

Surviving whistleblowing — with difficulty

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I was the Director of Governance and Corporate Services at an inner western Sydney Council (Burwood) from 2007 to 2011. I had previously held other senior roles at the Council and commenced working there in 2005.

During the course of my regular employment I witnessed numerous instances of corruption and workplace bullying and became a whistleblower in early 2009.

I was bullied, intimidated and harassed following an investigation I had undertaken into the actions of my direct supervisor, the General Manager.

Some of the corruption was articulated in various newspaper articles published by the investigative journalist, Kate McClymont, from the Sydney Morning Herald, including a front page expose on 4 April 2009. The online version of the story is here: <https://www.smh.com.au/national/council-boss-used-staff-to-fix-flats-20141112-9qhg.html>

The NSW Independent Commission Against Corruption (ICAC) commenced an inquiry in April 2009, with public hearings held in 2010 and a final report published on in April 2011. The final report and other materials can be found at: <https://www.icac.nsw.gov.au/investigations/past-investigations/2011/burwood-council-operation-magnus>

The ICAC spent a great deal of time and resources examining the retributions and workplace bullying that occurred as a result of the actions of the whistleblowers, with Chapter 12 (Robert Cummins) outlining my personal experience during the investigation.

Not only was the General Manager found corrupt due to his fraud and theft, but also specifically because of actions he took to discredit and intimidate myself and the other whistleblowers.

The ICAC recommended that the General Manager be charged for various crimes and he was sentenced to two and a half years jail (20 months minimum parole) on 7 November 2014.

Specifically related to whistleblower retaliation, the ICAC recommended the following criminal charges:

- two offences of causing detrimental action to be taken against a person who made protected disclosures, contrary to the *Protected Disclosures Act 1994* (now named the *Public Interest Disclosures Act 1994*)
- three offences of causing or procuring disadvantage to persons for or on account of those persons assisting the ICAC, contrary to section 93 of the *Independent Commission Against Corruption Act 1988*

My mental health was dramatically impacted during the initial investigation, the ICAC public hearings and during the long legal battles that followed. I sought various financial restitutions from numerous parties including insurers, with the final legal matter resolved in 2017, some eight years after I had become a whistleblower.

I now seek to help others and have extensive skills in being a corruption investigator, whistleblower (including protected disclosures) and successful (workplace bullying) insurance litigant (Superannuation and Workers Compensation).

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