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Submission No.....	239
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### Comments that the Committee may find helpful

- 1 The copy of my book *Ethics and corporate governance* that I presented to the Committee has Chapter 8 (p.116) on the values that underpin ethics. I am happy for the Committee to use this material, should they see fit to do so. Acknowledgement would be appreciated.
- 2 There is only one minor amendment to the transcript, it is given in the file of the transcript (attached). Use Microsoft Word. Turn on 'Tracker' and the amendment will appear in red
- 3 I was asked to supply some useful illustrative cases. Two from the public domain are attached. There is a further case of which I know. It is tagged as a confidential case as the examiner involved does not wish to make it public. That case is included for the Committee to consider because of the issue that it raises.

### Cases in the public domain.

Karl Konrad and the Victoria Police. He was a serving officer who blew the whistle on the issue of kickbacks and window shutters. This raises a striking case of someone who was a morally responsible person who suffered for acting ethically (see <http://www.australiavisa.com/karl/html/aboutkarl.htm>).

A second case is from NZ. A woman had a mother who was terminally ill, and was assisted the well-loved mother to a quicker death. The woman was not charged, but later wrote a book about it, and was then charged and tried. She was found guilty of attempted murder (see <http://news.bbc.co.uk/1/hi/world/asia-pacific/3586233.stm>). This case is interesting because it involves the principle of blowing the whistle on one's self, and doing so in order to effect a change in the law.

### Confidential case

There is a colleague in another state who was asked to be a thesis examiner. He read the thesis and thought it below pass standard, and said so. The finding was communicated to the examiner who was then threatened with a defamation action by the candidate (a litigious person of marginal academic capacity). The examiner wrote to the Vice Chancellor of the university concerned, noting that if an examiner were to be threatened for expressing standards the current system of peer review would be scrapped. That examiner also held firm to the view that no matter what the threat he could not, in conscience, say otherwise.

This is an interesting case as it involves the issue of threats to stop someone blowing the whistle. The use of peer review is fundamental to the operation of academic matters; without it the whole scholarly enterprise would be substantially diminished.