

*“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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WHISTLEBLOWER'S ANTHEM...



## Book review

### You gotta have friends

#### BOOK REVIEW

Kate Kenny,

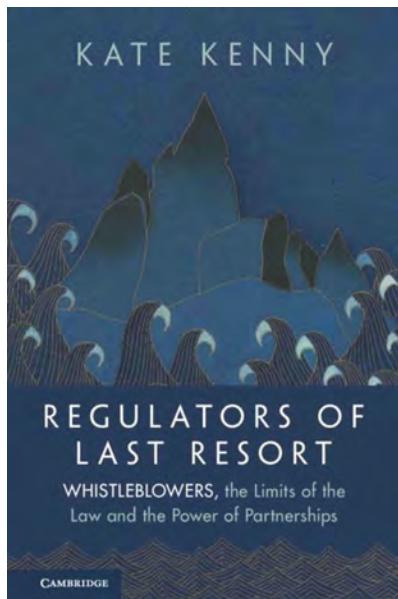
*Regulators of Last Resort:*

*Whistleblowers, the Limits of the Law and the Power of Partnerships.*

Cambridge University Press, 2024.  
254 pages, including Index

Reviewed by Jim Page

THIS BOOK is a welcome addition to the growing corpus of scholarly literature on whistleblowing. I found it most interesting for the questions it raises — but more on that later. The author, Kate Kenny, is a professor at the University of Galway and has already published or contributed to a number of books on whistleblowing. She has received grants for whistleblowing research, and, significantly, is active in developing whistleblowing support networks.



Kenny denies the book is a guide for whistleblowers, but I'm not quite sure of that. Perhaps we might agree that it's not a guide for whistleblowers in any systematic way, "not a roadmap" (p.8) as she puts it, but within the book there are pointers to what is useful, such as being wary of the value of lawyers and legal remedies, understanding the facts of a case in a systematic manner, focusing on the wider moral context, devel-

oping a positive narrative (avoiding victimhood), using the new digital technologies, appreciating the vulnerability of corporations (in other words, you're more powerful than you think), and, above all, the concept of collective bricolage, by which she means, roughly, nurturing allies and support persons.

Collective bricolage is arguably the main point of the book, although the argument about developing a positive narrative is also interesting. Kenny refers to "rewriting the subject position" (p.178), which I would paraphrase as changing the perception of a whistleblower as a malcontent to an advocate for moral principle. This involves thinking through what one's moral principles are, which is a demanding task in itself, as well as thinking about who we are.

Kenny mentions the ancient Greek concept of parrhesia, which she says is exerted when a speaker "freely speaks the truth as they perceive it to be, often from a position of lower status than one's intended audience" (p.203). It is a powerful metaphor for whistleblowing. Kenny also suggests that it is a mistake to think of parrhesia as an individualistic act, and that for parrhesia to prevail, it requires the presence of allies (p.210), which brings us back to the collective theme of the book.

As I was ruminating about bricolage and about what Kenny calls the psycho-social challenges of whistleblowing, I couldn't help thinking of the 1973 hit single by Buzzy Linhard and Mark Klingman, as sung by Bette Midler. The title, "You Got to have Friends", which incidentally comes out as "You gotta have friends" in audio, seems to sum up what Kenny is saying. Throughout the book, Kenny documents the toll that whistleblowing, seemingly unavoidably, takes on those who dare speak truth to power. In this situation, put simply, you gotta have friends.

Most of the six chapters of this book are, in effect, case studies of instances of whistleblowing, meticulously documented by Kenny. It's probably not necessary to revisit these case studies in this review. Interestingly, however, these studies constitute part of the value of collective bricolage in action, in that writing about misconduct, especially in

a scholarly context, is a way of providing support for whistleblowers, something to which Kenny has a very personal commitment. The misconduct of corrupt corporations is also put on the public record — forever.

The last two chapters of the book were the most interesting for me. I want to focus on how I think Kenny's book raises questions about the concept of whistleblowing, ethical questions, and the issue of personal empowerment. Let me deal with each of these in turn.

In the final chapter, Kenny suggests that "the rise of neoliberal logics" and the "erosion of oversight" have led us to the situation that we are in, whereby whistleblowers are regularly ignored and persecuted with impunity (p.194) and to the "systemic injustice inherent in the way things are run today" (p.195). In her case studies, she also discusses how the economic insecurity of whistleblowers makes them inherently more vulnerable — logically, if we had a more economically just society, then whistleblowers would not be so vulnerable.



Kate Kenny

I think Kenny is correct — although I prefer unrestrained corporate power as a description, rather than the language of neoliberalism. Unrestrained corporate power can extend to the international level, where, for instance, nation-states can engage in genocide with

seeming impunity. As if to illustrate unrestrained corporate power, earlier in the book, Kenny suggests the use (misuse) of lawsuits against whistleblowers is part of the wider pattern of corporate misconduct, aimed at silencing activists and journalists (pp. 55-57).

So perhaps we need to widen the concept of whistleblower, which conventionally is linked to those within organizations speaking out about wrongdoing. Perhaps we need to redefine whistleblower as anyone who is speaking out about wrongdoing, if you will, a dissenter to the seemingly unrestrained exercise of power so prevalent in our world. Perhaps we need to see whistleblowing as part of the wider struggle for social justice.

The mention of wrongdoing raises the ethical dimension. Kenny writes, a little disparagingly, of ethics scholars who “enjoy abstract, philosophical musings on what whistleblowing means; what would Kant have to say about it?” (p.202). It is interesting, as it seems she is well aware that Immanuel Kant wrote extensively on ethics and radical evil. Indeed, Kenny also cites Hannah Arendt (p.40n21, pp.170-171), who, more recently, wrote extensively on ethics and radical evil.

Moreover, at the conclusion of the book, Kenny refers to the general plight of whistleblowers, that is, being widely persecuted and stomped on, and she describes this as a “wickedly persistent situation” (p. 196). Wicked is a term of moral disapproval, connoting evil, and I think she is correct to use this language. Interestingly, in moral theory there has been a revival of the language of evil, prompted in part by the horrific genocides of the twentieth century. It is almost as if, when behaviour is an affront to our humanity, that we feel compelled to use the language of evil.

It is interesting also that in the literature on the revival of the notion of evil, one recurrent theme is that the essence of evil is the failure to tell the truth. On a practical level, this may be relevant to whistleblowing. Whistleblowers are people who respond to the fundamental moral imperative to tell the truth. Perhaps this intersects with the suggestion from Kenny that whistleblowers reframe the narrative, that is, take the higher moral ground and reclaim the moral virtue of telling the truth.

I conclude with a note of hope. Kenny indicates: “There has been nothing particularly feminist about the journey we have been on [with the book]” (p.199n45). Well, perhaps not overtly. Yet Kenny exemplifies the feminist adage that the personal is political and the political is personal. She writes with anguish about the fate of whistleblowers and her frustration at not being able to do more to assist them, especially when they contact her for advice. The final words of the book are: “Perhaps the next time I meet a public whistleblower, I will have more to say” (p.196).

If anthropologist Margaret Mead is correct, and women, by nature, tend to be more nurturing, then Kenny perhaps sells herself short, in that her book is more feminist than she realizes. It may be significant that women, generally, as part of a nurturing nature, are better at collaboration, networking and support, which is what Kenny advocates. Read this book, or failing that, simply search-engine Bette Midler’s rendition of “You got to have friends” and listen online. You’ll get the gist of the book, at least as I see it.



Jim Page is an adjunct professor with the University of New England, Australia. Photo licensed CC-BY

## Whistleblowing: what next?

Brian Martin

WHISTLEBLOWERS AUSTRALIA was set up in the early 1990s to deal with a serious problem. Workers were speaking out about abuse, corruption and dangers to the public. But management,

instead of investigating these concerns, attacked the workers. Many of them lost their jobs.

So what has changed since then? Beginning in the 1990s, all Australian states and territories passed whistleblower protection laws. Ominously, whistleblowers were not consulted then, or ever since, when these laws were drafted. The laws give the impression of protection but in practice it’s still risky to speak out. The laws are almost worse than nothing because some workers think they’re protected when actually they aren’t.

Many who have been active in Whistleblowers Australia (WBA) looked to governments to set up systems that would really protect whistleblowers. However, when governments are employers, they have been just as bad as any other. The poster cases for this are David McBride and Richard Boyle. They followed the rules for making disclosures and found out they weren’t protected. Furthermore, the federal government refused to drop their prosecutions, showing everyone that the laws are a sham. The treatment of McBride and Boyle has been a dramatic statement to other workers: dare to speak out, and this is what might happen to you.

Having talked with hundreds of whistleblowers, the sequence of events is predictable: speak out, suffer reprisals, and find that official channels don’t work. But there is something else vitally important. Whistleblowers hardly ever succeed. It’s hard to find cases in which significant improvements in organisational behaviour resulted from protected disclosures. Actually, one of the few cases is Richard Boyle, who triggered changes at the Australian Taxation Office. Perhaps that’s why he was prosecuted so relentlessly.

There’s an analogy to medicine. Nearly all medical treatment is curative, dealing with conditions and diseases after they’ve developed. That’s what hospitals are all about. Only a small percentage of the health budget is spent on preventive measures, like promoting exercise and good diet, and reducing exposure to environmental chemicals. Most of the whistleblowers we deal with have already spoken out and suffered reprisals, so we can only offer assistance after damage is done. How much better it would be to change

organisational culture so speaking out is welcomed. Then WBA wouldn't be needed.

In our early years, we had ambitions to deal with some of the restraints on speaking out. One of them is defamation law, which inhibits what people can say. It still does. Another restraint is laws limiting what government employees can say. These laws are effectively official secrets acts, and they haven't gone away. In fact, things are worse, because now many corporate employers require workers to sign non-disparagement clauses so they can't comment outside of work without risking being targeted. Josh Bornstein describes this well in his book *Working for the Brand*. Yet another restraint is secrecy. Freedom of Information laws were supposed to open up government bodies to scrutiny, but instead they have become ever more restrictive.

Things have also become worse because of new laws to maintain metadata about telephone calls and to permit spy agencies to enter people's phones and computers and delete, change or add text. This means it is far more difficult to make disclosures while remaining anonymous.

After several years talking with whistleblowers, I felt myself sounding like a broken record, saying the same thing over and over, so I wrote *The Whistleblower's Handbook*, published in 1999. By the time I prepared a second edition, titled *Whistleblowing*, published in 2013, two new chapters seemed appropriate. One was on leaking, namely anonymous whistleblowing. I now recommend remaining anonymous whenever possible, because reprisals are so likely and whistleblower protection is an illusion. The other new chapter is "Low-profile operations." Rather than reporting problems to the boss, higher management or outside agencies, it can be more effective to subtly hint at the problems without being too obvious about it. In other words, the idea is to be a change agent without becoming a whistleblower and without paying the penalty for doing the right thing.

Workers need better skills at dealing with problems without being burned in the process. But how can WBA help in this? Most of the people who contact us have already spoken out and suffered reprisals. How can we get to workers

before they speak out, before they make the mistake of speaking out without sufficient preparation? Years ago, we had a plan to distribute a leaflet about speaking out to workers via trade unions. We drafted a leaflet, appropriately titled "Speaking out: what you need to know," but there was no follow-through to distribute it.

Some of us have given talks at conferences and university classes. However, as an organisation we've done little to raise awareness among young people. We haven't developed an outreach programme aimed at schools, giving talks to students and teachers, or providing audio-visual materials for classroom use. We haven't done podcasts or had a plan to approach filmmakers.

This means we remain stuck in the mode of trying to help whistleblowers who are already in a bad way. It's important work, but it's a rearguard effort, because the conditions that enable corruption and abuse are unchanged, and the focus by media and government on whistleblower protection distracts attention from the need for systemic change and the value of an informed workforce, with the skills to act effectively.

Perhaps we should do more to make our services known. Whistleblowers often contact those they read about in the news or who are active online, which is why prominent whistleblowers like Jeff Morris and Toni Hoffman receive so many enquiries, as does the Human Rights Law Centre due to the efforts of Kieran Pender. WBA used to have a media officer and hold press conferences, but no more. We are seldom in the media.

Besides responding to enquiries, the other thing we do well is put whistleblowers in touch with each other. This happens when we can refer a caller to a whistleblower in a similar area or with relevant experiences — to another teacher or police officer, for example — and happens at our conferences.

To sum up: WBA has survived for over 30 years, which is a major accomplishment in itself. Few countries have an organisation most of whose members are whistleblowers. We continue to offer information and advice — always non-legal advice — and to put whistleblowers in touch with each other, which is often what helps them the most.

On the negative side, our efforts are about helping people after the damage has been done. We're not reaching people before they speak out, and we're having little impact on systemic obstacles, including defamation law, secrecy provisions, and the drivers of abuse and corruption.

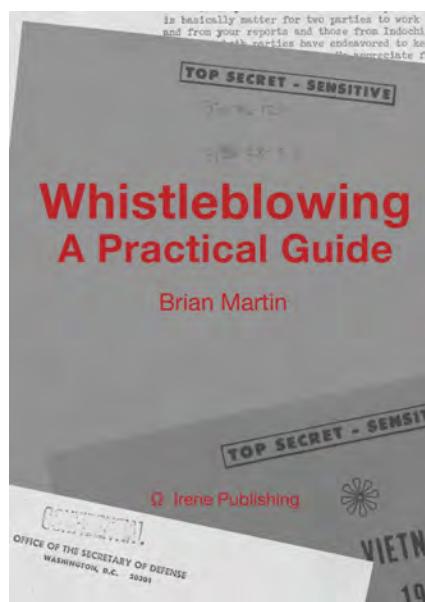
Keep going? For sure. But we can also be more open to new directions.

### The future for WBA?

Most of WBA's six office bearers are aged over 75. Old age does not mean incapacity, but eventually there will be a need for renewal, for a new generation to take over. If no one is able and willing to do that, what next? What would it mean if WBA folded up?

There would still be individuals with enough visibility to be nodes for others seeking advice. If our website were maintained, the contact list could still direct enquirers to experienced advisers. Individuals could organise online meetings with minimal cost. Not all would be lost. Is this the future?

Brian Martin is vice president of Whistleblowers Australia and editor of *The Whistle*.



This sounds gloomy, but WBA does some things well. One is providing information and advice to enquirers. We have a contact list on our website, but only a few of us handle most of the enquiries. It would be good if we could find others willing to learn how to respond to whistleblower enquiries.

# WBA AGM

## Whistleblowers Australia Annual General Meeting 16th November 2025

### 1. Meeting opened at 9.06am.

Meeting opened by Cynthia Kardell, President, Minutes taken by Jane Cole, Secretary.

2. Attendees: Brian Martin, Barry Hicks, Fay Hicks, Felix Perera, Michael Cole, Jane Cole, Jane Anderson, Julian King, Stacey Higgins, Sharon Kelsey, Cynthia Kardell, Geoff Turner, and one other.

Quorum was met. 13 members present in person plus 5 members represented by proxies (4 held by Cynthia Kardell and 1 by Geoff Turner)

3. Apologies: Richard Gates, Jeff Morris, Carol Devine, Leslie Killen, Olga Parkes

### 4. Previous Minutes, AGM 2024

Brian Martin referred to copies of the draft minutes, published in the January 2025 edition of *The Whistle*.

Cynthia Kardell invited a motion that the minutes be accepted as a true and accurate record of the 2024 AGM. Proposed: Stacey Higgins  
Seconded: Feliks Perera  
Passed

### 4(1). Business arising:

A letter of thanks for her 15 years of service as WBA secretary be sent to Jeannie Berger.

Cynthia Kardell to action.

### 5. Election of office bearers

#### 5(1) Nominees for executive positions.

Cynthia Kardell, standing for the position of president, stood down for Brian Martin to act as chair. Because there were no other nominees, Cynthia was declared elected.

Cynthia then resumed chair.

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

Vice President: Brian Martin

Junior Vice President: Jane Cole

Treasurer: Feliks Perera  
Secretary: Michael Cole  
National Director: Geoff Turner

5(2) Ordinary committee members, 6 positions.

Nominations were received in advance for two individuals. Because there were no other such nominees, the following were declared elected.

Jane Anderson  
Stacey Higgins

Because there were vacant positions, nominations were invited from the floor.

Barry Hicks was nominated by Brian Martin, seconded by Jane Cole. Elected.

#### 6. Public Officer

Margaret Banas has agreed to remain the public officer.

#### 6(1) A thank you to Margaret

Proposed: Felix Perera  
Seconded: Stacey Higgins  
Passed

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

7(1) Feliks tabled a financial statement for 12-month period ending 30 June 2025. A motion was put forward to accept the financial statement.

Moved: Feliks Perera  
Seconded: Michael Cole  
Passed

#### *Feliks' report*

Once again it is my great pleasure to present to you the Annual Accounts for the past financial year.

Our net expenditure for this year amounted to \$6,274.44 the bulk of which was the cost of the 2024 November Conference. During this financial year, the National Australia Bank changed our Bank Account to a Business Bank Account, with no cheque facilities. The membership now has to send in their membership fees and donations via an internet bank transfer.

When paying your membership fees please list a name to facilitate the accurate recording of the fees paid. The

association is currently in a healthy financial state thanks to the many donations from members who were kind enough to support the association in their wills.



The battle to seek legal recognition for whistleblowers is ongoing and I trust all the members will play their part in achieving this goal. It has been a hard road over the last 30 years or so. I trust in the coming year Whistleblowers Australia, with the hard work and dedication of its membership, will be able to achieve this legal recognition.

WHISTLEBLOWERS AUSTRALIA INC.  
Accounts for financial year ended 30<sup>th</sup> June 2025.

#### Income

Donations	\$835.00
Membership Fees	\$2,525.00
Bank Interest	\$7.45
<b>TOTAL</b>	<b>\$3,367.45</b>

#### Expenditure

Conference costs	\$6,147.41
WHISTLE production	\$3,228.67
Annual return	\$56.00
Mobile for NAB account	\$207.00
Pay Pal charge	\$2.81
<b>TOTAL</b>	<b>\$9,641.89</b>

Excess of expenditure over income  
\$6,274.44

#### Balance Sheet at 30<sup>th</sup> June 2025

Accumulated Fund B/fwd	\$119,175.13
Less expenditure for the year	\$6,274.44
<b>TOTAL</b>	<b>\$112,900.69</b>
Balance at Bank	\$119,300.69
Prepaid Deposit Conference	\$600.00
<b>TOTAL</b>	<b>\$112,900.69</b>

Old Account:  
BSB 084620  
Account No 698414626.

New Account:  
BSB 084034  
Account No 291738485.

Proposed: Jane Anderson  
Seconded: Barry Hicks  
Passed

#### 8. President's report

I have much to be thankful for this year. First, let me thank Michael for yesterday. It was a great conference and I enjoyed it immensely. Then there's Sharon who relieved me of my proofreading responsibilities. Brian, who continued to produce some wonderful newsletters. Feliks for his commitment to the group and Jane Cole, who stepped into the breach left by longtime secretary Jeannie Berger when I became ill.

I'd like to thank Jeannie for making my life that much easier every time we sent out a *Whistle*, for the attentive even-tempered way she fielded questions and complaints, and for pulling the conference weekends together without being asked. Jeannie is intelligent, whip smart and she knows a fraud when she sees one. So when her new employer sacked her the same day she started, she sued them and won.

The lesson? When you're blacklisted, don't get upset, get even — and pay, they did.

Then there's Stacey, who runs our Facebook page. It was Stacey who kept our members informed when I couldn't. Stacey, who rang me to ask whether she could pick me up and take me to the conference. Yes please!

Finally, Geoff, for his patience in getting my laptop to work, so I could reach out to my old world again. And Margaret and Jozef, who are here every week to help me in any way they can. I like to think they enjoy my company as much as I do theirs, because they're family — that's the family you choose. Like Whistleblowers Australia.

Cynthia Kardell

#### 9. Other Reports Stacey Higgins

The Facebook page continues but is not very active. Calls from people with queries. It is helpful even for those who are not whistleblowers, as they feel validated. Minimal hits from interstate.

#### 10 Other Business

10(1) Mention made of rudeness exhibited by two members to a conference speaker during his talk. Cynthia will contact the speaker.

10(2) Cynthia proposed: That the AGM agrees that the Hook Bequest is to cover all conference, dinner and AGM costs until the money runs out and, in so doing, reaffirms an earlier motion in 2021 in the same terms.



Michael Cole pointed out that the terms of the previous AGM resolution were that WBA bears the full venue costs including catering of the members attending the AGM from 2022 while it remains financially viable to do so. There was no motion not to charge for the conference or dinner.

Jane Anderson proposed: WBA resolves that the conference, dinner and AGM will be free in the future. In the spirit of this resolution all who wish to be reimbursed will be. Please inform the secretary by (date) [later made the 20<sup>th</sup> December 2025].

Proposed: Jane Anderson.  
Seconded: Cynthia Kardell.  
For: 4 in person + 5 proxies (9)

Against: 6 in person  
Abstained: 1  
Passed

10(3) Motion put: That Feliks and Geoff investigate investing 80% of

funds into term deposits. Report back by December.

Proposed: Stacey Higgins.  
Seconded: Jane Anderson  
Passed.

10(4) Extensive, robust discussion resulted in the decision to close the PayPal account. Feliks to talk to PayPal.

Proposed: Feliks Perera  
Seconded: Sharon Kelsey

10(5). Subsidise interstate and regional members for onsite accommodation on production of receipts and attendance at the conference weekend.

Proposed: Cynthia Kardell  
Seconded: Fay Hicks  
Passed

10(6) Vote of thanks to Jeannie Berger for 15 years as the Secretary. Cynthia to send a note of thanks.

Proposed: Feliks Perera  
Seconded: Cynthia Kardell



10(7) Three motions referred by Michael Cole (MC1, MC2 and MC3) were not addressed.

10(8) Next Conference/AGM weekend 2026 is to be held at the Uniting Venues in North Parramatta 14–15 November 2026.

#### 10. AGM closed 1300hrs

#### how to make meetings shorter



## Media watch

### Whistleblower's "last resort" to expose Dr Death

Kristen Amiet

*The Australian*, 18 December 2025



Toni Hoffman and Rob Messenger

TONI HOFFMAN divulged her fears about incompetent surgeon Dr Jayant Patel in a secret conversation with a local parliamentarian "as a last resort" because Bundaberg Base Hospital executives repeatedly failed to act on complaints by medical staff.

Hoffman defied the Queensland Health Code of Conduct in early 2005 and put her successful career on the line when she blew the whistle on Patel in a secretive meeting at the electorate office of the then-Nationals MP Rob Messenger.

The experienced nurse told Messenger she had tried to raise her grave concerns about Patel's competence with her superiors more than a dozen times, but that it had been written off as a personality clash.

Hoffman said the hospital's culture of secrecy prevented her hospital colleagues from speaking out.

"There's bullying, intimidation, you can't trust that anybody is going to tell the truth," she told Messenger during the meeting.

"What we've tried to do through Queensland Health is go through the right channels and address this properly, but it doesn't seem to have worked."

Hoffman told Messenger her extraordinary disclosure to him was a "last resort."

"I'm here not only as a representative for my own concerns, but I'm here representing the concerns of a lot of

people who are too scared to come," she said.

The pivotal meeting between Hoffman and Messenger is explored in a new episode of *The Australian's* investigative podcast *Sick to Death*.

Hoffman told Messenger she hoped Patel would be stood down while a "proper investigation" was carried out.

Messenger ran for the Queensland parliament as National Party candidate in 2004 on a health platform. In a surprise result, he was elected as the Member for Burnett.

He read a letter penned by Hoffman in 2004 outlining her serious concerns about Patel into the parliamentary record shortly after his meeting with the nurse in his office.



Rob Messenger, Hedley Thomas and Toni Hoffman  
Picture: Ryan Osland

court-admissible checklist designed to document the psychological harm often endured by whistleblowers.



The keynote address came from Caroline Hunt-Matthes, a former UN investigator who survived a 15-year legal battle after exposing systemic failures in protecting a sexual assault survivor in a refugee camp. Her message was clear: institutional reporting mechanisms remain deeply flawed.

The keynote address was followed by a panel on US whistleblower laws and regulations. The panelists provided an overview of the extant laws in the United States, including the False Claims Act and the Commodities Exchange Act. Notably, panelists Brian Kowles and Robert Turkewitz, the lawyers who defended Boeing whistleblower John Barnett, emphasized the psychological consequences of whistleblowing. They described the emotional stress of retaliation and workplace abuse, which led to Barnett's eventual death.

Mental health support for whistleblowers became a prime focus throughout the conference, including discussions of PTSD support through service animals and a meditation session. Emphasizing the crucial need to nurture safer environments for individuals to blow the whistle, the panelists underscored the important work of whistleblowers like Barnett, asserting "we feel hopeful that they [Boeing] are now on the right track."

The second day of the conference focused on international whistleblowing. A panel comprising representatives from Ukraine, Canada, Italy, and the US discussed existing oversight structures. It emphasized the urgent need for enhanced protections for whistleblowers. Oksana Bronevystka, of the Foundation for Institutional Development in Ukraine, discussed the organization's work with the Ukrainian National

Agency on Corruption Prevention. Ukraine is one of the few states to have mandatory reward laws for whistleblowers, a practice that is highly effective in deterring corrupt business practices and incentivizing relators to come forward.

As the conference came to a close, the stories shared — some harrowing, others hopeful — underscored the immense personal cost of exposing corruption. Amongst the accounts of hardship was a resounding call for change and resilience. The growing attention to mental health, legal reform, and international cooperation, as demonstrated at the event, led to a shared conclusion: whistleblowers are no longer standing alone. The systems meant to protect them are answering the calls for reform.

## Things at the DOJ are just as lawless as you feared

Kathryn Rubino

Above the Law, 20 October 2025

FROM ALL ACCOUNTS, Bari Weiss — the newly installed head of CBS News — won't rest until she turns the storied news organization into a sycophantic Trump administration mouthpiece. But, while that day is coming, it is not today. Or, perhaps more accurately, it wasn't yesterday.



Bari Weiss

Yesterday, the venerable news program 60 Minutes featured the first interview with DOJ whistleblower Erez Reuveni. The former career attorney at the Department of Justice spoke out about the behavior of then-senior DOJ

official Emil Bove. Bove was adamant the administration's plan to disappear people — include Kilmar Abrego Garcia — to an El Salvadorian prison must continue, regardless of what any court might say about the matter. And he was quite explicit about that, according to Reuveni:

*Bove emphasized, those planes need to take off, no matter what. And then after a pause, he also told all in attendance, and if some court should issue an order preventing that, we may have to consider telling that court, 'f\*\*\* you.'*

And that didn't sit well with Reuveni, saying, "I felt like a bomb had gone off. Here is the number three official using expletives to tell career attorneys that we may just have to consider disregarding federal court orders."



Erez Reuveni

The report also details how others in the DOJ were much more comfortable adhering to Bove's advice:

*The next day, Saturday, lawyers for the prisoners sued. Judge James Boasberg called a hearing and asked government lawyer, Drew Ensign, whether the planes were leaving that weekend.*

*Erez Reuveni: And Ensign says to Boasberg, I don't know. Now Ensign was at the same meeting that I was at the day before, where we were told in no uncertain terms that planes were taking off over the weekend, that those planes needed to take off no matter what. And he says, I don't know.*

*Reuveni says that moment in court was "stunning."*

*Erez Reuveni: It is the highest, most egregious violation of a lawyer's code of ethics to mislead a court with intent.*

*We don't know Ensign's intent. It was during the hearing that the planes took off. The judge issued an*

*order and immediately, Reuveni emailed the agencies involved. "... the judge specifically ordered us to not remove anyone ... and to return anyone in the air." But that didn't happen. Instead, more than five hours after Boasberg's order, the detainees, and other prisoners arrived at a maximum-security prison in El Salvador.*

Reuveni said that moment was a "gut punch," because it meant the DOJ "really did tell the court, screw you."

Bove continues to downplay the allegations, saying, "Mr. Reuveni's claims are a mix of falsehoods and wild distortions of reality."



Emil Bove

Reuveni was fired from his job at the DOJ for refusing to tell a judge Garcia was an MS-13 gang member and terrorist. He says he told a supervisor, "That is not factually correct. It is not legally correct. That is — that is a lie, and I cannot sign my name to that brief."

Ultimately Reuveni's blowing the whistle amounted to little more than a hill of beans in this crazy world, because Bove was rewarded for his unflinching loyalty to Donald Trump's agenda with a lifetime appointment to the Third Circuit.

Reuveni acknowledged the personal risks in coming forward with his account of the lawlessness of the current DOJ. But he said, "I took an oath to uphold and defend the Constitution. I would not be faithfully abiding by my oath if I stayed silent right now."

Because Bari Weiss hasn't truly left her fingerprint on 60 Minutes (yet), we get this very dark look at what it's like at the DOJ in 2025.

## Whistleblowers blow whistle on consequences of whistleblowing

Ronnie Dungan

HR Grapevine, 19 December 2025



FORMER TECH SECTOR EMPLOYEES are warning that speaking out about internal practices can trigger lasting career and legal consequences, intensifying debate over whistleblower protections.

One such whistleblower, Yaël Eisenstat, accused her former employer of profiting from political misinformation, which she says caused her career to stall for years. Eisenstat, Facebook's former Head of Election Integrity, wrote a 2019 op-ed alleging the platform allowed political operatives to mislead voters using ad-targeting tools. Meta has said those policies were designed to avoid censorship of political speech.



Yaël Eisenstat

Soon after publishing the piece, Eisenstat said colleagues began gossiping and job opportunities evaporated. She described being interviewed by senior leaders who later stopped responding. One institution pursued her for months before withdrawing on the same day it announced a major donation from the philanthropic organ-

ization run by Meta CEO Mark Zuckerberg and his wife, Priscilla Chan.

"I knew it, like, in my gut ... I had been blacklisted," said Eisenstat, now Director of Policy and Impact at the Cybersecurity for Democracy research center.

She survived on consulting work and said it took four years to secure a full-time role comparable to her previous position.

### A growing cohort of tech critics

Eisenstat is among a widening group of former tech employees who argue their companies compromised public safety. Their disclosures have fueled congressional hearings, global scrutiny, and laws restricting social media use for young people.

This year, at least nine current or former Meta employees have come forward with claims about company practices. One of them, Sarah Wynn-Williams, alleged leaders sought close ties with the Chinese government and tolerated sexual harassment. Meta said those China discussions were "no secret," harassment claims were unfounded, and that Wynn-Williams was fired for poor performance.

Many whistleblowers say the personal cost of coming forward was unexpected, reporting isolation, reputational damage, or being forced out of the industry altogether.

### Legal pressure and retaliation fears

Earlier this year, Meta won an arbitration ruling barring Wynn-Williams from promoting her memoir or making "disparaging, critical or otherwise detrimental" comments about the company, according to her lawyer Ravi Naik. Meta is seeking "at least tens of millions of dollars," Naik said.

UK politician Louise Haigh told Parliament that Wynn-Williams faced a \$50,000 fine for each breach of the order and was "on the verge of bankruptcy." Meta spokesperson Andy Stone said she has not been required to make any payments and that lawful disclosures to regulators are protected.

Jennifer Gibson, founder of whistleblower support nonprofit Psst, said the emotional toll can be severe. "It can often be a struggle for them to remind themselves that 'my disclosures are really important, but the world's not

going to stop spinning overnight,'" she said.

### Mixed outcomes and limited reform

Some whistleblowers have fared differently. Frances Haugen, who leaked Facebook research in 2021, said she had financial cushioning before coming forward. Her profile later grew, leading to a book, speaking engagements, and job offers.

Others saw lasting fallout. Former Meta consultant Arturo Béjar said he exhausted savings after testifying about Instagram safety risks and failed to attract new clients. "It was the first time in my life that's ever happened," he said.

Regulators are expanding protections, including a California law signed in September and a proposed AI Whistleblower Protection Act. Industry reform, however, remains limited.

## Meet the whistleblowers who exposed Queensland's domestic violence failures: "I was warned they would pulverise me"

Ben Smee

*The Guardian*, 17 November 2025

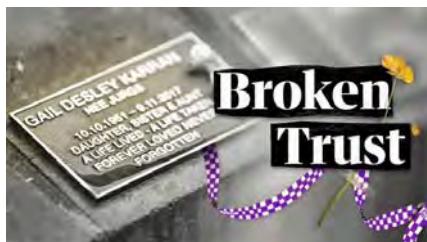
A FORMER senior Queensland detective has accused police of covering up their own failures in cases where vulnerable women died after seeking police protection, and alleges she was ordered to "protect the organisation's reputation at all costs."

And a whistleblower from within the Queensland coronial system who reported alleged systemic failures in domestic and family violence-linked deaths claims she was warned she would be "pulverised" if she ever spoke out.

Both women decided to speak to *Guardian Australia* because they believe the family members of some domestic violence victims have not been told the whole truth about what happened to their loved ones.

Their courage in breaking ranks laid the foundation for our two-year investigation into the police and coronial handling of domestic violence deaths.

Broken trust has uncovered evidence and allegations of serious police failures in several cases linked to intimate-partner violence. These include some of Australia's most high-profile intimate-partner killings and other cases in which women's pleas for help do not appear to have been taken seriously.



Evidence suggests that police continued to fail some of the victims after they died — either by not treating their deaths as suspicious or by not conducting mandated reviews examining prior force interactions.

Coroners have repeatedly made findings in domestic and family violence-linked deaths that “nothing more could have been done.” Experts and whistleblowers say these findings raise serious concerns about the coronial system, and allege that in some cases coroners have failed to effectively scrutinise police evidence.

#### Ordered to protect reputation “at all costs”

Kate Pausina is a former senior detective who spent several years working in the coronial support unit — the division of the Queensland police service responsible for liaising with the coroner.

Her role included reviewing deaths with links to domestic and family violence and recommending cases for further investigation.

In a public interest disclosure to the Crime and Corruption Commission in 2024, Pausina detailed several examples of what she alleged was “on-going interference and intentional hindrance” by more senior officers in examining deaths where there had been prior police contact.

She made allegations about a senior officer who she says “repeatedly provided incorrect information” in coronial matters. The CCC referred the matter back to the QPS.

In a submission to the 2022 inquiry into Queensland police responses to domestic and family violence, Pausina

alleged: “Reports compiled regarding police involvement in DFV related deaths were routinely requested to be redacted removing information highlighting inadequate police actions and/or inactions.

“Noncompliance with these requests resulted in me being subjected to negative workplace behaviours.”

She also claims that other officers asked her to withhold information.

During her time in the role she says she identified at least eight suspicious deaths of women who had previously been victims of domestic and family violence that she alleges were not adequately investigated. The deaths were logged as being “not suspicious,” suicides or the result of drug misuse.

In each of those cases, Pausina says, there was evidence that raised suspicion of intimate-partner homicide.



Kate Pausina

In 2020 she was asked to review the suicide of a woman in Cairns who was known to police as a victim of domestic and family violence. A social worker had reported the woman missing. Police did not treat the case as a missing person’s report, despite clear concerns for the woman’s welfare and evidence she was suicidal.

Pausina submitted a report to a superior officer that alleged the officers involved had breached police procedures and should be investigated for misconduct.

“He criticised me for doing that,” she says. “He told me that I wasn’t to give any information that made the police look bad to other government organisa-

tions ... unless it went through him first.

“[He told me] our role at the coroner’s office was to protect the organisation’s reputation at all costs.”

When she later made a right-to-information application to police seeking a copy of the report she was told the document “does not exist” on the police system. It appears to have never been logged or acted upon. Pausina says this raises concerns about a possible cover-up.

A Queensland police deputy commissioner, Cameron Harsley, told *Guardian Australia* that Pausina’s allegation, if true, was “very disturbing to me.”

“If that’s the case, I would expect that it’s investigated and overseen by the Crime and Corruption Commission because the allegation of covering up information, or covering up deaths, is very serious and something that is, in my view, completely unacceptable,” he said.

“Our openness, transparency and legitimacy is something that [the QPS] holds in high regard. If an officer has failed to do their duty or concealed evidence, I expect that those matters are fully investigated.

“I do not accept officers hiding information or changing information that is not truthful.”

Pausina says previous complaints about the matter to the ethical standards command and then the CCC had also resulted in no action being taken.

She says she found evidence in another case that police had labelled a woman who made several reports of domestic violence a “vexatious complainant.”

After the woman repeatedly sought help from police, the domestic and family violence coordinator at her local station placed a “flag” on her file in the police QPrime data system that effectively told other officers not to take her complaints seriously.

The woman killed herself and her young children.

The inquest into their deaths heard that the woman had reported her husband for “threatening behaviour and sexual abuse” on numerous occasions and “complained police were not keeping her safe.” Her husband denied such behaviour and the coroner made no findings about it. The coroner also

made no adverse findings about police actions.

The flag — which Pausina says would have been key evidence about the way officers dealt with the woman before her death — was never considered by the coroner, who found it would have been “virtually impossible” for police to prevent her from killing herself and her children.

### “Burying” evidence

Lawyers and coroner’s court staff working on cases involving intimate-partner violence have told *Guardian Australia* they have routinely seen police briefs that are poor and omit relevant evidence.

The whistleblower from within the coronial system, who asked to use the pseudonym Elsie, made a disclosure to the CCC in 2024 which included allegations that police and coroners had failed to adequately investigate a number of deaths of women and children.

In it she said she had quit her public service job because she could “no longer take part in [a] culture” that meant women’s deaths were not adequately investigated. She alleges that in some cases victims’ families were never told the full extent of policing or other failures that may have contributed to their deaths.

A large part of her statement deals with alleged failures in the pre- and post-death police response to Hannah Clarke, who was murdered alongside her three children by her estranged husband, Rowan Baxter, in 2020.

Elsie claims the coronial system also fails victims’ families because coroners rely heavily on the evidence provided to them by police.

“Briefs of evidence are often voluminous and disorganised, with relevant evidence hidden amongst hundreds and in some cases thousands of records,” Elsie’s disclosure says.

“I saw countless examples of police failing in their duties to believe women and take reports of domestic and family violence seriously, record reports of domestic and family violence accurately or at all, collect relevant evidence or investigate complaints of domestic and family violence in the lead-up to a death, the burying of evidence which would show this misconduct, and coroners accepting police evidence as presented.

“There are times where coroners should have referred police misconduct ... for assessment and investigation but failed to do so.

“I routinely found serious issues in the quality of police investigations that were not scrutinised by coroners.”

*Guardian Australia* advised Harsley, the police deputy commissioner, before a recorded interview that it was investigating the force’s pre-death response to certain cases. He reviewed police records before the interview but was not aware of some of the issues raised by the *Guardian’s* investigation.



Cameron Harsley

He said he accepted that in some cases police had missed opportunities and were trying to “better educate ourselves” about intimate-partner violence, but said even a perfect police response was “still not going to be good enough.”

“The issues you’ve raised with me, can I just say unequivocally they do not meet the standards of the Queensland police service or the standards any member of our community [would expect],” Harsley said.

“I believe that we do a very good job in the majority of cases but I do accept in some cases we are not living up to the standards that are expected of the Queensland police service.

“[But] even if you have a perfect police response, we’re not going to stop homicide, domestic homicide, because ... the motivation of these offenders is going to lead to the death of people.”

A spokesperson for the coroner’s court said coroners did not comment on their findings but there were several

avenues of review if people were unhappy.

The spokesperson said coroners had “broad discretion as to how they undertake an investigation [and] may inform themselves and gather information in any way they see fit.”

Elsie believes those broad powers are part of the problem; her experience within the system was that coroners were unable to be questioned, that there was no oversight of those powers, and that there was no avenue to raise significant problems in investigations.

“Families can’t challenge findings if they don’t know the information in the first place,” she says.

“I repeatedly tried to raise these issues within the system before speaking out. But Queensland has no mechanism or regulator to oversee the conduct of judicial officers.”

### “A culture of fear and silence”

The Human Rights Law Centre’s whistleblower project has advised whistleblowers who have spoken to *Guardian Australia*.

Like many whistleblowers, Elsie says she tried repeatedly — over several years — to raise concerns through formal processes.

In her disclosure to the CCC she says she reported concerns to a manager “on a daily basis.” She says she also raised problems with a government department head.

“But my department’s leadership effectively did nothing and people warned me that if I kept agitating and raising issues they would pulverise me into the ground.

“There was a culture of fear and silence.”

The CCC assessed Elsie’s disclosure and declined to investigate on the basis her allegations were considered to amount to “police misconduct” rather than “corrupt conduct” because they were not serious enough to result in criminal charges or sacking.

Regina Featherstone, a senior lawyer from the Human Rights Law Centre who represented Elsie, says: “It’s almost hard to reconcile that this system that you’re working in can feel so broken and ultimately this thing that you’re trying so hard to work on and contribute in a positive way, it’s for naught.

“And that is an extremely, extremely difficult position to be in. And it’s not just this client … it’s all whistleblowers who go through this experience and it’s not just the wrongdoing itself, but it’s the aftermath, the reporting.

“My client’s disclosure will have huge ramifications for how we understand family and domestic violence prevention and response.”

Pausina and other experts say the attitude that some deaths are inevitable is part of the problem.

“I believe every domestic and family violence death is preventable,” she says. “People are dying, these are people’s lives.

“It isn’t a stolen car; it’s not a stealing offence; it’s not property crime. People are being murdered. These people have loved ones. These people have families, sisters, aunties. That is just so important.”

Pausina agreed to be identified by *Guardian Australia* because she has now left the Queensland police service.

“I don’t know what more they could possibly do to me,” she says.

*Cameron Harsley retired from the role of deputy commissioner of the Queensland Police Service in September.*

## New tools to reduce the risks for whistleblowers

Rowan Philp

Global Investigative Journalism Network, 12 November 2025

IMAGINE you’re an employee at a tech company or governmental agency and you’ve noticed practices that you suspect are illegal or dangerous to the public. Personal reasons to *not* share the evidence with a journalist might include: “I only have pieces of evidence;” “Maybe I’m the only employee concerned;” “I could be harassed if my identity is revealed;” “My Non Disclosure Agreement could be a problem;” and “My employer’s internal surveillance system could track me down.”

All these concerns contribute to what experts say is an evergreen barrier to whistleblowing: the “first-mover” problem. Even the most courageous whistleblowers — such as former Uber executive Mark MacGann — admit that

they waited many months to disclose their evidence of malfeasance because they were waiting for other concerned colleagues to step forward first.

But new employer AI and surveillance protocols — and the additional risk of losing lucrative tech salaries — have now raised the stakes for potential leakers. As a result, journalists and civil society groups must provide insiders with comprehensive solutions to lowering the bar for reaching out, and, ideally, demonstrate to the person that they’re not alone.

One innovative new service to address all these issues is a nonprofit called Psst.org, which is entirely designed with the real-world needs of potential whistleblowers. Indeed, it states: “Psst lets you deposit the information and get help without having to go full ‘whistleblower.’” It offers a secure digital safe for even small disclosures, flexible or immediate pro bono legal support, and — in an innovative twist — it can eliminate both the first-mover and the vulnerability problems by patiently matching an individual’s initial concerns with those of other employees at the same organization, all while respecting the wishes of information-sharers.

Jennifer Gibson, co-founder of Psst.org, told GIJN that the service has already received roughly 100 whistleblower support requests in its first year, including submissions by 55 concerned employees to a beta version of its encrypted safe.

One of these disclosures was from the former head of security for WhatsApp, Attaullah Baig, who recently filed a lawsuit against Meta for allegedly ignoring major security flaws in its messaging service.



Attaullah Baig

In addition to disclosure advice and forging an attorney-client relationship, Psst also helped Baig find an employment lawyer to litigate the case without personal cost.

In its first case, the organization helped a Microsoft whistleblower expose that company’s “Big Oil” AI contracts, as described in *The Atlantic* by tech investigator Karen Hao, the best-selling author of *Empire of AI: Inside the Reckless Race for Total Domination*.

### Two new AI problems with leaks

This nonprofit service was highlighted in a Journalist’s Resource webinar panel this year on Dealing with Leaks in the Age of AI and Disinformation, featuring Mark MacGann, Paul Radu, co-founder of the Organized Crime and Corruption Reporting Project, and former Forbidden Stories editor-in-chief Sandrine Rigaud. (Full disclosure: Rigaud has since been appointed Program Director at GIJN.)



Sandrine Rigaud

Rigaud noted that leaks from two primary sources — hackers (including civic-minded hacktivists and ransomware criminals) and concerned employees with privileged access to data — have both been affected by AI. For instance, while the volume of leaks from hacked data has increased dramatically, she said hacked or supposedly hacked evidence can be more easily and convincingly forged by AI systems, a

problem requiring greater verification through traditional reporting methods.



Mark MacGann

In January 2022, MacGann carried two suitcases full of hard drives, phones, and documents relating to Uber's lobbying and safety practices to a Geneva hotel room for a first meeting with a *Guardian* reporter. The more than 100,000 records he disclosed led to the collaborative Uber Files investigative series.

However, in the webinar, MacGann cautioned: "Cases like me schlepping up suitcases full of hard drives and hard-copy documents — that's just not going to happen anymore because of the intense digital and physical surveillance of employees, and the increased hostility toward people speaking out in favor of democratic principles."

He added: "We need to make it easier for whistleblowers to remain anonymous, by providing the technical solutions for the delivery, the matching [with other whistleblowers/journalists], and the verification of leaks."

MacGann said that promising technical solutions to promote anonymity and safe disclosure included an initiative to repurpose a hyper-secure survey tool, MyPrivacyPolls, as a whistleblower portal, called MyPrivacyPolls Gray. While still in development, the tool — created by the Public Interest Tech Lab at Harvard — leaves no digital breadcrumbs, and can deliver leaks directly to a registered journalist's email inbox with zero data storage on any server, and which requires no login

or identity disclosure from the whistleblower. This project was inspired by Dr. Latanya Sweeney, a public interest technologist at Harvard Kennedy School, who told GIJN that whistleblowers had noted to her team that the MyPrivacyPolls survey form architecture offered some security advantages over existing whistleblower channels.



Latanya Sweeney

"We were talking specifically about what Frances Haugen had done in leaking the Facebook documents — taking these photographs, uploading them to Google Drive, and seeking to provide them to a reporter," said Sweeney. "The way she did that involved a lot of trust in Google, and we were, like: 'I don't know if that's a good idea!'"

In contrast, MyPrivacyPolls Gray offers a more secure alternative, Sweeney explained. "A journalist goes to MyPrivacyPolls and makes an account, and a form, and they publish the URL — the form ID. Whistleblowers out in the world can then go to that URL, and we guarantee [their leaks] will show up in the email inbox of the journalists who created it," she said. "And neither we nor anyone else would know about the submissions." Sweeney did concede that more work needed to be done in connecting concerned employees with specific journalists.

However, MacGann said Psst's system was already addressing many of those very same technical challenges, while also solving the first-mover problem, by matching potential whistleblowers with like-minded colleagues

they might not even know about, perhaps a few office cubicles away.

On the so-called demand — journalists' — side of the leak relationship, Rigaud noted that being open about leak sources remains crucial in establishing trust with your audience. "It's important to be transparent and invite readers to assess what we're sharing with them," she said. "A few years ago, when a journalist got a leak from a hacker, they'd often describe it as coming from an 'anonymous source.' That's less and less the case now."

She added: "The fact checking element is easier with a source like Mark MacGann, who is ready to help you understand and verify the documents. Unfortunately, this is the exception."

#### Pros and cons of a collectivized whistleblower channel

Currently, Psst has some notable limitations. It is only offered in English, and, for now, is limited to disclosures from the tech industry and governmental agencies.

However, its website represents an explanatory masterclass in understanding personal employee concerns, with statements such as: "Remember, this isn't solely on you. Other people are also coming forward ... If their info matches yours in any way, it organically brings a picture into view, and takes the onus off you. You're no longer alone at your desk," and "We do a triage of sorts — finding you the support you need on the legal, media and psycho-social side of things."

Neither does Psst push a "hard-sell" approach for disclosure. Prospective whistleblowers are offered several options: they can be wholly anonymous; can passively deposit information while waiting for a "match" with a similarly concerned anonymous colleague; can get free advice; or connect with a journalist if they choose.

A planned archiving option to allow people to anonymously and securely park pieces of information in a virtual "safe" — and decide what to do later — is not yet operational.

"Of the options available, the majority of people so far have been wanting to speak to a lawyer right away," Gibson revealed.

Meanwhile, a GIJN test of the safe deposit process reveals that employees

are relentlessly reminded to never use a work-provided device to engage with Psst resources, and instead use a personal device with supplied security conditions. Likewise, they are also advised to consider avoiding HR hotlines for their complaints. Concern for every scenario of whistleblower risk defines the service, and potential clients are offered a Signal number to call for urgent support.

"At the moment, the term 'whistleblower' has so many negative connotations; you say it, and so many people get scared," noted Gibson, who previously served as legal director at The Signals Network, another whistleblower protection group. "We've kind of asked these individuals to out themselves on a sacrificial altar for all of us, in order to tell us information we should already know about the harm a company or government is doing. The trend we're seeing is that people have fewer and fewer big pieces of the puzzle."

"Unfortunately, I think the lesson the tech industry learned from the Frances Haugen [Facebook whistleblower] case was not, 'Maybe we need to do better,' but rather 'We need to lock down our information better and surveil our employees better,'" she added. "We saw people coming for help who had important information, but not enough to risk everything."

Gibson believes the new environment described by MacGann and Rigaud requires more collective disclosures, rather than individual heroism, to achieve both safety and accountability.

She said the Psst safe was loosely modelled on the encrypted Callisto Vault tool within Project Callisto, which was designed to collectivize reporting of sexual assaults by college students by matching unique identifiers of serial perpetrators.

"What we're hoping is that, one, collectivizing will make people safer, and two, it should increase the number of people who speak up," she explained. "We decided: let's put a lawyer in every room with a whistleblower, and help them figure out how to move forward. Raising red flags should not have to be a heroic act."

Although she cannot disclose details, Gibson said the matching system has already found at least one employee with similar concerns and information

as an anonymous colleague — but that Psst needs to raise awareness about this feature.



Jennifer Gibson

"My hope is that by the end of year two, we'd have a couple of hundred requests coming in, and more people using the matching function in the safe," she said.

Notably, the vast majority of new clients to the service wish to remain anonymous.

Said MacGann: "My advice [to potential whistleblowers] is to preserve your anonymity. Once you're a named whistleblower, that completely transforms your life. But if we can get this technology to a place where it's a completely discreet app, and it's not wasting the journalist's time or the lawyer's time, that's what we all aspire to."

## From civil disobedience to networked whistleblowing

Kate Kenny and

Iain Michael Fraser Munro

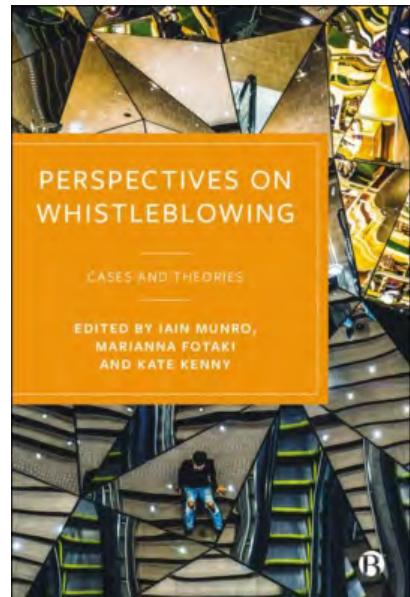
*The Conversation*, 16 December 2025

ACROSS THE WORLD, governments are tightening controls on speech, expanding surveillance and rolling back rights once thought to be secure.

From anti-protest laws and curbs on workers' rights to the growing criminalization of leaks and dissent, the trend is chilling: People who speak out about government wrongdoing are increasingly vulnerable, and the legal systems that once claimed to protect them are now used to punish them.

We are researchers who study whistleblowing, which is when employees disclose information in the public

interest about wrongdoing they have witnessed at work. Our new book draws on firsthand accounts from whistleblowers in national security, intelligence and government in the U.S., Australia and the U.K., among other countries. Their experiences show the limits of legal protections, but also the power of networks, solidarity and collective resistance in the face of institutional secrecy.



In this moment of democratic back-sliding, whistleblowers show that civil disobedience — breaking the law to uphold the public good — remains an essential principle of political and moral life. They also show how legal reform and support networks designed to protect whistleblowers are critical for protecting accountability and democracy itself.

### The limits of legal protections

The whistleblowers featured in the book, including former CIA officer John Kiriakou and Craig Murray, the former U.K. ambassador to Uzbekistan, learned the hard way that legal protections can end precisely where power begins. Both revealed grave human rights abuses — torture, kidnapping, imprisonment and complicity in war crimes — and both were prosecuted rather than protected.

Their stories underline a paradox: Even as new whistleblower protection laws have proliferated in many countries, prosecutions of national security and intelligence whistleblowers are on the rise. In national security contexts,

where no public interest defense is permitted, laws meant to protect whistleblowers have become another weapon of “lawfare”—used to silence, bankrupt and criminalize.

For example, Kiriakou blew the whistle on the U.S. torture program in 2007. The Bush administration initially declined to prosecute him, but this changed under the Obama administration, which imprisoned Kiriakou in 2013 for 30 months. Kiriakou’s refusal to participate in the CIA program of “enhanced interrogation” of terrorism suspects, which included waterboarding, and his later decision to publicly confirm the CIA’s use of torture were acts of conscience. Yet it was he, not the torturers, who went to prison as a result of his disclosures.

The pattern is familiar. From Chelsea Manning in 2010 to Edward Snowden in 2013 and Daniel Hale in 2016, prosecutions under the U.S. Espionage Act and equivalent statutes elsewhere signal a broader shift: Making the powerful transparent is redefined as treason. The prosecution of national security whistleblowers who reveal crimes of the state continues to be an ongoing problem, as highlighted by more recent cases, including Reality Winner and David McBride.

When the law is used to enforce secrecy and punish dissent, the moral terrain shifts. Civil disobedience becomes not only justified but necessary. Human rights lawyers have commented that whistleblowers and journalists who work with them are being subjected to increasingly harsh treatment by the state, including imprisonment and on occasion torture.

### From traditional media to networked whistleblowing

Historically, whistleblowers relied on the press to act as an intermediary between them and the public, as well as a protector because of the publicity they offer. But as investigative journalism has been hollowed out—starved of resources and constrained by political and corporate pressure—this model has faltered.

As journalist Andrew Fowler, one of our book’s contributors, wrote, “It may not be long before it will be impossible for journalists to have confidential sources.” Across the globe, attacks by governments on journalists criticizing

strongman leaders become more brazen.

In 2010, Manning blew the whistle on U.S. war crimes in Iraq and Afghanistan. Many major outlets turned Manning away before WikiLeaks provided the infrastructure to publish what mainstream media would not. Her disclosures raised the public’s awareness of government complicity in war crimes in Iraq and elsewhere. Such stories also reveal how reluctant mainstream journalism can be when confronted with power.

More recently, in 2016 McBride blew the whistle on members of the Australian SAS who murdered civilians in Afghanistan. He was sentenced to prison in 2024 and is currently serving a sentence of five years and eight months for his disclosures of war crimes.

This decline in formal protections has given rise to an ecology of “networked whistleblowing”: decentralized alliances of whistleblowers, activists and independent journalists using encrypted tools to share information and protect sources. While these networks can offer safety in numbers, they also carry risks—of being co-opted or exploited by those in power, and of being framed collectively as enemies of the state for their attempts to hold the powerful to account.

Yet they also represent a profound reimaging of public accountability in a digital age where secrecy is structural and systemic, demonstrating the force of people working together.

As the traditional institutions of democracy falter, our research shows these alternative infrastructures embody a new form of democratic practice: horizontal, distributed and defiant.

### New alliances supporting whistleblowers

The whistleblowers whose stories appear in our book did more than expose wrongdoing. They built communities of care and resistance—new institutions to protect truth-telling itself.

Each of them, after suffering retaliation and exclusion, turned outward: campaigning for reform, mentoring others and building cross-sector alliances. Their transformation from individual insiders to collective activists reveals a crucial insight: Legal reform alone isn’t

enough. What sustains truth-telling isn’t the promise of protection from above but solidarity from below.

Strengthening and supporting these alliances would help preserve freedom of expression and the right to know. That means supporting cross-border networks of journalists, lawyers and human rights defenders who can collectively safeguard disclosure when national laws fail. It also means recognizing whistleblowing as a public good.

At a time when many democracies are retreating from openness, these whistleblowers remind us that law and justice are not the same thing. When laws entrench secrecy or punish dissent, we believe breaking them can be an act of civic virtue. Civil disobedience can renew democratic life by holding power to account.

Kiriakou’s conclusion in his chapter resonates beyond the intelligence world: “We all have to fight. It’s the only way we are going to change anything.” His words recall a longer lineage of civil disobedience—from suffragettes to anti-war protesters to environmental activists—each confronting systems that refused to hear them until they broke the rules.



John Kiriakou

The cases in our new book illustrate how quickly law can be used to enforce secrecy rather than accountability during periods of democratic backsliding. They also highlight the practical conditions that make truth-telling possible—including collective support that extends beyond any one country’s legal system.

## Whistleblowers Australia contacts

Postal address PO Box 2017, Brighton Eventide QLD 4017

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

Facebook <https://www.facebook.com/Whistleblowers-Australia-Inc-172621456093012/>

### Contacts for information and advice

<https://www.whistleblowers.org.au/about/contact.html>

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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)

## Editing *The Whistle*

*The Whistle* started as a newsletter for NSW members of Whistleblowers Australia. It was edited by Lesley Pinson. When Lesley could no longer continue, I took over for a while. Bob Taylor was editor for several years before I again took on the role, which I've continued for over 20 years and over 100 issues.

From the beginning, *The Whistle* has reprinted articles from the media, in a section called "Media watch." It has run original articles by a range of contributors, many of them WBA members. It has also included news about WBA events, including upcoming conferences and annual general meetings, and reports from conferences and AGMs.

We've encountered a few challenges. Years ago, we were threatened with legal action for defamation. A couple of times, authors have requested that their articles be removed from the online version of *The Whistle*. All issues are at [https://www.bmartin.cc/dissent/contacts/au\\_wba/whistle.html](https://www.bmartin.cc/dissent/contacts/au_wba/whistle.html)

Editing *The Whistle* has been a process of continual learning, of having to make decisions about what to include, of coaxing potential contributors to provide articles, of copy-editing articles and finding suitable images to accompany them. Editing is just one part of a wider process. We've had loyal proofreaders and helpers to post printed copies to subscribers.

It's time for me to say adieu. As of this issue, I'm resigning as editor. Maybe you, dear reader, are the one to take over.

## 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: pay Whistleblowers Australia Inc by online deposit to NAB Coolum Beach BSB 084 034 Account Number 291738485. Use your surname 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)