

Senate Finance and Public Administration Standing Committee

ANSWERS TO QUESTIONS ON NOTICE

BUDGET ESTIMATES MAY 24 2010

DEPARTMENT OF THE PRIME MINISTER AND CABINET

Department/Agency: Australian Public Service Commission

Outcome/Output Group: 1

Topic: Protection of whistleblowers

Senator: Xenophon

Date set by the committee for the return of answer: Friday 9 July 2010

Type of question: Hansard F&PA 97, 24 May 2010

Question reference number: PM 10

Has an analysis been done of what other countries do, what other whistleblower protection legislation does, whether it is at the state or federal level overseas, in the context of giving protection to whistleblowers who have been victimised? In other words, are there stronger sanctions or penalties or other mechanisms that would discourage prejudicial behaviour against those who have spoken out?

Answer:

The Australian Public Service Commission has not undertaken a recent analysis (i.e. within the last 12 months) of the protection available to whistleblowers in the legislative schemes of other jurisdictions.

The Department of the Prime Minister and Cabinet has responsibility for advising the Cabinet Secretary on the Government's proposed public interest disclosure legislation. The department has advised the Commission that, in developing advice to government on whistleblower protection, the department has had regard to a range of existing legislative schemes, in the states and territories and overseas (New Zealand, the United Kingdom, Canada, the United States of America and South Africa). The department has also confirmed that there are a range of sanctions, penalties and other mechanisms in existing schemes to discourage prejudicial behaviour against whistleblowers.

Number of pages: 1