris allowed Rowena Orr, Counsel Assisting the banking royal commission, to force the four big banks into admitting their dirty habits and that shareholder whistleblowers and supporters are forcing a steadily growing number of ASX-listed companies to get rid of their investments in fossil fuels. Then there's US Cambridge Analytica (CA) whistleblower Chris Wylie, who took whistleblowing to a whole new level on getting the evidence first, with his undercover footage of CA executives bragging about their crimes.

By April I was thinking that the time is not too distant when whistle-

blowers will be thanked publicly for breaking the bad news in the media. And then this happened, almost as if on cue. David Littleproud, Minister for Agriculture, thanked young Pakistani whistleblower Fazal Ullah on national radio for the video footage aired by *60 Minutes* on Channel 9 the night before. I thought it too good to be true and as it turned out, it was — but he had crossed a line in publicly saying thank you and I intend to rely on it in the future.

In June I made a submission on national compliance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora, to expand and protect the role of *international* whistleblowers in stopping the trade in elephants and rhinoceroses.



By early August, news of Michaela Banerji's win was everywhere. Michaela worked for Immigration until Minister Peter Dutton's team tracked down an anonymous tweet she posted on refugee policy. Her lawyer, Mr Anforth, said "the tribunal's decision freed public servants to fully participate in the community, provided they didn't comment on politics in their official capacity."



Michaela Banerji

But it hasn't ended there. Dutton has lodged an appeal in the High Court on the legal questions it raises about implied freedoms, executive action and employment more generally. This will be one to watch out for next year,

because it has the potential to expand on the implied constitutional right to political free speech.



Peter Dutton wasn't at the AGM to hear Cynthia's comments

In September I made a submission to the Independent Review of Capability and Culture of the Department of Agriculture and Water Resources in the Regulation of Live Animal Exports, or the Moss review as it has become known. Moss explains why whistleblowers like Lynn Simpson had to regulate the industry, so hopefully, now the government has lost its majority in the lower house, independent MPs and Labor will be able to force the Wilkie bill through parliament to phase out the live export trade.



You never know. The Coalition might get their wires crossed again and vote for it — like it did in October in support of Senator Hanson's "It's OK to be white" motion!

Late September the interim report on the first four rounds of hearings in the Hayne royal commission was published. It reports how greed and dishonesty became the business model

of choice in consumer lending, financial advice, loans to small and medium businesses and banking in regional and remote communities.

CBA whistleblower Jeff Morris can take much of the credit for the inquiry and its findings. It was his work over many years that led first to a parliamentary inquiry and finally to the Hayne royal commission. His former bosses and ASIC, who thought it okay to pillory him in the way they did, should be called to answer for it in the next round of hearings late November. Nothing less will do, if we are serious about change. I made a brief submission to the inquiry on these terms.

In October too, the federal government delivered a formal apology for the harm done to victims of child sex abuse, their families and carers. Remarkably, the Morrison government also said sorry to the whistleblowers "who we didn't listen to," which marks a real paradigm shift. It was the day government accepted that society values and respects its whistleblowers, like former NSW detective Peter Fox and many others.

Other than that, I have listened, suggested strategies and come to know some of the remarkable people who contacted us for help throughout the year.

Thank you, everyone for your friendship, support and trust.

8. (2) **Jeannie Berger**, *Secretary* Memberships are steady. This year we have 126 members. I'd like to thank all our current members and those who made donations.

9. Other Business. Nil. None previously notified or put forward.

9. (1) AGM 2019 in Sydney (Parramatta) on the 24 November 2019.

#### 10. AGM closed 12.05pm



After the AGM

## Why protect whistleblowers?

Report on the Sunday discussion  
Cynthia Kardell

I OPENED THE DISCUSSION saying that what seems obvious enough to us isn't necessarily so to others, when those "others" tend to see it in terms of losing power. Casting whistleblowers as vexatious troublemakers has a very long history and it has served those caught out or caught napping very well. The current banking and financial services royal commission has laid this out for all to see. The financial sector has stubbornly resisted every reform by those "others" for nigh on 25 years.

This question came up last Wednesday in a much different forum, at a conference convened by the NSW Ombudsman. People charged with the legal obligation to protect whistleblowers were asked to think about why they should.

To get the discussion going I asked Michael Cole, who represented WBA on the panel at the conference, to give us an insight into their thinking and the ideas the audience and other members of the panel came up with when asked "why?" For his part, Michael thought it obvious. It hurts them, it's unfair and we need to look at the wider costs and benefits to society which are many.

Michael was interested to learn the second "Whistling While They Work" study took it as axiomatic that whistleblowers were valuable, but it did not address why. Either way, last Wednesday was the same. Maybe they didn't want to go there or deal with it if it proved to be more rhetoric than not. Maybe they held back, knowing they'd be empowering those who might one day want to expose their dirty secrets.

Or hopefully, like us, it was so obvious it didn't need saying, which might explain why we strayed off topic so quickly, down every rabbit hole imaginable. But we had a marvellous time doing it.



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## Media watch

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### Vrede dairy farm project whistleblower murdered

Riaan Grobler  
*News24*, 23 October 2018

AS THE NORTH GAUTENG HIGH COURT [Pretoria, South Africa] hears the DA's application for the review of Public Protector Busisiwe Mkhwebane's report on the Vrede dairy farm project on Tuesday, it has emerged that one of the whistleblowers in the project has been murdered.

The body of Philemon Ngwenya, 53, of Thembalihle near Vrede, was found in his shack at Knelvlei Farm, outside Vrede, on Friday, police spokesperson Sergeant Mmako Mophiring said in a statement on Monday.



Philemon Ngwenya

"It is alleged that on the said day, a passer-by saw the bakkie of [the] deceased parked in the veld, not far from his shack.

"He tried to call his cellphone but it was on voicemail and he informed his family.

"Family members went to the farm where, on their arrival, [they] found his brutally battered body inside the shack.

They reported the incident to the police at about 20:30 and a case of murder was registered," the statement read.

#### "Not murdered at home"

eNCA reported that Ngwenya had been stabbed with a sharp object and wasn't murdered at home, quoting an unnamed source.

He was reportedly wrapped in blankets and then moved onto his bed to make it appear as if he was asleep.

In her report, Mkhwebane found procurement irregularities, "gross negligence" and maladministration related to the controversial project.

Among other findings, Mkhwebane found that the agreement between the Free State Department of Agriculture and Estina, the Gupta-linked company that executed the project, seemed to have been invalid.

According to a statement by the DA, Ngwenya was outspoken about the "dubious" farm deal.

#### "Beneficiaries were bitter"

"In a news report in August this year, he admitted that beneficiaries were 'bitter' and that he 'didn't even get R2 from them (those who ran the project)'.

"Recently, there were recordings distributed of a person in Vrede calling for all the beneficiaries to be killed. The recording was forwarded to the police," DA spokesperson Patricia Kopane said.

According to Kopane, Moses Tshake — an auditor in the Free State Department of Agriculture — was kidnapped, tortured and killed after allegedly questioning payments linked to the controversial farm project in 2013.

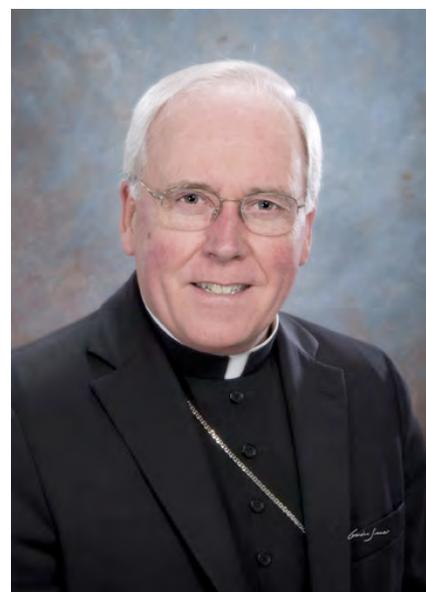
"The motive behind the killing is not yet known and anyone with information that may lead to the arrest of the suspect(s) should please contact Vrede police," the police's Mophiring said.

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### Confessions of a Catholic whistleblower

Siobhan M. O'Connor  
*First Things*, 22 November 2018

IN LATE JULY, I began giving internal diocesan documents to an investigative reporter in my hometown of Buffalo, NY. Three years earlier, Bishop Richard J. Malone had offered me a job as his executive assistant, which I eagerly accepted. I was overjoyed to be working for my beloved Church. Unfortunately, within three years I would transition from buoyant new hire to crestfallen whistleblower.



Bishop Richard J. Malone

No particular event led me to begin leaking documents from the diocese's secret archives. Rather, I took action after gradually realizing that truth was being hidden within the Chancery to the detriment of abuse survivors, Catholics, and the people of Western New York. In March, Bishop Malone released a list of 42 priests credibly accused of sexually abusing minors within our diocese. However, I immediately knew the list was appallingly incomplete. I had seen the draft list, which included over 100 priests. In one especially egregious case, the diocese gave this reason for leaving a priest off the list: "We did not remove him from ministry despite full knowledge of the case, and so includ-

ing him on list might require explanation.” The abuse survivors who began calling the Chancery after the list was released were indeed seeking explanations. These long-suffering men and women were understandably distressed not to find their alleged abuser’s name on the diocesan list.

Yet Malone began hailing himself as a herald of transparency for our diocese. When the list of 42 was publicized, he stated that seeing abusers’ names in print would “liberate and empower” survivors. Unfortunately, only some survivors were afforded this opportunity for liberation and empowerment. It became increasingly painful for me to witness the dichotomy between the bishop’s public comments and his internal actions—or lack thereof.

As I wrestled with these concerns, two priests’ cases began to stand out. Both were accused of grooming minors and sexually assaulting young men. Each had allegations brought against him by multiple victims. Malone had allowed both these priests to remain in active ministry despite having detailed knowledge of the accusations against them. In fact, the bishop wrote several recommendation letters allowing one of the priests to minister on cruise ships and publicly lauded the other priest in advance of his upcoming retirement. Malone tried to reassure the public by saying “We have been going about this whole thing in an entirely different way than was done in decades passed.” But behind the scenes, I knew Malone was allowing the toxic secrecy and inexplicable inaction of the past to continue.

Since I worked in close proximity to Bishop Malone, I was able to bring my concerns directly to his attention. But when I did so, the bishop told me not to worry because he was handling these matters. He was not. Malone allowed a priest to remain an active pastor despite the Diocesan Review Board recommending that he be removed for a thorough assessment. Months later, the bishop’s senior staff reviewed the allegations against this priest and recommended that he be removed from ministry altogether. In the face of these strong recommendations from two of his closest advisory bodies, Malone did absolutely nothing.

It was inaction of this nature that eventually compelled me to act.

What I was witnessing boggled my mind, broke my heart, and burdened my soul. With each passing week, my conscience felt as if it were in an ever-tightening vise. My primary prayer became a three-word plea: “God, help me!” As a lifelong Catholic, it felt bizarre to seek the Lord’s aid in confronting mendacious behavior at the highest level of my local Church. Yet I began to realize that God had placed me in the right place at the right time, and that He would grant me the strength to do the right thing. While I recognized that law enforcement would need to investigate our diocese, I also knew it would necessarily be a lengthy process. To effect rapid change, I would need to break the truth out of the Chancery.

During the previous months, I had observed that the tenacious investigations of one particular journalist directly impacted Bishop Malone. On multiple occasions, an email or query from Charlie Specht of WKBW-TV would force the bishop to do the right thing. Using documents I leaked to him, Charlie crafted three explosive reports that led to immediate and vital changes. For example, one of the aforementioned priests was not allowed to ride off into the sunset of retirement. He was finally pulled from ministry and held accountable for his alleged actions. Local leaders joined the members of our diocese in demanding answers from Bishop Malone. Survivors have come forward and received support from our community. This momentum has only increased since our story was brought to the national level by *60 Minutes*.

Having blown the whistle, I now seek to be part of the reform and renewal of the Church I love. I often tell my fellow Catholics that we are currently engaged in a battle for the soul of our Church. It is my prayer that there are more Chancery employees out there who will be able to set the truth free. As for me, the actions I took left me with a heavy heart but a peaceful soul.

*Siobhan M. O’Connor writes from Buffalo, New York*

## What companies need to know about whistleblowing

**Corporate whistleblowing might be an uncomfortable topic for any company to discuss, but it is more helpful than harmful.**

HRM Asia Newsroom  
28 November 2018

WHISTLEBLOWING POLICIES are an important aspect of any transparent working environment.

In this exclusive interview, Elizabeth Richards, Head of Corporate Governance at the Institute of Chartered Accountants in England and Wales, addresses some frequently asked questions about corporate whistleblowing.



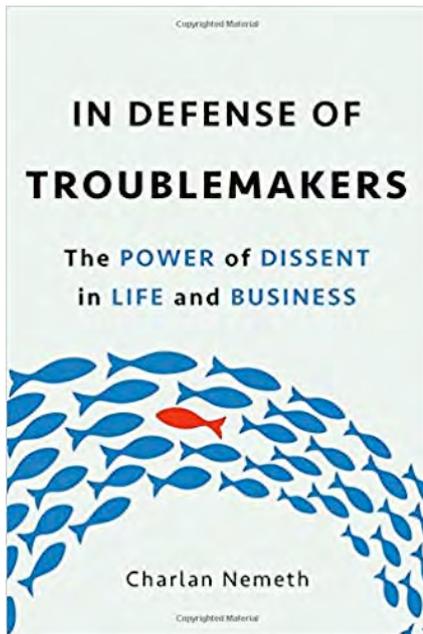
Elizabeth Richards

### **How does whistleblowing help companies?**

Responsible managers want to know about problems; but as they can’t be everywhere all of the time, they need their employees to be their eyes and ears.

If whistleblowers speak up then problems can be stopped in their tracks before they escalate, and damage to staff morale and the companies’ reputation can be avoided.

Whistleblowing is a necessary and valuable safety valve. Whistleblowers who speak up in the public interest or their companies’ interest should be thanked.



***What are some misconceptions about whistleblowing that companies tend to have?***

Whistleblowers can be perceived as trouble-makers who speak up for selfish reasons, for instance because they have been involved in the wrong doing and are seeking immunity or want to reduce their punishment.

Celebrity whistleblowers have unfortunately skewed views and affected opinions of all whistleblowers — see Julian Assange of WikiLeaks, or Edward Snowden.

The US Security Exchange Commission’s scheme of financial rewards for whistleblowers has also had a negative impact on the perception of whistleblowers because it gives the impression that whistleblowers speak up in their own interests.

However, whistleblowing in companies tends to be more mundane and day to day, not newsworthy, and we never know who the whistleblowers are, so it’s an unfair comparison.

Whistleblowers in companies are more likely to be showing their loyalty than disloyalty. They risk speaking up even though they have nothing to gain.

***How should companies approach this, otherwise for internal and external whistleblowing?***

It’s understandable that companies want to encourage internal reporting rather than external reporting, and that’s another reason to put an internal policy in place, to make internal

reporting a real choice.

No company wants their dirty laundry aired in public. However, a policy should not be misleading, for example, claiming that external reporting is prohibited if this is untrue.

The exact relationship between internal and external reporting depends on the country and sector.

In some instances, there is a duty to blow the whistle to a professional body or regulator.

***What are the challenges that companies should watch out for?***

Whistleblowers can make genuine mistakes. They can also exaggerate. Although it’s hopefully rare for whistleblowers to tell outright lies, anything is possible.

Whistleblowers may hold a grudge against their company or their manager. The last day in a job is a common day to blow the whistle. If a whistleblower is very determined to see others get in trouble this can be a warning sign that they have lost their objectivity, although what they are saying may still be true.



Companies need to take care to protect the rights of the person accused by the whistleblower. Companies should conduct an independent investigation in order to seek corroboration and evidence. Whistleblowers aren’t witnesses. Whistleblowers only provide the initial alert or tip off, and it’s up to the company to take it from there.

Even if a company keeps a whistleblower’s identity confidential their identity may be guessed. In order to minimise this risk, the accused person should not be told that there has been a whistle blown about them. Delaying an investigation can be prudent in some circumstances, for example, if a delay would protect the whistleblower’s identity.

***How should organisations deal with whistleblowers and protect them from repercussions?***

Whistleblowers need options as to how they report. They may not want to use their email account. Some prefer a face-to-face meeting with the Whistleblowing Officer, although some form of written record needs to be kept for everybody’s protection.

In the UK, for instance, banks are required to allocate the role of Whistleblowers’ Champion to a non-executive director on the board. Champions aren’t automatically told who whistleblowers are or what they have reported, but champions can be contacted by whistleblowers if they feel that they are being bullied or victimised.

The UK National Health Service also has a special scheme for whistleblowers who say they have lost their jobs and are struggling to get a new job as a result of blowing the whistle.

***How can senior management and HR best support whistleblowing policies, and whistleblowers themselves?***

Senior managers and HR directors must ensure that appropriate frameworks and policies are put in place. Although HR directors should not receive whistleblows, they do have two important roles to play.

First, they must make sure that all employees, including new employees, are aware of the policy. If third parties such as suppliers or contractors can blow the whistle, then they also need to be made aware of the policy. Second, HR directors must understand the distinction between a grievance for HR to handle and a whistleblow. It is critical that the right definitions of whistleblowing and whistleblower are used in the policy.

Senior management (the board) can ask how many whistleblows there have been, although not who the whistleblowers are or what the whistleblows were about. It can be difficult to know what the bare number means. Does a low number mean the company is perfect or does a high number mean the policy is working? However, it should be possible to assess trends over time, or perhaps between countries.

## How a café meeting prompted Australia's biggest foreign bribery case

Richard Baker and Nick McKenzie  
*The Age*, 30 November 2018

THE STORY of Australia's first foreign bribery prosecution began in 2008 when a whistleblower and a journalist met in a café behind *The Age's* old brown brick headquarters in Melbourne's Spencer Street.

Waiting at a table was a well-dressed, clean shaven man with a full head of salt and pepper hair. His name was James Shelton. He had been part of the sales team at the Reserve Bank of Australia's currency firm, Securrency, for about two years and had seen some troubling things.



Corruption whistleblowers  
Brian Hood [left] and James Shelton.  
Credit: Jason South

Shelton was nervous about talking to a journalist. He had a black note book before him on the table. In it, he said, were names of Securrency overseas agents who he believed had received multimillion-dollar payments for brokering suspect deals with politicians and central bank officials.

Shelton said he was talking to a journalist as a last resort. He had taken the same information and more to the AFP [Australian Federal Police] six months earlier, in April 2008. But it appeared the police were not going to do anything with it. AFP Commissioner Tony Negus later said he regretted this failure to act.

It took another eight months of digging and work by the newspaper's investigative team before a detailed story could be published about Securrency's massive commission payments to a host of middlemen in corruption-prone countries. One of those was a suspected senior Vietnamese intelligence officer who was

having an affair with Australia's top trade official in Hanoi.

The night before the May 2009 story came out, then deputy governor of the Reserve Bank, Ric Battelino, rang *The Age's* investigative team. "You're not going to publish this are you?" a worked-up Battelino asked.



*The Age*, 23 May 2009  
and 2 December 2012

He went on to say the RBA had made it clear to Securrency and Note Printing Australia (NPA) that they were not to pay bribes via their agents and middlemen. In any case, Battelino said the RBA had no inkling that bribery may have occurred, and that questions would now be asked of Securrency.

The day the story was published, the RBA did something it should have done two years earlier and called in the AFP to investigate.

It turned out Battelino knew more than he was letting on. But it took another whistleblower to step forward to reveal the extent of the RBA's true knowledge of corruption concerns and the great lengths it went to keep them in-house.



*The Age*, 2 July 2010

Over many meetings across two years, NPA's former company secretary Brian Hood slowly shared with *The Age* and *The Sydney Morning Herald* details of his own investigation into admissions by the company's Malaysian agent — whose other job was arms dealing — that he had used his commissions to bribe government officials.

Hood had detailed his evidence and concerns in an explosive memo to the RBA deputy in 2007. Hood's memo had prompted the RBA to order Note Printing Australia to cease using its

agents. But for some reason the RBA has never explained, sister-firm Securrency was able to continue using its own middle men in corrupt countries, including the Malaysian arms dealer.

If Shelton's whistleblowing unearthed the scandal, then Hood's evidence blew the lid off it. And it gave Battelino and his boss, then RBA governor Glenn Stevens, a credibility problem.

Both had told parliamentary committees the RBA's knowledge of corruption concerns really began with the initial 2009 story in *The Age*. In fact, the RBA had decided a year earlier in 2008 to ask law firm Freehills to advise on its subsidiaries' exposure to foreign bribery laws, rather than alert police to Hood's discoveries.

It is important to remember that none of this would be known had it not been for the combination of whistleblowers and journalists. Shelton's first attempt to alert the AFP to bribery went nowhere. The RBA did all in its power to keep Hood's corruption discoveries a secret.

Both men paid a heavy price for doing the right thing, losing their jobs after asking questions of their bosses, and experiencing years of anxiety as prosecution witnesses while the court cases stalled and were shrouded in blanket suppression orders.



*The Age*, 24 May 2010

But even when the story was public it was hard to get any traction. For the most part, the rest of Australia's media was uninterested and did no reporting of their own. Kevin Rudd's Labor government, so keen while in opposition to hammer the Coalition over the Australian Wheat Board kickbacks scandal, did nothing and said nothing on the RBA controversy, or the involvement of other government agencies. Former federal Labor MP Kelvin Thomson was a notable exception.

One of the few times the scandal made the top of online news charts was when *The Age* and *Herald* reported on

a Securrency plan to treat a visiting central bank official to a prostitute. The newspaper banner “RBA firm hooker sex bribe” proved irresistible.

Another time was when reporters Baker and McKenzie were ordered by a Victorian court in 2012 to reveal their sources or face jail for contempt. Thankfully, this situation was avoided.



*The Age*, 2 July 2011

When the AFP, which had assembled a serious and motivated taskforce, made history in mid-2011 by charging the RBA firms and a host of executives with bribery, there was a brief spurt of media and political attention.

By the end of 2011, however, the noise was forcefully quieted by a series of suppression orders imposed by the Victorian courts at the request of the accused’s lawyers and, in one infamous example, the Australian government in order to avoid damaging international relations.

Not even the existence of the orders was allowed to be reported.

Now that the prosecutions are over and suppression orders evaporated, what are we left with?

Firstly, there is a compelling case for Australia to have a stand-alone fraud and financial crime agency. The AFP’s chief investigator in the case, Rohan Pike, said as much this week.



*The Age*, 3 August 2012

As a result of the case, the nation’s foreign bribery laws have been reviewed and improved. But prosecuting foreign bribery has proven extremely complicated and protracted. The AFP investigation into the Securrency matters generated 80 million documents. We should learn from the experience and make changes.

The AFP has prosecuted very few other foreign bribery cases since 1999. Big corruption investigations into

major Australian companies such as the former Leighton Holdings, AWB, Tenix and Tabcorp have gone nowhere. Why?

Australia’s corporate regulator, ASIC, was found to be missing in action in the banknote bribery case. The boards of Securrency and NPA were led by senior RBA appointees, most notably by former deputy governor Graeme Thompson. The bribery happened under the watch of these boards.



**ASIC**

ASIC, the Australian Securities & Investments Commission, is sometimes called the Australian Securities Inaction Commission

It’s worth nothing that Thompson was also the head of the Australian Prudential Regulation Authority. But ASIC did nothing with evidence about potential breaches of the Corporations Act referred to it by federal police. At least it could have hauled in Thompson and other directors for questioning. ASIC has never explained its failure to act.

Laws to protect whistleblowers such as Hood and Shelton cannot come soon enough. They have been introduced to Federal Parliament, but not yet passed. As this case shows, they deserve and demand protection.

Lastly, given the failure of the RBA to report corruption to police, the AFP’s initial reluctance to act, and ASIC’s reluctance to enforce directors’ duties, the banknote bribery scandal is a clear case study for why Australia would benefit from a national integrity commission.

Imagine if Shelton and Hood were able to take their concerns about serving and former public servants to a well-resourced agency whose primary purpose was to expose corruption.

The only losers in this scenario would be investigative journalists.

**“I had a moral duty”:  
whistleblowers on  
why they spoke up  
They took on warmongers,  
sexual abuse and tax dodgers.  
Would they do it again?**

Teri Pengilly, Christopher Thomond, Murdo MacLeod, Sarah Lee and words by Caitlin Disken  
*The Guardian*, 9 October 2018

IN AN AGE where information is tightly controlled by image-makers, spin doctors and gatekeepers, real scandal can often only be revealed with the help of whistleblowers.

To mark the 25th anniversary of the whistleblowing charity Protect (formerly known as Public Concern at Work), we focus on 12 people who have taken great personal risk to expose everything from warmongers to tax dodgers and sexual and physical abuse.



“I could have been fined a million euros,” the Luxleaks whistleblower Antoine Deltour says when reflecting on his ordeal. Since passing information about controversial tax agreements to the French journalist Edouard Perrin, the former PricewaterhouseCoopers employee has faced global media attention and two trials. By 2016, more than 215,000 people had signed a petition pledging support for Deltour.

It was in 2011 that Deltour first passed documents to Perrin, detailing how companies such as Amazon and Dyson struck (perfectly legal) deals with Luxembourg to avoid cross-border tax. The International Consortium of Journalists used this leaked data to unveil the extent of the tax avoidance in 2014. Many of the multinational companies involved had managed to reduce their tax to near zero by developing complex strategies

with the Grand Duchy.

The data leak was denounced by Pierre Gramegna, Luxembourg's finance minister, as "the worst attack" ever experienced by his country. Indeed, Deltour grimly acknowledges the immense courage needed on his part. In 2016, he was convicted of theft, receiving a 12-month suspended sentence and a fine of €1,500. Even so, he still insists he would whistleblow again.

"Democracy demands information," Deltour says. "I still believe I acted in the public interest."

In early 2018, Deltour was finally acknowledged as a whistleblower, and his conviction was quashed. But in what Deltour describes as a "smart move", a €1,000 fine against Raphael Halet, who also passed Luxleaks information on, was upheld. "There's a message there," Deltour notes. "By recognising me, they're making out that they're open. But by condemning Raphael, they're making sure people think twice before speaking to a journalist."



Katharine Gun was 28 when she tried to prevent one of the deadliest wars of the 21st century.

Whilst working as a mandarin translator at GCHQ, Gun and her colleagues received a request from America's National Security Agency. The email requested an intelligence "surge" of diplomats attached to the UN security council, to secure crucial information on the voting intentions of member states in the run-up to the Iraq war.

Gun, horrified at these "dirty-tricks," leaked the email to the *Observer*, and was subsequently sacked and arrested, an ordeal which she describes as "isolating." "I felt very much alone," she says. "I didn't know whether I would be charged."

Although her leak did not deter the war, it did cause worldwide outrage,

and a second UN resolution to authorise the war never occurred. Gun's trial collapsed due to insufficient evidence, and her whistleblowing is now being immortalised in upcoming film *Official Secrets*. Would she blow the whistle again? "Yeah, I would," she says. "There is always a need for whistleblowers — we don't live in a society which is transparent, fair and just. Whistleblowers hold people to account."



Claire Gilham was a district judge at Warrington county court when she first raised her complaints. Working in family courts, she witnessed hostage-taking and violence, and was even alerted by the police that someone was threatening to kill her. Initially, she was encouraged to speak out, but gradually support for her waned. Isolated and excluded, she recalls telling her human resources team: "I can't stand this, I'm going to break down."

Gilham's case remains unique among the other whistleblowers. Judges are not classed as workers, and so aren't entitled to the legal protections usually given to whistleblowers. "I think it's dangerous to exclude people from statutory protection," Gilham says, when asked about her determination to take her case to the supreme court. It was previously dismissed by an employment tribunal and the appeals court, which upheld the ruling that judges are not workers.

Working with Protect (formerly Public Concern at Work) throughout her case, Gilham remembers their ability to reflect critically on her case. "It was reassuring to find that whistleblowers aren't crazy, resentful people," Gilham adds. Rather, they are simply people unwilling to assist in the concealment of mistakes.

"If judges, the most privileged people in the country, can't speak out, then who can?" says Gilham, who feels a sense of responsibility for those

less able to speak out. She is adamant that she would be prepared to blow the whistle again. "You have to reflect on what you're doing and walk forward. You have to be ethical."



As a nurse with decades of experience, Terry Bryan was appalled by the abuse he witnessed at Winterbourne View, a hospital for people with learning difficulties. After his concerns were ignored by management, he raised his claims with the Care Quality Commission. In what the CQC described as an "unforgivable error of judgement", no action was taken.

Bryan then turned to BBC *Panorama*, whose show "Undercover Care: The Abuse Exposed" cast Winterbourne's conditions into the limelight. Bryan's whistleblowing led to six care workers being given prison sentences, and NHS England developing its 2011 "transforming care" agenda. The agenda aimed to reduce patient admissions to hospitals like Winterbourne.

Bryan now works for Care Inspectorate Wales, using his experience to inspect care homes and nursing homes around South Wales. When asked if he would be prepared to blow the whistle again, it was an unequivocal yes. "It's about following your conscience," he says. "How would you live with yourself if you didn't do it?"



Awarded whistleblower of the year by Middlesex University in 2014, Osita Mba's actions have been highly commended. In March 2011, the

former HMRC solicitor contacted the National Audit Office, revealing a “sweetheart deal” between HMRC and the investment banking firm Goldman Sachs. Mba alleged that HMRC’s most senior tax official had let Goldman Sachs off paying at least £20m in interest. “I considered it my duty as a public servant to report it,” Mba reflects. After feeling unsatisfied with the NAO’s report in the matter, Mba then took the claims to the public accounts committee of the House of Commons. “Fortunately, my claims were taken seriously and investigated,” he says.

In an action widely condemned by MPs, HMRC then used the Regulation of Investigatory Powers Act to search through the phone records and emails of both Mba and his wife. “I expected them to do it, so I wasn’t surprised when I found out that they had,” says Mba, who was also suspended from his job. Despite his ordeal, he is able to see the positives: “I have paid dearly in terms of my career so far, but the peace of mind I have enjoyed is priceless.”

In 2013, Mba received the equivalent of three years’ salary and pension contribution in a compromise agreement. Looking back, he describes whistleblowing as a “battle of conscience”. “Only the truth will set you free,” he says. “If I find myself in a situation where my conscience tells me that speaking out is the right thing to do, I will do it.”



In a 2016 speech in the Lords discussing his whistleblowing experience, the Conservative peer Kevin Shinkwin described it as the saddest moment of his career. Does he still view it this way? “Yes, it still is the saddest moment,” he says. “It completely shattered my trust.”

The incident in question happened in 2010, before Shinkwin entered the Lords and when he was working as the

head of public affairs at the Royal British Legion. He was asked to sign an invoice of almost £10,000 for work done by an MP’s researcher, who was using his privileged access as a passholder to moonlight as a public affairs consultant. Shinkwin and his then boss both refused to sign it and recommended it should not be paid. They were over-ruled by the then Director General who only informed them he had personally approved payment retrospectively. “The issue of trust was paramount,” he says. “People give money to charities in the good faith that it will be spent properly.”

Although Shinkwin notes that there is no evidence the money was ever paid, he emphasises that the way he was treated for raising concerns is what matters. He was bullied by a senior director, who demanded that he approve the invoice. The then director general even led Shinkwin to believe a payment had been made. He says he was eventually eased out of his role at the Legion. “I knew that by speaking up, I was sacrificing my career,” he says.

Now, he is adamant that more protection for whistleblowers is needed, especially in the charity sector. “When charities suffer [as a result of whistleblowing], it is the people who depend on them who suffer more,” he says, before insisting he would be prepared to blow the whistle again. “My conscience wouldn’t let me not. I would not be able to sleep.”

Shinkwin is keen to emphasise that the Royal British Legion is a different place today. “I don’t believe what happened to me would happen at the Legion now,” he says, noting that the Legion has a completely new senior management team.



Howard Shaw, a former detective sergeant at the Metropolitan Police, describes his experience as a whistleblower as a “lonely two years”. Now

chief compliance officer at Joules Africa, Shaw blew the whistle after alleging that a former colleague cheated in a job interview that led to his promotion.

Shaw raised concerns with his superiors that the colleague had seen interview questions in advance. His claims were ignored and the individual was then appointed as his line manager. Shaw was subsequently removed from his unit.

“I was under the care of my doctor and on medication, I had counselling,” Shaw remembers. Unprepared to leave the unit quietly, Shaw brought the case to an employment tribunal, which awarded him £37,000 damages and £1,000 costs after finding that he did have legal protection as a whistleblower.

Despite his success, Shaw says regrettably that he would not blow the whistle again, but instead calls for reform of whistleblowing laws. “The law needs to be more user-friendly, more accessible and less judicial.”



The past few months have been rough for Shahmir Sanni. Since March, he’s been alienated by those he trusted, fired from his job at the TaxPayers’ Alliance and outed as gay by Downing Street. All this stems from an interview published in the *Observer* — an interview in which Sanni alleged that the leave campaign broke campaign rules to win the Brexit vote.

“I was traumatised,” says Sanni of the moment that a rival revealed his sexuality. “I thought, you know what, screw these guys. I realised I had a moral duty to bring light on each and every individual. It was about justice for the British electorate, but also justice for LGBTQ+ people and people of colour, bigger than Brexit.”

Sanni’s interview revealed that Vote Leave were close to exceeding their £7m spending budget. They received a donation of £1m a couple of weeks

before the referendum that would have tipped them over. They decided to “donate” £625,000 to BeLeave, a youth group founded by Darren Grimes. Initially ecstatic, Sanni quickly realised they would never see any of the money. Instead, it was ploughed back into Vote Leave’s campaign.

“What’s the point of democracy if you’re going to cheat?” asks Sanni, who still remains a committed Euro-sceptic. “Justice comes when people are being investigated and fined.”

When asked if he would blow the whistle again, Sanni is unsure. “Short answer: yes. But I do often say probably not.” Sanni advises those who have had any minor or major mental illness, particularly people of colour, to think twice before whistleblowing.

“When you whistleblow as a minority, there are massive implications,” says Sanni, who recalls both Brexiters and remainers doubting his integrity. Despite this, he remains upbeat. When asked for a final statement, he jokes: “Follow me on Instagram.”

Quickly becoming serious again, he is keen to emphasise the gravity of the situation. “It was a huge electoral scandal. It’s about more than Brexit now. It’s about ensuring that our democracy is retained.”



When the media mogul Robert Maxwell died in 1991, he was mourned as the *Daily Mirror*’s “saviour”. Yet, in the wake of his death, a vast pension fraud was revealed. In all, some £400m was found to have been taken from the Mirror’s pension fund, leaving employees facing a bleak future. For Harry Templeton, who initially blew the whistle on this in 1988, the revelations came “too late.”

Templeton, a printer for the Mirror Group newspapers, sat on the board of trustees for the *Mirror*’s pension scheme. A union-approved trustee, he

challenged Maxwell about the way he planned to use the pension funds. In a vote about the scheme, Templeton found himself outnumbered 13–1. The seven management-approved trustees on the board wouldn’t dare vote against Maxwell, Templeton recalls. The six other union-approved trustees were simply “very naïve.”

“I had to bring my problems home to my family,” says Templeton, remembering his experience as demoralising. “It was like banging your head against a brick wall.”

Shortly after, he was fired from the company under the pretext of threatening another worker. “You have to remember, companies don’t sack someone for blowing the whistle,” Templeton says. “They find other reasons to, and they offer people incentives to keep their mouths shut.”

Templeton recognises the challenges that whistleblowers and their supporters face. “You have to try to do something about it, but the other side doesn’t stick to the rules, they find every method they can.”



Chris Day was a junior doctor on the way to becoming a consultant when his career progress was cut short. While working on a south London hospital’s intensive care unit, Day became increasingly concerned regarding staffing levels. “One of my principal disclosures was made in real time at the beginning of the night shift,” he remembers. “I had no choice — the consequences of not making the disclosure might have been even more scary.”

Yet Day’s allegations had life-changing consequences for him. His whistleblowing cost him his consultancy career and he has been working as a locum doctor in A&E departments, while he fights his case.

Instead of acting on his safety concerns, Health Education England

attempted to argue they were not his employer.

“I don’t know why there is such resistance to culture change and meaningful legal protection for whistleblowers,” says Day, whose case has since succeeded, granting 54,000 junior doctors whistleblowing protection. “Maybe they think the public cannot cope with the truth about what is happening in the NHS.”

Day remains a vocal supporter of the NHS, and he has since mounted campaigns to keep it public. Reflecting on his experience, he says: “I would only whistleblow again if a person’s life was in immediate danger. Politicians want healthcare staff to keep quiet and get on with the job.”



From humble beginnings in Liverpool, Michael Woodford quickly rose through the ranks at digital camera company Olympus, before becoming the company’s first non-Japanese president in 2011. Just weeks later he became suspicious of several acquisitions the company had made in what turned out to be a £1bn fraud scandal. “I could look away, but if I did that I would become part of it. Once you’ve crossed that bridge, there’s no going back.”

However, the meeting Woodford called to address the claims quickly backfired. The board turned on him and he was fired. But when the fraud was linked to the Japanese mafia, Woodford realised his problems were only just beginning.

“I thought I was going to be assassinated,” recalls Woodford, who was forced by the company to give up his apartment and return to the UK. “At times I felt I was in Alice in Wonderland and I questioned my sanity. I was completely isolated.”

Fearing for the lives of both himself and his family, Woodford decided to seek safety through publicity. His actions led to two senior Olympus

board members being sentenced to three years in prison. In 2012, Woodford won a £10m out-of-court settlement after suing Olympus.

Now a patron of the whistleblowing charity Protect, Woodford recommends that whistleblowers act with caution. “If you are going to take on a large company, make sure you seek advice, talk to people you trust and seek legal advice,” he says. He admits that whistleblowing isn’t easy, but is adamant he would be prepared to do it again.



Maggie Oliver remembers her experience as a whistleblower as one defined by stress, sleepless nights and fear. “They were the worst two years of my life,” says the former detective constable. “I truly believed I may be prosecuted for simply telling the truth and trying to expose the neglect of the authorities.”

While working with Greater Manchester police (GMP), Oliver had been central to uncovering a Rochdale paedophile ring. By interacting with the group’s victims nearly every day for six months, Oliver gradually gained the trust of the vulnerable girls. The girls eventually agreed to come forward, which led to nine members of the gang being sentenced in 2012.

For Oliver, though, the actions of the police were not sufficient to safeguard the victims. One of the girls, who had been abused since the age of 14, was named in court as someone who had helped the groomers. Disgusted, Oliver took her complaints to various departments of GMP, and even the Home Office, before resigning in 2012.

“All public organisations like the police ... are interested in is protecting the organisation [rather] than listening to what a troublesome member of staff says, even if they are telling the truth,” Oliver says, who still feels protective

of the girls she helped free from abuse.

“I have no regrets about the action I took,” she claims. “I feel proud to know I was strong enough to stand up for what I believed in, and fight to give these kids a voice.”

*Louise O’Neill at Protect helped secure these interviews.*

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## US intelligence shuts down damning report on whistleblower retaliation

**A top watchdog investigated 190 cases of alleged retaliation against whistleblowers — and found that intelligence bureaucrats only once ruled in favor of the whistleblower.**

Kevin Poulsen

*The Daily Beast*, 2 November 2018



Kevin Poulsen

THE NATION’S top intelligence watchdog put the brakes on a report last year that uncovered whistleblower reprisal issues within America’s spy agencies, *The Daily Beast* has learned. The move concealed a finding that the agencies—including the CIA and the NSA—were failing to protect intelligence workers who report waste, fraud, abuse, or criminality up the chain of command.

The investigators looked into 190 cases of alleged reprisal in six agencies, and uncovered a shocking pattern. In only one case out of the 190 did the agencies find in favor of the whistleblower—and that case took 742 days to complete. Other cases remained open longer. One complaint from 2010 was still waiting for a ruling. But the framework was remarkably consistent: over and over and over

again, intelligence inspectors ruled that the agency was in the right, and the whistleblowers were almost always wrong.

The report was near completion following a six-month-long inspection run out of the Intelligence Community Inspector General office. It was aborted in April by the new acting head of the office, Wayne Stone, following the discovery that one of the inspectors was himself a whistleblower in the middle of a federal lawsuit against the CIA, according to former IC IG officials.



Wayne Stone

Stone also sequestered the mountain of documents and data produced in the inspection, the product of three staff-years of work. The incident was never publicly disclosed by the office, and escaped mention in the unclassified version of the IC IG’s semiannual report to Congress.

The IC IG’s office declined to comment for this story.

The affair casts serious doubt on the intelligence agencies’ fundamental pact with the rank and file: that workers who properly report perceived wrongdoing through approved channels won’t lose their job or, worse, their security clearance, as a result. It also adds another layer of controversy to the Intelligence Community Inspector General office, already under fire for cuts to its whistleblower protection program and the unexpected sacking of the program’s executive director in December. In a confirmation hearing last month, Trump’s pick to head the watchdog agency acknowledged the apparent chaos in the office, citing a detailed expose by *Foreign Policy* magazine. “My first objective

as Inspector General, if confirmed, will be to make sure the IC IG's house is in order," said former Justice Department prosecutor Michael Atkinson.

Stone shut down the whistleblowing inspection just days after taking over for Charles McCullough III, who'd served as the intelligence community inspector general from the day the office was founded in 2010 until his retirement in March of last year.

None of this was supposed to happen. In 2012, then-President Barack Obama signed a policy directive called PPD-19, which prohibits intelligence agencies from punishing workers who report abuses through approved government channels. The directive has been left in place under President Trump.

Among other things, PPD-19 requires the Office of Inspector General (OIG) at each agency to carry out an investigation when a worker complains he or she suffered retaliation for lawful whistleblowing. If, after investigating, the OIG finds no evidence of reprisal, the whistleblower can appeal up to the Intelligence Community Inspector General, who can choose to impanel a three-person appellate board, comprised of IGs from other agencies, to review the case and either affirm or disagree with the OIG's decision.

The investigators found that basically never happened. "Absent a review process which adheres to mandated legal standards for reprisal investigations, the protections remain weak with minimal chance for a complainant to have a reprisal complaint substantiated," read one of the conclusions in the suppressed inspection. "From the data it appears PPD-19 has had no impact on Agency reprisal investigations and/or protections for complainants making protected disclosures."

Rob Johnson, the former deputy IC IG under McCullough, broadly confirmed the findings in an interview with *The Daily Beast*, attributing some of the problems to the expected growing pains in implementing a new policy.

"We saw a couple of cases from some offices that showed that they didn't speak to witnesses that they should have, or that the cases had languished," says Johnson. "And we

saw cases where they took no action... Whether it was systemic or not, well, that's why we were doing the inspection."

The IC IG probe was billed as the first independent check-up on how seriously the intelligence inspector generals were taking the presidential directive, and a possible first step in setting a formal peer review process in the future. Six experienced inspectors had been chosen for the probe: three permanent members of the IC IG staff, and three more who were on extended loan from other agencies, the Defense Intelligence Agency, the FBI, and the CIA.

Of the six, the CIA officer—we're calling him James Pars, the alias the CIA assigned him for his lawsuit—was likely the least accustomed to working in the comfortable climes of the IC IG's air-conditioned office. Cuban-American and now in his early fifties, Pars was part of the CIA's controversial Directorate of Operations, the division responsible for, among other things, carrying out covert actions abroad. A mosaic of interviews with colleagues, court filings and details in other documents seen by *The Daily Beast* paint a picture of a man who has seen a lot of nasty stuff over the years, serving in war zones in Iraq and Afghanistan, South American jungles, and cities like Bagdad and at least one other Middle East capital.

(Pars' lawsuit was first reported last year by the Project on Government Oversight.)

A sanitized autobiography Pars prepared in connection with his court action is riddled with staccato bursts of trauma: "... sleep deprived, and having to constantly relay threat information to appropriate entities ..."; "... the direct line of fire for one rocket which must have missed my exact location by meters as it tore through our living quarter ..."; "... helicopters which had to take evasive maneuvers and discharge flares because of a perceived threat ..." "... a leaking casket by my feet and two decomposing dead bodies in body bags not far from me ..." The anecdotes, shorn of locations and dates, don't lend themselves to easy verification, but a former intelligence colleague confirms the gist of it. "He understands what happens in the field. He's been in the mud and blood."

There are notes of regret in Pars' subjective career rundown—particularly over the long stints away from his wife and young daughter—but few traces of resentment or personal grievance. That is, until he recounts, with agonizing precision, two occasions when he clashed with a superior, and felt mistreated by the CIA's bureaucracy afterward. The first incident in 2009 ended with him being sent home from a long-term assignment in South America. The second, and the one that ultimately led to his lawsuit, began in December 2014 when he was made the CIA's deputy chief of base at a U.S. military site that Pars doesn't name, but which matches the sprawling Bagram Air Base in Afghanistan.



At Bagram, Pars had issues with his new boss, the chief of base, who he believed was running her command "like a college dormitory," as Pars later wrote in a court filing. She allegedly adopted favorites within her staff, and placed "her personal needs of cooking, baking, socializing, entertainment, exercise and shopping above the needs of the mission, often going days and sometimes more than a week without meeting with key personnel."

Pars' most serious complaint charged that the base chief frequently led her personnel on unnecessary errands—"food, shopping or to the gym"—that took them through parts of the base hit frequently by Taliban rocket fire; one such excursion allegedly crossed a flight ramp that was hit by a rocket just 10 minutes later.

*Search online to read the remainder of this lengthy article, which highlights the dramatic failure of a US whistleblower protection appeals process.*

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## Whistleblowers Australia contacts

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## Further reading

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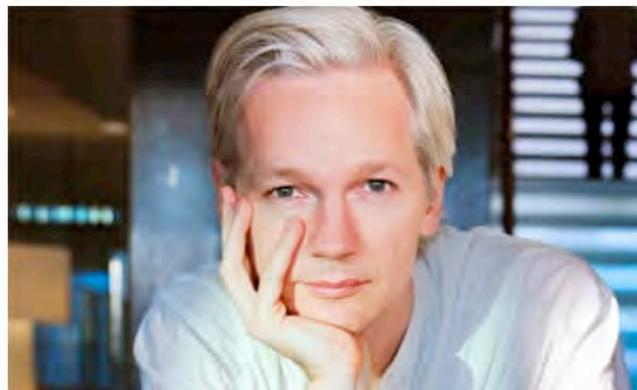
There is so much written about whistleblowers and whistleblowing that only a limited selection can be offered in *The Whistle*. If you're interested in commentary about Julian Assange and WikiLeaks, here are two articles you can check out.

Chris Hedges, "Crucifying Julian Assange," *truthdig*, 14 November 2018, <http://bit.ly/2SqFskb>

Glenn Greenwald, "As the Obama DOJ concluded, prosecution of Julian Assange for publishing documents poses grave threats to press freedom," *The Intercept*, 16 November 2018, <http://bit.ly/2Qb9cjb>

### Julian Assange wins Martha Gellhorn journalism prize

WikiLeaks founder praised as 'brave, determined, independent' by judges



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## 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.

Renewing members can make your payment in one of these ways.

1. Pay Whistleblowers Australia Inc by online deposit to NAB Coolum Beach BSB 084 620 Account Number 69841 4626. Reference your surname.
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