

*"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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**I HAVE A RIGHT TO SPEAK OUT:**  
**PROTECTION FOR WHISTLE-BLOWERS!**



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## Book review

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### Know when to say no

Brian Martin

SUNITA SAH grew up in the UK and always tried to please people in authority. In short, she was compliant. She trained as a doctor, working in Britain's National Health Service and consulting for the pharmaceutical industry. She then switched to studying psychology and moved to the US. And a few experiences changed her.



Sunita Sah

When she went to a hospital with a sudden chest pain, the doctor ordered a CT scan. Sah knew, from her training, that it was unnecessary and had risks from radiation exposure. She had reservations, but in the end she acquiesced. But the experience made her reflect on why she had given in.

A year later, she was in a similar situation. When she went to see a specialist, on arrival she was told she needed an x-ray before seeing the doctor. It was the way this practice operated. She insisted on seeing a doctor first. This time, despite being pressured, she didn't comply. And she did more. She wrote an article for a medical journal condemning the practice of requiring x-rays before seeing a doctor — it was a way to bring in more money via unnecessary tests — leading to changes across the country.

Another thing that changed Sah was studying the famous Milgram obedience experiments. US psychologist Stanley Milgram wanted to see whether US residents would obey instructions to hurt someone else. The idea was to see whether they were any different from

the Germans who had carried out the Nazi genocide during World War II. What Milgram discovered shocked everyone. Ordinary people were brought into a lab and told they had to administer shocks to a test subject to get them to learn.



Most of these ordinary people were willing to increase the voltage to the top level, even as the test subject (an actor) was pleading and moaning along the way, and eventually seemed unconscious. Why did these test subjects comply with the scientist overseeing the experiment (also an actor)? Milgram concluded that most people were obedient to authorities, losing their moral agency.

However, in reading Milgram's work, Sah noticed something else. Most test subjects showed signs of distress even when they complied. They didn't just automatically obey. They were tense. Some objected even as they complied. Sah interpreted this to mean that there was an internal struggle going on between what their inner voice was telling them was wrong and what the external authority was telling them to do.

#### Compliance and consent

Compliance is not the same as consent. Sah uses the medical idea of informed consent, which requires five elements.

- The capacity or competence to make a decision
- Knowledge of the situation
- Understanding of the available information
- Freedom to decide, without pressure
- Authorisation, meaning actively saying yes or no.

When I install new software, I have to tick an “agreement,” which is a long document with lots of technical and

legal clauses. Hardly ever do I read it. I comply, but this isn't informed consent because I don't fully understand the information provided. And there's pressure to tick “yes” because otherwise I can't get access to the software.

Another example is vaccination. Young children don't have the competence to decide; their parents choose on their behalf. Some parents study information about vaccines, but many just go along with what their doctor recommends. Often, doctors pressure parents to have their children vaccinated, and some governments mandate childhood vaccination to attend school. It might be for the best, but when parents agree, this is compliance rather than consent. During the Covid pandemic, the issue of consent became personal, and for many workers there was extreme pressure: vaccinate or lose your job. The goal of authorities, for better or worse, was compliance.

Sah's focus is on defiance. She defines it this way: “Defiance means acting in accordance with your true values when there is pressure to do otherwise.” It means saying no when there's pressure to say yes. When Sah refused an x-ray before seeing a doctor, she was being defiant. When Jeffrey Wigand exposed corrupt behaviour by his employer, tobacco company Brown & Williamson, he was being defiant.

Wigand is a famous whistleblower. His saga became the basis for a Hollywood film, *The Insider*, where he was played by Russell Crowe.



**THE INSIDER**



Whistleblowers like Wigand are, in Sah's terms, defiant. But not all whistleblowers are defiant, at least not initially.

As I read Sah's book, I thought of "inadvertent whistleblowers," the ones who stumbled on a problem at work — a discrepancy in the accounts or missing supplies — and innocently reported it to the boss, thinking it would be checked out and fixed. Little did they know that they would become the subject of unrelenting reprisals. Strangely, they were compliant, in the sense of following the rules and expecting problems to be fixed, but still paid the price. Some inadvertent whistleblowers try to acquiesce, but others resist. They become defiant because of the way they were treated.

### The stages of defiance

Sah breaks down the process of defiance into five stages. The first stage is a tension or tingling that something might be wrong. This can be when an employee senses that something is not quite right. The second stage is conscious recognition that there's a problem. It's going from a vague feeling to full awareness.

Sah calls the third stage "escalation," which can involve talking about the problem with someone else. In Milgram's experiments, this stage occurs when the "participant" talks back when the experimenter says to increase the shocks to the supposed learner. For employees, it might be talking to others on the job about their concerns — or talking to the boss. The fourth stage is threatening to stop complying, and the fifth stage is an act of defiance.

For whistleblowing, distinguishing stages 3, 4 and 5 is not always easy. Talking about concerns can sometimes be enough to trigger reprisals. Just asking questions — "Where did these deliveries go?" — might be stage 3, but a boss can treat it as equivalent to defiance. Despite this ambiguity, understanding Sah's stages can be useful, offering a sort of self-diagnosis about how you are responding to a challenging situation. As Sah puts it, "Many of these stages don't necessarily look like our iconic images of defiance: that's the point."

In referring to "iconic images," Sah is thinking of figures like Rosa Parks,

whose refusal to move from her seat on a bus in 1955 triggered large-scale resistance to segregation in the US South. Rosa Parks became famous, but most acts of defiance are quiet and little known, such as when a "temporary" employee, after five years of service, is not granted maternity leave and speaks quietly to her boss. Sah's point is that the stages of defiance are relevant to everyone, including the vast majority of everyday instances.

### Compliance, defiance or both?

*Defy* is an engaging and thought-provoking book. It is a useful reminder that in many cases, compliance and defiance are not the result of careful consideration but rather responses to circumstances, of acting without knowledge and reflection. We often think of compliance being unthinking, but defiance can be too. Think of the teenage boy who rejects his father's requests simply because they're coming from his father. This is not what Sah would call a "true no."

Sah's examples made me think of situations involving compliance and defiance at the same time. Think of a climate protest against a fossil fuel development. Some protesters are well informed and are taking action based on their deepest beliefs. They are defiant. But some protesters may be there because they are going along with their friends. They are compliant in relation to their protester friends while being defiant against the fossil-fuel development.

The same thing can happen on the other side of the climate clash. Some climate sceptics are well informed, having studied the arguments in depth, but others reject what they see as a climate orthodoxy — the view that global warming is serious and caused by human activities — just because they don't like solar and wind power. They are defiant against climate orthodoxy but compliant with fellow sceptics.

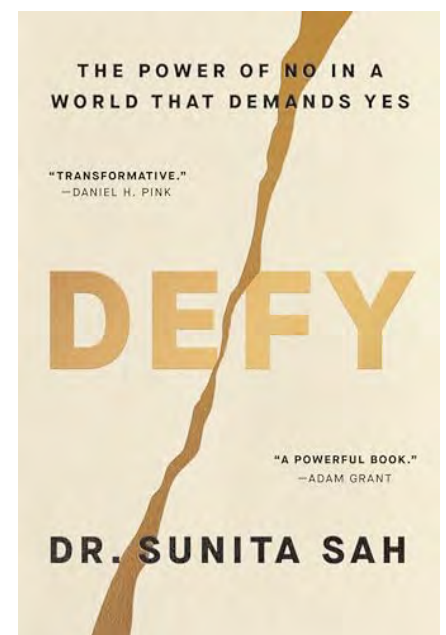
### Lying low

Sah argues that we should act in accordance with our values. But that's not always easy to do, and here's where she introduces a concept that can be useful to whistleblowers: "conscious compliance." Sometimes we know something is wrong, and that the right thing is to

openly oppose it, yet instead of defying, we comply — because the consequences of defiance are too great. This is what potential whistleblowers often need to do: they need their job, to support their family, to be safe.



In some cases, lying low and complying can be part of a long-term plan to oppose wrongdoing. Conscious compliance can be temporary, for weeks, months or even years, while collecting evidence and waiting for the right opportunity to take action. This might be called "strategic compliance" followed by "strategic defiance."



Sah believes that people can transform themselves through practice to become "moral mavericks" who are willing to speak up in accordance with their values. She says, "Now more than ever, in our schools, in our homes, on our streets, and in the halls of power, we need moral mavericks. We need to encourage them, foster them, celebrate them, and *become* them."

Brian Martin is editor of *The Whistle*.



### Whistleblown and buried

Jinoy Jose P.  
*Frontline*, 23 April 2025

DID YOU KNOW that the very idea of “whistleblowing” had to wait hundreds of years to get a decent name? IMHO, this fact might be the most perfect metaphor for how society has historically treated those brave enough to speak truth to power. For centuries, these moral daredevils were saddled with sorry-sounding terms like snitch, turncoat, stool pigeon, leaker, tipster, dissenter, defector, gadfly, muckraker, canary, bell-ringer, Cassandra (really?), rat, and more.

These charming epithets essentially painted them as society’s least favourite. The people risking everything to protect us from corruption were linguistically lumped together with playground tattletales and mob informants. It was like we created a bizarre social contract where we could simultaneously benefit from whistleblowers’ courage while refusing to acknowledge their importance.

The linguistic rehabilitation of whistleblowing didn’t really take off until the 1970s, when an American consumer advocate, Ralph Nader, decided that people exposing corruption deserved better PR. He championed the term “whistleblower,” drawing on the positive imagery of referees who blow whistles to stop foul play.

The term “whistleblower” began with actual, physical whistles. In the 19th century, and often today as well in small towns and villages, police officers would blow their whistle to sound the alert on crimes in progress.



Similarly, sports referees use whistles to halt play when rules are violated. By the early 1900s, “to blow the whistle” had become a metaphor to mean the exposure of misconduct. In fact, the earliest documented metaphorical use of the term dates to the 1880s, initially hyphenated as “whistle-blower” before fusing into the sleeker “whistleblower.”

Before the term came the idea of whistleblowing or related activities. In 7th-century England, King Wihtred of Kent (a name that absolutely sounds made up but isn’t) decreed in 695 CE that anyone reporting Sabbath-breakers would receive half the fine money. The principle, called “*qui tam*” (from the Latin meaning “he who sues for the king as well as for himself”), became the original whistleblower incentive programme.

Essentially, authorities had realised that they couldn’t be everywhere at once, so they incentivised ordinary people to be their eyes and ears. It was crowdsourced justice before crowdsourcing was cool. And the concept travelled to colonial America, where early State laws rewarded those who reported fraudulent bread sales, illegal alcohol distribution, and other violations.

The world’s first documented whistleblowers are generally recognised as Samuel Shaw and Richard Marven, two American naval officers, who are part of a real-life maritime drama that would give today’s OTT originals a run for their money. In 1777, they reported their commanding officer, Commodore Esek Hopkins, for torturing British prisoners of war during the American Revolutionary War. Their complaint led to the first formal American whistleblower protection law.

There is one more interesting example from 18th-century Japan.

A peasant called Sakura Sōgorō once petitioned the shogun (the ruler) directly about excessive taxation and mistreatment by his local feudal lord, bypassing the established hierarchical channels. This act—presenting grievances directly to higher authorities when normal channels fail—represents a classic whistleblowing pattern. Sōgorō was executed, but he became a

folk hero celebrated in Japanese culture as a symbol of speaking truth to power.



Sakura Sōgorō

The late 19th and early 20th century saw the rise of investigative journalism and community activism in response to the excesses of industrialisation. It was during this time that journalists who exposed corporate abuses, political corruption, and social injustice embraced the term “muckraker” (which was originally meant as an insult).

Even though the acts of exposing the toxic practices of the powerful relied mostly on mass media in these years, there were some beautiful exceptions. Here’s my favourite: in 1906, Upton Sinclair published a novel, *The Jungle*, to uncover the horrific conditions in Chicago’s meatpacking industry. Sinclair spent weeks talking to workers and observing conditions as an outsider. The public outrage following the publication of *The Jungle* was instrumental in getting the US Congress to pass the Pure Food and Drug Act and the Meat Inspection Act in 1906.

After the World Wars and, later, the Cold War, the strict and paranoid environments they heralded introduced new complexities around whistleblowing, especially regarding national security. Still, people of courage and conviction came forward to expose the truth. Daniel Ellsberg’s 1971 release of the Pentagon Papers—showing that the US government had systematically lied about the Vietnam War—was a great example.

Thanks to Nader and the rise of public activism in the 1970s, there came a seismic shift in how society viewed those who exposed wrongdoing. The period saw groundbreaking exposés by both insiders and community activists across the world, which Tom Mueller described in *Crisis of Conscience*:

*Whistleblowing in an Age of Fraud*, as the era that heralded “the age of the whistleblower.”

The late 20th century saw the rise of environmental whistleblowing, at times led by ordinary citizens rather than corporate insiders. In India, across Asia, Europe, Africa, Latin America, and beyond, people came forward, taking on corporations and governments, bringing to light uncomfortable truths. The 1980s and 1990s saw rural communities worldwide using sophisticated methods to document corporate abuses. In Ecuador, indigenous communities meticulously mapped oil contamination in the Amazon, collecting water samples and health data to build a case against Texaco (later Chevron). Their efforts, despite the fierce resistance, eventually resulted in a \$9.5 billion judgment against the company.

The digital revolution democratised whistleblowing tools that were once available only to those with institutional access or media connections. The environmental activist Erin Brockovich (whose story became a hit movie starring Julia Roberts) built her case against Pacific Gas and Electric in the 1990s by painstakingly collecting water samples and medical records. Today’s whistleblowers can use smartphone apps to document pollution incidents, encrypted communication platforms to share evidence, and social media to mobilise support.

Organisations like Public Lab provide people with low-cost tools to monitor environmental aberrations. The rise of platforms like WikiLeaks and other anonymous submission systems has further blurred the line between insider whistleblowers and vigilant citizens. The Panama Papers leak in 2016, which exposed offshore tax havens used by politicians and billionaires worldwide, came from an anonymous source whose identity and organisational affiliation are still unknown.

But despite the social recognition and increased legal protections, whistleblowers still face tremendous challenges. Not ordinary challenges but death threats. And many get killed.

Like Kareem Jagabar Ali.

Ali was a social activist from Vengalur village in Tamil Nadu’s Pudukottai. On January 17 this year, after attending Friday prayers, he was

killed when a tipper lorry “accidentally” rammed his motorcycle.

The question around his death hangs in the air like the dust from the quarries he fought against. We explore his killing and the quarry mafia in our latest cover story. Veteran reporter Ilangovan Rajasekaran looked into Ali’s death, what he was trying to expose that led to his killing, and Tamil Nadu’s mighty mining mafia.

It’s a disturbing story. But read it for what it reveals about how casually we cede away the country’s resources for private profits and how those who speak about it are silenced with a finality that makes even the bravest hesitate. Because apparently, in the contest between speaking the truth and staying alive, we’ve created a world where too often you can’t have both.



Jinoy Jose P

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## How to be a constructive dissenter

**The rebels, dissenters, “reactionaries,” and “deviants” of the world may be the ones who help communities and societies become better.**

Jenara Nerenberg

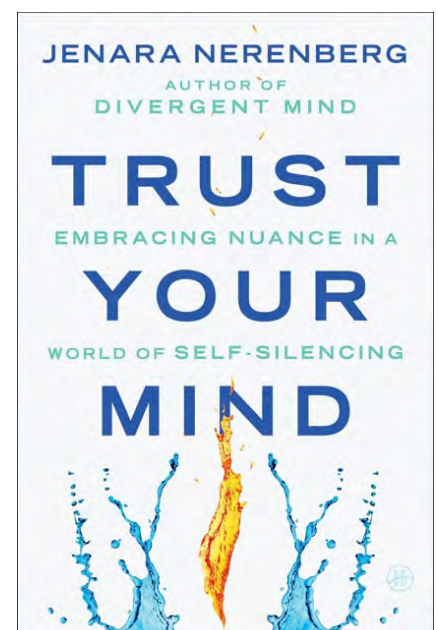
*The Greater Good*, 7 May 2025

SO MUCH SOCIAL SCIENCE RESEARCH has focused on conformity, the way that individuals adjust their behavior to match those around them, and this tendency holds important implications for our world today. Studies find that tendencies toward conformity begin young, with researchers theorizing that it initially occurs as a natural part of a child’s development. But aspects of conformity continue into adulthood, where individuals can potentially lose a

sense of themselves by adapting their attitudes, beliefs, thoughts, and opinions to match their peer groups.

Conformity is certainly at work in today’s politics in the US. Divided between two large political parties, people face increasing pressure to adopt the viewpoints of the left or the right, which leaves out a range of nuanced ideas, opinions, and beliefs that don’t fit neatly into one single box. And people feel afraid to speak openly and challenge others within their own party, even if done in healthy, productive ways. “Self-silencing” is when a person stays quiet about a truth due to fear or in order to keep the peace and avoid rocking the boat, but that tendency has far-reaching consequences, both socially and politically, and can even lead to widespread depression.

For my new book, *Trust Your Mind*, I spent three years exploring the emotional undercurrents of our political landscape — interviewing scholars, journalists, therapists, and more — to better understand what’s happening underneath all the polarization. Self-silencing plays a role, but what I discovered is that there are surprising numbers of people choosing healthy, positive, constructive dissent—yet they are misunderstood and labeled as “reactionaries.” In reality, their dissent is a testimony to their deep care for others, and their dedication can serve as a model for healthy disagreement and encouraging people to self-examine and communicate from a place of critical thinking and empowerment.



## The power of dissent

Jolanda Jetten is a Dutch social psychologist at the University of Queensland in Australia who studies social identity and group dynamics. She says that researchers often mistakenly conceptualize dissent as lack of loyalty, by “deviants” behaving outside accepted social norms. In reality, dissenting can be in service of helping groups realize where they have strayed from their core values.



Jolanda Jetten

This is true not only among the general public, in friend groups, workplace associations, and families—for anyone who has a hard time “going along with a group” or a political party—but also among writers and journalists and media commentators. As Stanford professor Benoit Monin and his colleagues point out, rebelling against prevailing morals poses distinct threats to groups, and so dissenters are not always welcome. Sometimes, their rebellion is seen as criticism of the group, or their actions make people in the group question their assumptions, or the rebels confront the group in their own complicity with immoral acts—all of which can lead to existential crises, resentment, and defensiveness.

But often, what these rebels and dissenters are really trying to do is help their communities reassess their behaviors, narratives, and belief systems in an attempt to repair connection, group solidarity, and unity.

“Group members may dissent because they care for the group and are concerned about the course of action that other group members are taking,” writes Jetten with her coauthor Matthew Hornsey. “Dissent is then motivated by an attempt to change

group norms for the better, a phenomenon that has been variously described as ‘constructive deviance’ or ‘constructive patriotism’.”

One could say that many of the dissenting commentators emerging across social media today—on X and on podcasts and YouTube—speak up because they care. They dissent because they care. And they all have a stake in the future of democracy and polarization.

“The value of opinion minorities lies in their ability to guard the group against complacency, to challenge conventional wisdom, and to keep the group sharp and on its toes. In that way, dissenting minorities can change norms or behavioral conventions that have lost their utility,” write Jetten and Hornsey.

“Dissenting minorities exert influence on the group as a whole because they force the majority to think outside the box,” they add. Another term for a dissenter is a positive deviant or a moral rebel, defined by Monin as “someone who stands up and takes a conspicuous stance in opposition to a norm, expectation, or convention that they perceive to be immoral.”

But one of the reasons we don’t always look kindly on dissenters is because we don’t always connect the dots on the long-term benefits of their actions. “The influence of minorities is indirect, delayed, and not always visible—when these group members are influential, change is often not attributed to their influence,” write Jetten and Hornsey.

### How to be a constructive deviant

There is certainly an incentive for welcoming dissenters, however. “By tolerating a deviant or dissenter, group members can show that they act in accordance with their beliefs and values, and this strengthens the social fabric of the group,” write Jetten and Hornsey. Perhaps we can start to think of dissenters as cheerleaders for humanity?



With these benefits in mind, Jetten and Hornsey argue that “some groups might create informal roles within their ranks that free people up to engage in dissent.” I haven’t seen much of this as an adult, though I recall schoolteachers encouraging dissent during classroom discussions. “An example is the role of court jesters in the Middle Ages who, perhaps because of their marginal and nonthreatening position, were the only ones who were licensed to openly raise unpleasant truths in the presence of the king or queen,” they write. “A modern equivalent is the role of the devil’s advocate, whose purpose is to question the group’s functioning in order to understand the organization’s weaknesses.”

This raises important questions: Can universities, workplaces, and social media platforms carve out space for dissent? Have we forgotten the value of dissent because we are all so afraid of offending one another? We need to take seriously what it is that we are losing in the face of the crippling fear of being wrong or hurting someone’s feelings. We need to cheer on the cheerleaders of humanity.

Allowing diverse voices to emerge, whether it’s yours or a friend’s, family member’s, or colleague’s, means learning how to get comfortable with the initial clash of opinions. The polarization around us today requires us to embrace nuanced conversations and the complexity of opinions and diversity of thought that are present among all human beings.

Below are a few tips for becoming a more flexible thinker, either as a dissenter yourself or as someone who would like to support the dissenters around you:

**Make an effort to get outside of your bubble**, whether that’s in real life offline or online as in Facebook groups and viewing diverse news sources on your phone.

**Delight in every unknown interaction with a stranger**—on the bus, at the park, or at the store—and slow down.

**Abandon overly identifying with a narrow group identity.** Allow yourself to feel the loving embrace of what happens when you let go and sit in your own power as yourself, outside of boxes.



**Talk to someone very different from you.** The best way to shatter your preconceived stereotypes about other “groups” is to speak to members with opposing views. I guarantee you will see them more as individuals and humans than ever before, especially if you only thought of them previously through the lens of a monolithic group.

**Remember that tribal belonging and group identity may not be as important as feelings of connection,** which you might paradoxically get from several people from different, nonoverlapping groups.

**Speak up.** Individuals don’t know their blind spots. One person wakes up to new insights and information, says something, and that catalyzes a new understanding for someone else, and on and on. It’s not that everyone “wakes up” and thinks the same thing, but each individual awakens to their own inner knowing and trusting their own critical thinking. In short, trust yourself. Believe in yourself. Bet on you, not a narrowly defined group.

In this era of tension and mistrust, a clear way to crack through the polarization is by voicing the nuances of your own life experiences. We do a disservice to one another by conforming and staying quiet, hiding our truths. In order to evolve our conversations with one another and develop our own tolerance and thinking abilities, we have to be willing to say things that others disagree with or that might make some people uncomfortable. Dissent and rebellion don’t emerge from silence, but rather from speaking up.



Jenara Nerenberg.

## No whistleblower is an island — why networks of allies are key to exposing corruption

Kate Kenny

*The Conversation*, 21 July 2025

WHISTLEBLOWERS — people who expose wrongdoing within their organizations — play a crucial role in holding governments and corporations accountable. But speaking up can come at a cost. People who report misconduct often face retaliation, job loss or legal threats, making whistleblowing risky and challenging. And when legal protections for whistleblowers are weakened, the risks only grow.

That’s exactly the situation many workers face today.

In the US, a Trump administration executive order threatens to effectively strip thousands of federal workers’ rights to whistleblower protection. The executive order is part of a larger effort to reclassify civil servants as “at-will” workers who can be sacked at any time for any reason. While federal workers have enjoyed protection against whistleblower reprisal for decades, those safeguards are now under threat. And this comes as private-sector whistleblowers have increasingly faced reprisal, too.

Yet while the risks are real, whistleblowing isn’t impossible. Indeed, after researching whistleblowing for over 10 years, I’ve observed that insiders who successfully sound the alarm often do so with help, by partnering with allies who can amplify their message and help shield them from retaliation.

### Meet the “regulators of last resort”

My new book, *Regulators of Last Resort: Whistleblowers, the Limits of the Law and the Power of Partnerships*, tells the stories of whistleblowers from Facebook, Amazon, Theranos, US Immigration and Customs Enforcement detention centers and Ireland’s public electricity service. In each case, the worker suffered reprisal and was aggressively silenced. In each case, they persisted, and allies emerged to help.

For Facebook employee Frances Haugen, finding an ally meant teaming up with *Wall Street Journal* reporter

Jeff Horwitz, a specialist in tech who had been writing about Facebook’s misdeeds for some time. When Haugen decided to go public about the social media platform’s knowing exploitation of teenagers and its awareness of the violence incited by poorly regulated non-English versions of its site, Horwitz was pivotal in orchestrating when and how the newspaper articles would appear, helping maximize their impact and granting Haugen control over how her story was told.

This partnership was no accident; Haugen chose the reporter and tech expert carefully. “I auditioned Jeff for a while,” she later told a reporter. “One of the reasons I went with him is that he was less sensationalistic than other choices I could have made.”



Frances Haugen and Jeff Horwitz

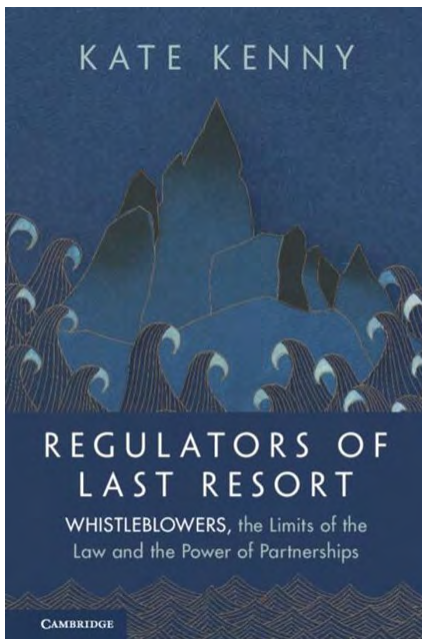
Indeed, many whistleblowers disclose with the wrong journalist, leaving themselves open to attack.

At Theranos — a multibillion-dollar biotech company that turned out to be a fraud — a lawyer “friend of a friend” gave whistleblower Erika Cheung critical advice about disclosing to a regulator. This was a lifeline for the recent graduate, who feared for her career and safety after being threatened by bosses and lawyers and warned to stay silent and obey her nondisclosure agreement. Meanwhile, Cheung had no money for formal legal representation. It was that call to the lawyer that made all the difference, Cheung told me. “He said, ‘You can whistleblow.’”

Her contact explained that if she disclosed to the Centers for Medicare & Medicaid Services, she could avail of whistleblower protection and break her NDA. She would have to do it right and focus on the details: to highlight Theranos’ “regulatory noncompliance” and demonstrate the firm was violating the rules for proficiency testing. But all it would require of Cheung was a simple email to the right organization.

Finally, my research also detailed the many colleagues at Amazon who supported whistleblowing manager Chris Smalls in disclosing risks to life and health during the early days of the COVID-19 pandemic in New York. When Smalls was fired for speaking out and subject to racist language in internal memos about the incident that were later leaked, his close colleague Derrick Palmer described his response. “I was appalled,” Palmer said. “I just knew that they wanted to — pretty much — silence the whole effort. Anyone speaking out. That was how they were going to treat them, moving forward. Including myself.”

This strengthened Palmer’s determination to help Smalls. Meanwhile, the leaked memo prompted letters of support and emails “from people from all over the country — Amazon workers, non-Amazon workers, that just want to help advocate as well,” as Smalls put it. In the days and weeks after, workers held demonstrations at Amazon facilities all across the US, with banners declaring solidarity with the New York warehouse whistleblowers.



### No whistleblower is an island

These allies often go overlooked when the media focuses on whistleblowers. But their support is critical, particularly in an era when protections for workers who speak up are coming under increasing threat worldwide.

Organizing whistleblowing allies involves strategy, and some nonprofit

and civil society groups have become experts in this domain. Leading the way is the US Government Accountability Project and its “information matchmaking” approach. The idea is simple: Whistleblowers need a whole team of other people — from experts to members of the public — on their side. And this takes planning.

For years, lawyer-activists like those at the Government Accountability Project have been treating whistleblower protection and support efforts as holistic campaigns that entail a media operation and networking effort, as well as a legal defense.

Take the example of Dawn Wooten, a former nurse at the Irwin County Detention Center — a US Immigration and Customs Enforcement contractor — who encountered and disclosed medical misconduct and critical failures. Dana Gold at the Government Accountability Project supported her whistleblowing with other activists, enlisted civil society groups and politicians in the cause, helped land newspaper articles in *The Guardian* and *The New York Times*, and even arranged a *New Yorker* podcast in which Wooten told her story.

The information went viral, and multiple investigations ensued. Within a year, the Department of Homeland Security directed ICE to formally end its contract with the Irwin County Detention Center, citing the revelations made public by Wooten and some of the detained women.

None of this is straightforward. In most whistleblowing disputes, the organization holds the balance of power. It has the files, the witnesses and the money to pay good lawyers. I’ve found that whistleblower allies must work with whatever limited resources they can marshal to give themselves an advantage. This means engaging influential people who might help, including pro bono lawyers, specialists who can give evidence, concerned regulators and beat journalists. In short, what is necessary is experts across all domains who are interested in the story and willing to help. And it’s the collective effort that matters.

Even with this support, however, whistleblowers don’t have it easy. In many high-profile cases where a disclosure is made public and a whistleblower is clearly vindicated and recognized as

a courageous truth-teller, they can suffer afterwards. Potential employers can balk at the prospect of hiring a whistleblower, even a celebrated one. And vindictive organizations can and do continue retaliating, even years after a story has dropped off the front pages.

Whistleblower allies and their strategies don’t offer a magic bullet. But they can help tip the balance of power, bringing public opinion to bear on an employer bent on reprisal or a government intent on coddling the powerful.



Kate Kenny

## The high cost of silence: my secret life as a whistleblower

Lisa Pratta

*CrimeReads*, 3 June 2025

FOR NEARLY TEN YEARS I was silenced. I was known only as Jane Doe, working in pharmaceutical sales undercover as whistleblower for the Department of Justice. It was a high-stakes tightrope I was walking, but no one in my life could know about it — not even my own family. On the outside, I kept up a good front. But inside, my heart felt like a lead box: nothing could penetrate it, and nothing could escape. I suffered in silence, existing in survival mode. And now that I’ve survived, I finally get to tell my story.

Long before I became a whistleblower, I’d been conditioned to keep secrets. As a child, I was sexually abused by my father during an era when



no one spoke about such things. I thought keeping pain inside equaled strength. So, for much of my career in big pharma, I kept quiet about the problems I encountered early on, like the industry's rampant misogyny and sexual harassment. I didn't speak out because I couldn't risk getting fired: I was a single mother to a special-needs son. My health insurance provided the medication that kept him alive.



Lisa Pratta

But then came a new job at a company called Questcor, where I was tasked with selling Acthar, a drug to treat Multiple Sclerosis. MS is a devastating neurological disease that strikes indiscriminately. I saw many formerly vibrant people, some only in their twenties, confined to wheelchairs. Some lost their vision, or the ability to speak. In some cases, patients lost all control of their bodies. For these people, Acthar was a last hope to reclaim any normalcy in their life. And in many cases, it could help — if prescribed correctly. But I was instructed to make sure it was prescribed *incorrectly*.

The official dosing of Acthar was a two to three week regimen. For some reason, Questcor told us to advise doctors to prescribe a reduced, five-day regimen. I knew my science, and this “off-label” dosing would not work. I didn't understand why the company would recommend a sub-clinical dose, but I didn't speak up. Instead, I did my own research and realized Questcor was using this strategy to compete with a cheaper drug on the market prescribed with an effective three-day dosage.

I was sure it wouldn't take long for patients — and doctors — to realize the five-day regimen wasn't effective, and that would be the end of that. But I was wrong. What happened was that whenever a patient or doctor questioned the efficacy of the drug, the corporate line was: “Well, if it's not working, just add another dose.” With the additional doses, patients improved just enough to consider the drug helpful. And my employer made even more money.

It was almost unthinkable. My son depended on daily medication to function, and I couldn't imagine someone purposefully prescribing him the wrong dose. So, I consulted a law firm. The attorneys told me that while I possibly had a case, the Department of Justice had a very high bar: they only pursued about five percent of the complaints that crossed their desk. My situation, however, was different than most: I was still employed at Questcor. Most whistleblowers were no longer working for the company they were reporting. My attorneys told me, “If the DOJ takes the case, you will become a *qui tam* relator — or ‘relator’ for short.” An undercover whistleblower.

I decided I had to at least try. So for the next few months, I gathered evidence for my attorneys to make our case to the DOJ. By day, I did my job: I met with my district manager, made doctor office visits, and coordinated patient care. At night, I sat home printing out copies of corporate emails and other evidence to share with my lawyers.

Then, in the midst of all this, I was diagnosed with cancer: stage three follicular lymphoma. It was as if my body was sounding the alarm, telling me that the situation I was in was toxic. After years of keeping so much inside, I suddenly had a stark understanding of the cost of silence.

When my doctor told me to reduce stress, I laughed. I couldn't back out now: the DOJ took our case. Successful prosecution would depend on more evidence, and I was the only person who could supply this from the inside. So for the next seven years, I walked a tightrope of keeping my job while not breaking the law in the process. I made my daily physician calls and attended sales conferences, where I took note of accounts of bribes and fraud on cocktail napkins, the palm of my hand and

sometimes on my own clothes. All the while, the case was “under seal,” meaning I was under court order not to talk to anyone at risk of losing any chance of prosecution.

Meanwhile, I still had my son to take care of and a job to do. I barely managed to keep up my sales quotas while competing with my colleagues who were paying off doctors. I was sure I'd be fired any day. And I was becoming increasingly isolated from my colleagues and closest friends. I couldn't even talk to a therapist, because I couldn't admit the true cause of my stress. When my cancer went into spontaneous remission, I made a promise to myself that once the case was over, I'd never be silenced again.

The DOJ finally brought their case against my employer, Questcor/Mallinkrodt, in 2019. The charges resulted in some hefty corporate fines, but none of the corporate executives responsible for the fraud were punished. In the end, the lawsuit didn't solve the problem. But at least now my story is out, and the fight isn't over.



We, as patients, must advocate for ourselves. This can be as simple as asking the right questions: Why are you prescribing this specific medication? What independent studies support this drug? Have you personally seen better outcomes with this medication compared to others? After my own experiences, I can honestly say that speaking up can be the difference between life

and death. In today's world, none of us can afford the high cost of silence.

Ultimately, my time as a whistleblower became about much more than exposing Big Pharma. It was also about liberating myself from fear, shame, and hurt I held inside for most of my life. When you keep quiet about even just a part of your life, all of you is silenced. Today, I can face my son knowing I not only did the right by him, but also myself. The lawsuit is finished, but my journey of healing has just begun.

## Rise of the AI whistleblowers: how insiders are shaping the future of technology

Jennie Johnson

jenniejohnson.com, 5 June 2025



THE RISE OF AI whistleblowers is closely linked to the recent proliferation of AI ethics roles within tech companies. As public scrutiny intensifies over issues like algorithmic bias, data privacy, and surveillance, companies have responded by creating specialized positions—AI ethicists, algorithm auditors, and ethics compliance officers—to ensure responsible AI development. These roles attract individuals with a rare blend of technical expertise and ethical acumen, often combining backgrounds in computer science, philosophy, law, and social sciences. According to recent industry data, the number of such roles has grown steadily over the past year, reflecting both the job market's need for real-time oversight and society's demand for accountability. However, embedding an ethics desk is only the first step; real influence depends on the ability of these professionals to challenge questionable practices. When internal recommendations are ignored or over-ridden in favor of profit or speed, some

insiders choose to become whistleblowers, bringing their concerns to the public and regulatory arenas.

### Challenges faced by AI whistleblowers

Becoming a whistleblower is rarely a straightforward or safe choice. AI whistleblowers face a unique set of challenges.

#### *Retaliation and Career Risks*

Exposing internal problems can result in demotion, loss of employment, or industry blacklisting. Dr. Timnit Gebru's high-profile departure from Google after voicing concerns about bias in AI language models is a stark example—her dismissal sent shockwaves through the industry and sparked widespread debate about the fate of those who speak out.

#### *Legal and Contractual Barriers*

Many tech workers are bound by non-disclosure agreements (NDAs) and confidentiality clauses, making it legally risky to reveal harmful practices—even when public safety or ethics are at stake.

#### *Emotional and Social Costs*

The personal toll on whistleblowers can be high. Isolation, online harassment, and stress are common experiences. Despite these obstacles, many are driven by a sense of duty to society, a belief that the risks of silence outweigh those of speaking up.



### Impact on company policies and industry standards

The actions of AI whistleblowers are not in vain; they have led to tangible, industry-wide changes.

#### *Policy Reforms*

Under pressure from whistleblower revelations and public outcry, several companies have instituted reforms. Microsoft, for instance, restricted law enforcement's use of its facial recognition technology after internal and

external criticism. These changes often include stricter data collection rules, more transparent algorithmic processes, and the establishment of independent review boards.

#### *Government Regulation*

Whistleblower disclosures have informed and inspired legislative action. The European Union's AI Act, which places stricter requirements on "high-risk" AI systems, and various US state laws demanding greater transparency and accountability, have both been shaped in part by the testimony and evidence provided by insiders.

#### *Cultural Shifts*

Perhaps most importantly, AI whistleblowers have fostered a cultural shift within the tech industry. There is now broader acknowledgment that ethics cannot be an afterthought or a mere checkbox. Companies are increasingly recognizing that reputation, trust, and long-term success depend on integrating ethical considerations throughout the AI development process.

#### *Supporting examples*

The impact of AI whistleblowers is best illustrated by real-world cases.

##### *Dr. Timnit Gebru (Google)*

As a leader of Google's AI ethics team, Dr. Gebru raised concerns about racial and gender bias in large language models. Her forced exit in 2020 ignited a global conversation about diversity, transparency, and ethics in AI, prompting thousands of tech workers to sign petitions in her support and demanding systemic change in the industry.

##### *Frances Haugen (Facebook)*

While not strictly about AI, Haugen's disclosure of thousands of internal Facebook documents in 2021 revealed the outsized role of algorithms in amplifying harmful content. Her testimony before Congress highlighted the broader societal risks posed by opaque algorithmic decision-making and set a precedent for future AI whistleblowers.





### **Jack Poulson (Google)**

Poulson resigned from Google over concerns about Project Dragonfly, a censored search engine being developed for China. His actions drew attention to the ethical complexities of AI-enabled censorship and surveillance, sparking debate within and beyond the company.

The rise of the AI whistleblower marks a critical inflection point for the technology sector and society at large. As AI systems become ever more pervasive and powerful, the need for courageous insiders who can hold companies accountable grows ever more acute. Their stories—often fraught with personal sacrifice—remind us that ethical oversight in AI is not a luxury, but a necessity. The courage of these individuals is driving a shift from reactive fixes to proactive responsibility, ensuring that AI innovation remains aligned with societal values. As companies continue to create AI ethics roles and as regulatory frameworks evolve, the importance of listening to—and protecting—those who dare to speak out cannot be overstated. The future of technology depends not just on what we can build, but on whether we have the integrity and wisdom to build it responsibly. In this sense, AI whistleblowers are not just shaping the future of technology; they are safeguarding the future of society itself.

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## **Corruption in Nigeria silences healthcare whistleblowers**

Esther Adepetun

*Index on Censorship*

Volume 54, issue 1, Spring 2025

WITH A GROWING POPULATION that now exceeds 200 million, Nigeria's demand for effective healthcare is immense — but the sector is critically underfunded. Less than 4% of the country's GDP has been spent on health in recent years, resulting in operational inefficiencies, the deterioration of medical infrastructure, health professionals migrating to other countries, and medical tourism, where wealthier Nigerians pay for healthcare abroad instead of at home.

This year, the health sector was allocated only 5.18% of the total governmental budget, which will further impact the provision of quality services and deepen disparities in access.



A healthcare worker wearing personal protective equipment collects swab samples during the 2021 ITTF-Africa Western Regional Championships held in Lagos, Nigeria. Photo by Majority World CIC / Alamy

Last September, the World Bank approved a \$1.57 billion loan for Nigeria, including \$570 million to strengthen primary healthcare provision. This is one of many international funds provided to help improve the country's healthcare infrastructure. However, systemic failures, including corruption, divert essential resources away from those who need them most.

A recent report from Transparency International — a global coalition against corruption — highlights corruption as a barrier to effective healthcare delivery globally and indicates that \$500 billion is lost to the problem annually. Nigeria ranks 140 out of 180 in its Corruption Perceptions Index, reflecting its pervasive nature within the country's institutions. In healthcare, corruption manifests in many ways, including organ trafficking and unethical transplants, counterfeit drugs and the diversion of humanitarian aid.

In north-east Nigeria, the illegal trade of Ready-to-Use Therapeutic Food, which is intended for malnourished children, highlights the severe misuse of humanitarian aid, with healthcare workers implicated in diverting supplies for sale in local markets.

Systematic financial abuse has also been documented by organisations set up to help Nigerians access affordable, quality healthcare. The National Health Insurance Scheme (NHIS), for example, allegedly misappropriated more than 6.8 billion Nigerian Naira (\$4.5

million) through illegal allowances between 2016 and 2017. Despite its mandate to reduce out-of-pocket healthcare spending, the NHIS has managed to cover only 5% of Nigerians since it began in 2005, with the majority of Nigerians still financing their own healthcare through out-of-pocket payments.

A report by the news agency Sahara Reporters revealed rampant corruption at the National Hospital Abuja in Nigeria's capital, where patient-staff bribery and payments to private accounts are common. In another concerning account at a community health centre in Lagos, one anonymous healthcare worker told *Index* that contracted health workers who were paid to immunise young children had recorded discarded oral polio vaccinations as “administered.” This distortion not only alters public health data but also places entire communities at risk of preventable diseases. There was also alleged misuse of resources, with the source reporting that solar-powered lights intended for use in healthcare centres were installed in the homes of local politicians instead.



From the cover of the Spring 2025 issue of *Index on Censorship*

### **Challenges faced by whistleblowers**

Amid these challenges, whistleblowing has emerged as a critical strategy for combating corruption. Experts identify it as an accountability tool that can promote transparency and reduce corruption in healthcare service delivery. However, it is fraught with challenges, including intimidation, a lack of legal protection and a culture of silence. Whistleblowers endure significant personal risks, including emotional distress, underscoring the need for



protective measures and a supportive environment.

A major shortcoming is the law. Onyinyechi Amy Onwumere, of the Civil Society Legislative Advocacy Centre (CISLAC), provides free, confidential and professional legal advice to victims and witnesses of corruption. She noted: “Nigeria does not have a comprehensive whistleblowing law. Existing protections are fragmented and insufficient, leaving whistleblowers vulnerable to retaliation.”



Onyinyechi Amy Onwumere

“Whistleblowers in Nigeria’s healthcare system often encounter retaliation, including threats, suspension or sacking, and even physical harm. These actions create a toxic atmosphere where human rights violations thrive, and potential whistleblowers are discouraged from coming forward.”

“The failure to adequately protect whistleblowers leads to a deteriorating healthcare system and a loss of public trust.”

There is also a lack of awareness among potential whistleblowers regarding their rights and the protections and reporting mechanisms that do exist, she added. According to the Centre for Fiscal Transparency and Public Integrity, a Transparency and Integrity Index the organisation compiled found that only 10 ministries, departments and agencies out of 512 in Nigeria have a whistleblower policy. “This is far from best practice,” said Onwumere.

### Cultural and systemic barriers

Cultural and societal norms create a challenging environment for whistle-

blowers. Informal corruption networks thrive where they are tolerated, particularly when they benefit the community. Tosin Osasona, a programme manager at the NISER/MacArthur Foundation Research Grant Project on Corruption Control in Nigeria, explained: “In a society where loyalty is highly valued, speaking out against one’s institution can be perceived as a betrayal.”

This attitude discourages people from stepping forward.

Osasona highlighted the professional risks that whistleblowers face. “They often encounter blacklisting by seniors, reduced future job prospects and ostracisation. The reality is that potential whistleblowers are intimidated, isolated and discouraged.”

He stressed the need for a dedicated whistleblower reporting system tailored to the healthcare sector. “A reporting mechanism that guarantees confidentiality, independence, and impartiality is essential to breaking the cycle of corruption,” he said.

One community health officer told *Index* that patients who were already burdened by the cost of treatment could find themselves extorted for basic medical services. They explained how a patient recently reported a staff member for selling injections that were meant to be free and for inflating the cost of other items.

“Instead of facing disciplinary action, the individual was merely transferred to another clinic in the subdivision.”

And when staff members are the whistleblowers, they ultimately get transferred, “perpetuating a cycle of corruption and silence with no real change,” the source added.

This climate of suppression extends to the media, where censorship continues to stifle investigative journalism — particularly on financial embezzlement. Despite amendments, authorities continue to misuse the broad powers of the 2015 Cybercrimes Act to detain and prosecute journalists uncovering corruption.

### The path forward

There are severe consequences of widespread corruption in healthcare, including loss of life, increased healthcare costs and a deterioration of the health sector, disproportionately affecting vulnerable people.

Yusuff Adebayo Adebisi, a pharmacist and director of research and thought leadership at the international organisation Global Health Focus, said: “Corruption in healthcare resource allocation damages patient care. It deprives people who need treatment of crucial supplies and funding. This problem leads to drug shortages, outdated equipment and neglected facilities — all of which put patients at risk. Some people turn to expensive private clinics or skip treatment entirely because vital resources have been syphoned away.”



Yusuff Adebayo Adebisi

A recent review from five English-speaking West African countries, including Nigeria, suggests that poor working conditions and low wages push some healthcare workers to engage in unethical behaviour. Adebisi emphasised that “a real solution calls for a detailed understanding of how corruption operates in each place so that decision-makers can craft effective strategies that address these problems at their core.”

Empowering healthcare professionals to safely report corruption and mismanagement requires a combination of legal protection, secure reporting channels and a supportive workplace culture. Adebisi said that whistleblower protection laws are “essential” and should be communicated clearly to staff “so they know they will be shielded from retaliation.” Secure, anonymous platforms — such as confidential

hotlines or encrypted digital tools — can also help professionals speak up without fear of losing their jobs or facing harassment.

Training and awareness programmes on ethics and accountability can boost staff confidence. Adebisi suggested that “working with professional associations, non-governmental organisations and community groups adds an extra layer of support and helps create a culture where reporting is seen as a collective responsibility rather than an individual risk.”

International models provide useful insights into how Nigeria can strengthen its whistleblowing framework. For instance, in the UK, National Health Service organisations rely on “Freedom to Speak Up guardians” who serve as neutral, trusted people who staff can approach with sensitive concerns. In some Latin American countries, partnerships between government agencies and civil society groups have led to digital whistleblowing platforms that maintain user anonymity. These ideas could be tailored to Nigeria, said Adebisi, taking into account the “unique challenges” of different regions.

Artificial intelligence can also enhance these efforts. He explained that “tools powered by machine-learning can track procurement data, pinpoint suspicious patterns in drug prescriptions and flag irregularities that might indicate theft or bribery.” While technology alone won’t solve the issue, he believes that integrating AI with “robust legal frameworks” and education programmes could help to “significantly strengthen oversight.”

“There’s no single solution that works for every institution, so it’s important to combine strategies that promote accountability, protect staff and foster a culture of transparency.”

A lack of accountability can have real-world consequences. One nurse in a teaching hospital told *Index* how corruption in resource management exacerbated existing disparities.

“Some wards are fully equipped with state-of-the-art machines, have a constant power supply and are staffed with highly efficient medical personnel,” she explained. “Meanwhile, other units struggle with outdated equipment, erratic electricity and severe staff shortages.”

When whistleblowers have the support of the media and the public, their reports can lead to meaningful reform. Onwumere highlighted the Ministry of Niger Delta Affairs scandal, where a whistleblower’s revelations of looting at the ministry prompted policy changes. Similar pressure in the healthcare sector could drive accountability and bring change.

Ensuring that those who expose wrongdoing in healthcare can speak out freely is not merely a matter of individual rights — it is a critical step towards a functional and equitable healthcare system for the tens of millions of Nigerians who depend on it.

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## ***The Guardian’s new whistleblower tool***

Joshua Benton  
*Nieman Lab*, June 2025

THINK “I am Spartacus!” — but for leakers.



If you download the new mobile apps *The Guardian* released today, in a small way, you’ll be helping protect whistleblowers around the world.

Okay — so it’s a *very* small way. But because of an ingenious new leaking-to-journalists protocol — created in concert with Cambridge computer scientists — regular app users are actually running interference for those who need to reach reporters securely and safely. If smoking out a whistleblower is like finding a needle in a haystack, *Guardian* readers are now a giant pile of extra hay.

The feature, called Secure Messaging, is based on a tool called CoverDrop, first proposed in 2022. Its source code is available on GitHub — letting other publishers use it in their apps and giving security researchers the ability to poke around for holes.

Secure Messaging does two especially smart things. First, it uses the

newspaper’s own mobile apps as the vehicle through which a whistleblower’s communication happens. No need to push people to a separate app, explain what a Tor browser is, or get tech mortals to understand PGP. Someone looking to leak to *The Guardian* probably already reads *The Guardian* — and having a news app on your phone likely won’t spark an employer’s suspicion in the same way that Signal might. And, most importantly, a news organization has control over its app’s underlying code base in a way it can’t with a third-party option.

The second smart thing is using the app’s own data flows to make leaks indistinguishable from regular traffic — cutting off one of the easiest ways for a repressive government or corporate boss to identify a leaker.

Here’s how it works. *The Guardian’s* mobile apps communicate regularly with the paper’s servers. (How else is it going to hear about new stories?) With this new version, anyone using the app will regularly send small packets of information, called CoverDrop messages, up to *Guardian* servers. For you and me, those packets will contain nonsense — a dummy message. But if a Secure Messaging user reaches out to *Guardian* journalists, that nonsense will be replaced with an encrypted form of whatever text they’ve chosen to send — in a way that looks identical to its decoys to anyone sniffing packets. “Consequently a network observer cannot determine whether any communication is taking place and CoverDrop therefore provides the potential source with plausible deniability,” researchers say in their accompanying white paper:

Our central insight towards a practical solution is that news organizations already run a widely-available platform from which they can offer a secure, usable method of initial contact: the news app on a smartphone. The confidentiality and integrity of message content can be assured through widely-available cryptography on these platforms; journalists can be authenticated directly by the news organization; traffic analysis by a network operator or state actor can be thwarted by requiring all the installations of the news app to produce cover traffic, thus hiding whether any given user is in contact with a journalist or not; the



system does not require users to install specialist software or tools; and the news app can provide a usable interface which is similar in style and operation to a typical messaging app.

In other words, both a user's *Guardian* app and the web traffic originating from it should look indistinguishable whether or not she is actively dishing secrets to reporters — thus giving leakers “plausible deniability.”

“That’s important in a world of pervasive surveillance where it has become increasingly hazardous to be a whistleblower,” said Cambridge post-doc Daniel Hugenroth, who led CoverDrop’s development along with professor Alastair Beresford.



Daniel Hugenroth

That process makes the communication slower than your favorite chat app. “Secure Messaging is not by any means an instant messenger,” Luke Hoyland, *The Guardian*’s product manager for investigations and reporting, told me. Making delivery anything close to realtime would require every *Guardian* app to be sending CoverDrop messages around the clock — which is neither practical nor particularly nice to regular users. (I sent Hoyland a test message this morning, and its sending was listed as “pending” for quite some time afterward — though it did eventually go through.)

Work on this tool dates back to 2019, when a group of Cambridge researchers held workshops with a number of British journalists to discuss their digital security needs. Hoyland and other *Guardian* colleagues were among

the attendees, and when they saw the researchers describe CoverDrop in 2022, they got in touch. Beresford and Hugenroth have been working with the paper on the integration ever since — Beresford as a consultant and Hugenroth as a contractor.

He said that Secure Messaging isn’t meant to replace other whistleblowing tools like SecureDrop: “We are enthusiastic supporters of SecureDrop and we think the tools complement each other.” Secure Messaging is optimized for a particular moment in the leaker-leakee relationship: first contact. Both sides are feeling each other out; trust is being built. And once that relationship is established — and large document caches need to be exchanged, say — it can move to SecureDrop, Signal, or whatever other method makes sense.

“Signal is a particularly good example for many scenarios,” Hoyland said. “It’s easy to ‘downgrade’ from a position of strong security, but it’s difficult to remove digital footprints once they are out there.” (CoverDrop underwent a third-party security audit earlier this year.)

Right now, Secure Messaging isn’t *hard* to find in the app — hint: hamburger menu — but it also isn’t something someone is likely to stumble upon by accident. This is a frequent tension in leaking protocols; making them prominent to every user may generate more valuable leaks — but it will also generate more useless ones. (Any journalist with an email address can tell you from experience that most unsolicited tips fall well short of Pulitzer-worthy.)

“It’s a difficult balance to strike: We wanted the tool to be easy enough for non-technical users, but also to include sufficient friction to discourage misuse,” Hoyland told me. There are plans in place to deal with potential spam and abuse, and developers are thinking about how (and how much) to promote the tool.

I asked Hoyland how many tips had come in via Secure Messaging in its first few hours. It turns out the feature was actually turned on for a subset of *Guardian* users a week ago, and since then the paper has received “a steady stream of tips.” He declined to give a specific number (“since doing so would undermine our security model”), but

was able to give me this scoop: “more than dozens and fewer than gazillions.”

Joshua Benton is the senior writer and former director of Nieman Lab, which he founded in 2008.

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## Hero Richard Boyle pleads guilty to being a whistleblower

Rex Patrick

Michael West Media, 27 May 2025

*After the South Australian Court of Appeal ruled that he had no protection under Commonwealth whistleblower laws, Richard Boyle has pleaded guilty to four charges as part of a plea deal. Rex Patrick reports from the Court.*

THE MOOD was sombre inside a crowded courtroom as Richard Boyle stood before South Australian District Court Judge Liesl Kudelka to timidly plead guilty to four criminal offences, with the expectation that he would at least avoid going to gaol for blowing the whistle on the ATO.

It was an act forced upon him after a court enforced realisation that he wasn’t protected by the whistleblower laws he thought did protect him, but he was wrong.



Richard Boyle with his wife Louise Beaston arriving at court



## Blowing the whistle

In 2017, Richard blew the whistle on the ATO for inappropriately, indiscriminately, and carelessly issuing garnishee notices that brutally emptied businesses' bank accounts of money to settle ATO debts.

During the Court of Appeal proceedings, the prosecutors conceded that Richard was a whistleblower as that term is commonly understood. He had disclosed information to an authorised person pursuant to the terms of the Public Interest Disclosure Act.

It was also accepted that his disclosure was not dealt with properly by the ATO. The ATO botched the investigation into his claims and did nothing.

That is, they did nothing until their inappropriate activity was the subject of an ABC Four Corners program (Note that there is no allegation that Richard disclosed taxpayer information to the ABC). In an act of revenge, the ATO charged Richard, not for blowing the whistle, but for what he did in preparing his disclosure, namely using his mobile phone to take photographs of taxpayer information, covertly recording conversations with ATO colleagues; and uploading photographs of taxpayer information to his lawyer's encrypted email account.

The Court of Appeal found that those preparatory acts were not covered by protections in the Public Interest Disclosure Act and, as such, he was not immune from prosecution.

## An unsatisfactory plea deal

In mid-March, a deal was entered into with the Commonwealth Director of Public Prosecutions. If he pleaded guilty to four charges, they would discontinue prosecution of the remaining 15. He originally faced 66 charges, with 47 dropped before today's arraignment.

And so it was that Richard pleaded guilty to four counts as follows:

- 1 count of making a record of protected information contrary to Schedule 1 of the Tax Administration Act 1953 (Cth). Maximum Penalty: 2 years imprisonment.
- 1 count of recording another person's tax file number, contrary to the Tax Administration Act 1953 (Cth). Maximum Penalty: \$21,000 fine, 2 years imprisonment or both.

- 1 count of intentionally using a listening device to record a private conversation without the consent of the parties to that conversation contrary to the Listening and Surveillance Devices Act 1972 (SA): Maximum Penalty \$10,000 or 2 years imprisonment.

- 1 count of disclosing protected information to another entity (his lawyer), contrary to Schedule 1 of the Tax Administration Act 1953 (Cth). Maximum Penalty: 2 years imprisonment.

It is understood that the Commonwealth Director of Public Prosecutions has agreed not to press for a custodial sentence, but will insist that a conviction is recorded. Richard's position is that no conviction should be recorded.

## Broken laws (almost) broke the man

A conviction should not be recorded. In the Court of Public Opinion, the almost unanimous view is that Richard has made Australia a better place. An investigation by the Inspector-General of Taxation that followed the airing of the ATO's conduct by Four Corners found garnishee-related problem did arise in the office that Richard worked with, "and laws were changed to prevent that conduct being repeated."

Richard's saga has also shown how broken the Commonwealth public servant whistleblower protection laws are.

One of the four objectives of the Public Interest Disclosure Act is to ensure that public officials and former public officials who make public interest disclosures are supported and protected from adverse consequences relating to the disclosures. Richard's case has revealed failure in this objective.

Another of the four objectives is to ensure that disclosures by public officials and former public officials are properly investigated and dealt with. Another fail!

Those two failures led to the failure of the third objective, which is to promote the integrity and accountability of the Commonwealth public sector.

The only objective that has been met is the one that seeks to encourage and facilitate the making of public interest disclosures by public officials and former public officials. Richard was encouraged by the Act, which sucked him in eight years ago and has finally spat him out a broken man (he may not

have been with us but for the support of his wife, Louise Beaston).

His story is one that should enliven support for reform of our federal whistleblower protection laws, including support for the Whistleblower Protection Authority Bill introduced in the last Parliament by Senators David Pocock and Lambie.

## What's next?

Sadly, the story for Richard is not over yet.

Richard still faces sentencing. While the prosecution has not sought a custodial sentence, it is ultimately up to Judge Kudelka whether or not he will walk from the court a free man at sentencing later in the year (submissions will be made in August with a final outcome shortly thereafter). However, it must be said that it is highly unlikely that the Court will seek a jail term in circumstances where the prosecutor doesn't also seek that outcome.

Richard does still run the risk of having a conviction recorded against his name; something that could haunt him every time he makes a job application.

One hopes that this doesn't happen, but if it does, those who are informed will understand that his conviction can only properly be worn as a badge of strength, much like the 'S' on a Superman costume, because Richard is a superhero.



**Rex Patrick** is a former Senator for South Australia and, earlier, a submariner in the armed forces. Best known as an anti-corruption and transparency crusader, Rex is also known as the "Transparency Warrior."

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## Whistleblowers Australia contacts

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Thanks to Sharon Kelsey and Lynn Simpson for proofreading.

### Previous issues of *The Whistle*

[https://www.bmartin.cc/dissent/contacts/au\\_wba/whistle.html](https://www.bmartin.cc/dissent/contacts/au_wba/whistle.html)

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## Whistleblower speaks out

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And they call us sheep!

Little Bo Peep, come blow your horn.

You can't pull the wool over my eyes.

You can have the wool. I'm keeping the whistle.

I should know better after what happened  
to David McBride and Richard Boyle.

## 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: 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. Use your surname/membership as the reference.
2. Post a cheque made out to Whistleblowers Australia Inc with your name to the Secretary, WBA, PO Box 458 Sydney Markets, Sydney, NSW 2129
3. Pay by credit card using PayPal to account name [wba@whistleblowers.org.au](mailto:wba@whistleblowers.org.au). Use your surname/membership as the reference.

New members: [http://www.bmartin.cc/dissent/contacts/au\\_wba/membership.html](http://www.bmartin.cc/dissent/contacts/au_wba/membership.html)