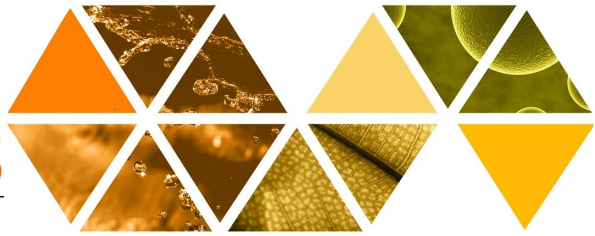




Australian Government
Australian Research Council

EI
2018
ENGAGEMENT
AND IMPACT



Engagement and Impact 2018

Griffith University

GRF18 (CAH) - Impact

Overview

Title

(Title of the impact study)

Whistling While They Work

Unit of Assessment

18 - Law and Legal Studies

Additional FoR codes

(Identify up to two additional two-digit FoRs that relate to the overall content of the impact study.)

Socio-Economic Objective (SEO) Codes

(Choose from the list of two-digit SEO codes that are relevant to the impact study.)

94 - Law, Politics and Community Services

Australian and New Zealand Standard Industrial Classification (ANZSIC) Codes

(Choose from the list of two-digit ANZSIC codes that are relevant to the impact study.)

75 - Public Administration

77 - Public Order, Safety and Regulatory Services

Keywords

(List up to 10 keywords related to the impact described in Part A.)

Whistleblowing

public sector

integrity systems

anti-corruption

Sensitivities

Commercially sensitive

No

Culturally sensitive

No

Sensitivities description

(Please describe any sensitivities in relation to the impact study that need to be considered, including any particular instructions for ARC staff or assessors, or for the impact study to be made publicly available after EI 2018.)

Aboriginal and Torres Strait Islander research flag

(Is this impact study associated with Aboriginal and Torres Strait Islander content?

NOTE - institutions may identify impact studies where the impact, associated research and/or approach to impact relates to Aboriginal and Torres Strait Islander peoples, nations, communities, language, place, culture and knowledges and/or is undertaken with Aboriginal and Torres Strait Islander peoples, nations, and/or communities.)

No

Science and Research Priorities

(Does this impact study fall within one or more of the Science and Research Priorities?)

No

Impact

Summary of the impact

(Briefly describe the specific impact in simple, clear English. This will enable the general community to understand the impact of the research.)

The outcomes of successive ground-breaking Whistling While They Work projects, conducted from 2005 to the present, have significantly influenced public interest disclosure (whistleblowing) legislation in Commonwealth and State jurisdictions. The research has led to whistleblowing being recognised internationally as an anti-corruption tool (G20, Transparency International) while contributing to similar research (and legislative impact) in the UK and New Zealand. The 2014 Senate Economic References Committee inquiry into the Performance of the Australian Securities and Investment Commission – the forerunner of the current royal commission into banking – drew substantially from the research about “the need for a comprehensive approach to corporate whistleblower protections in Australia.”

Beneficiaries

(List up to 10 beneficiaries related to the impact study)

Federal Government

Private industry -companies

General public

Whistleblowers

Countries in which the impact occurred

(Search the list of countries and add as many as relate to the location of the impact)

Australia

England

New Zealand

Details of the impact

(Provide a narrative that clearly outlines the research impact. The narrative should explain the relationship between the associated research and the impact. It should also identify the contribution the research has made beyond academia, including:

- who or what has benefitted from the results of the research (this should identify relevant research end-users, or beneficiaries from industry, the community, government, wider public etc.)*
- the nature or type of impact and how the research made a social, economic, cultural, and/or environmental impact*
- the extent of the impact (with specific references to appropriate evidence, such as cost-benefit-analysis, quantity of those affected, reported benefits etc.)*
- the dates and time period in which the impact occurred.*

NOTE - the narrative must describe only impact that has occurred within the reference period, and must not make aspirational claims.)

Few people can claim to have their contribution acknowledged publicly by both Government and Opposition when reforming legislation is passed. Even fewer can claim to have helped frame significant legislation which has won broad support from all sides of politics.

When the Public Interest Disclosure Act 2013 was passed by the Australian Parliament, Prof AJ Brown, Program Leader, Public Integrity and Anti-Corruption, in the Centre for Governance and Public Policy at Griffith University, was singled out and thanked by the-then Attorney General Mark Dreyfus in an accompanying press release [1] and verbally in the Parliament by then-Opposition spokesman Senator George Brandis [2].

The legislation borrowed heavily from Prof Brown's whistleblowing research, as had an equivalent Act passed the year before in the ACT Parliament [3]. Several whistleblowing Bills introduced in other Australian legislatures (Qld and NSW) have also drawn upon Brown's expertise.

The Commonwealth legislation (2013) implemented the 2010 Government Response to the 2009 House of Representatives Standing Committee on Legal and Constitutional Affairs report, Whistleblower Protection: A Comprehensive Scheme for the Commonwealth Public Sector, chaired by Dreyfus. The foreword to that report, in particular pays thanks to "Dr AJ Brown and the Whistle While They Work project team" [4].

But the impact of Brown's research, based primarily around three ground-breaking ARC-funded Whistling While They Work (WWTW) projects is broader. In 2014, Government officials from Australia and Italy presented an Anti-Corruption Action Plan to a meeting of G20 national leaders in Brisbane. It was largely informed by Brown's studies and acknowledged his work.

The letter of appreciation from the co-chairs of the G20 Anti-Corruption Working Group, Alex Taylor of Australia's Attorney-General's Department and Justice Stefano Mogini of Italy, states that, "we would like to make special note of the work by Professor A.J. Brown ... A.J.'s work on whistleblowing has been particularly valuable for our Working Group consideration of this issue" [5].

This impact has been reflected in the ongoing research, , with New Zealand joining as a partner by the end of 2016. This stage of WWTW was designed for international participation, and encouraged parallel research in the UK by Prof David Lewis, Middlesex University – home to the International Whistleblowing Research Network. The Middlesex Impact Case Study to the UK REF 2014, 'Pioneering Whistleblowing Legislation and Practice' listed Brown as a main source to corroborate international impact.

Brown is considered a world expert on whistleblowing, a major tool against corruption. He is a member of the global board of Transparency International, the world's leading anti-corruption organisation headquartered in Berlin, whose website refers to his influence on "the whistleblowing commitments in the 2015-2017 G20 anti-corruption action plan". Reducing corruption remains a top priority of the G20 –leading up to the 2014 G20 meeting, he devised the idea of rating the G20 countries with respect to their whistleblowing legislation. This exercise has since been repeated [6].

The impact described is the outcome of Prof Brown's long-standing interest in whistleblowing, informed by his earlier work for the Office of the Commonwealth Ombudsman in Canberra. "Whistleblowers are important for maintaining the integrity of government, business and not-for-profit organisations," he says. Given his experience with whistleblowing, the-then Queensland Crime and Misconduct Commission (CMC) contacted Brown in the early 2000s, and requested a small study on the whistleblowing reporting environment in Queensland. This work led to a paper published in 2004, and he was encouraged to extend to a national view. Seed funding from Griffith and matched by the CMC and Commonwealth Ombudsman, was used to hold a workshop in Canberra, resulting in ombudsmen from other Australian jurisdictions supporting an ARC Linkage Project to investigate whistleblowing and whistleblowing protection.

This grant financed stage 1 of WWTW from which two further stages flowed. Amongst many significant papers and book chapters, WWTW resulted in two e-books [7, 8] including Whistleblowing in Australian Public Sector, launched by Australia's special minister of state at Parliament House in Canberra and which fed directly into the House of Representatives Standing Committee on Legal and Constitutional Affairs inquiry into whistleblowing protection legislation which began the same day. This culminated in the Commonwealth legislation.

The 2014 Senate Economic References Committee inquiry into the Performance of the Australian Securities and Investment Commission –forerunner of the current royal commission into banking – adopted Brown's evidence and recommendations on "the need for a comprehensive approach to corporate whistleblower protections across jurisdictions in Australia." [9]

At a time of erosion of trust in democratic processes and institutions, the Public Integrity and Anti-Corruption research program at Griffith University continued to exert influence in high-level public debate. Whistleblowing is

now acknowledged as one of the most important processes by which governments and corporations are kept accountable to society. Even when not formally acknowledged, the impact of the WWTW program is as important to the future and welfare of whistleblowers as to the organisations in which they work.

Associated research

(Briefly describe the research that led to the impact presented for the UoA. The research must meet the definition of research in Section 1.9 of the EI 2018 Submission Guidelines. The description should include details of:

- what was researched*
- when the research occurred*
- who conducted the research and what is the association with the institution)*

The first stage of WWTW (2005 to 2009) was concerned with whistleblowing in Government and the public sector. The questionnaire and survey approaches developed are still used. The project surveyed 118 public sector agencies across four jurisdictions (Queensland, NSW, ACT, and the Commonwealth). According to a review by the Department of Prime Minister and Cabinet of the 2013 legislation, the project's assembled datasets relating to 8,813 individual respondents made it the world's largest specific-purpose research project into whistleblowing per capita.

The second stage of WWTW, *Blowing Boldly*, funded through an ARC Discovery Grant, studied general community experiences and attitudes to whistleblowers. This study was replicated in the UK. This international link helped to establish Australia as a world leader in the field, and saw Prof. Brown become lead editor of the *International Handbook on Whistleblowing Research* in 2014 [10].

The third stage of WWTW, also funded by an ARC grant, for the first time in the world incorporated the private sector and looked at the public sector simultaneously. The design is international, so data from New Zealand and the UK could be included. The first data from this latest project was launched in Sydney by the NSW Ombudsman and Transparency International Australia in November 2016.

FoR of associated research

(Up to three two-digit FoRs that best describe the associated research)

18 - Law and Legal Studies

16 - Studies in Human Society

References (up to 10 references, 350 characters per reference)

(This section should include a list of up to 10 of the most relevant research outputs associated with the impact)

Dreyfus, M., (2013), *Whistleblower Laws Passed*, 26 June, Attorney-General, Canberra.

Commonwealth Parliamentary Debates (Hansard), Australian Senate, 26 June 2013, p.4110 (citing Professor Brown's 'distinguished role in this area of policy').

Gallagher, K. (2012), 'Best Practice whistle blower protections passed', 23 August, Chief Minister, Australian Capital Territory, Canberra

House of Representatives Standing Committee on Legal and Constitutional Affairs, (2009), *Whistleblower Protection: A Comprehensive Scheme for the Commonwealth Public Sector*, February 2009, Commonwealth of Australia, Canberra.

Taylor, A & Mogini, S (2014); to Callaghan, M. (Lowy Institute for International Policy), Letter of Thanks for T20 Engagement, 26 November, G20 Anti-Corruption Working Group Co-Chairs, G20 Secretariat, Canberra.

Wolfe, S., Worth, M., Dreyfus, S. & Brown, A.J. (2014). Whistleblower Protection Laws in G20 Countries: Priorities for Action, Blueprint for Free Speech, Griffith University, University of Melbourne, Transparency International Australia September 2014.

Brown, A.J., (2008), Whistleblowing in Australian Public Sector, September 2008, ANU E Press, Canberra.

Roberts, P., Brown, A. J., & Olsen, J. (2011). Whistling while they work: A good-practice guide for managing internal reporting of wrongdoing in public sector organisations. Australia: ANU E Press.

The Senate Economic References Committee, 2014, Performance of the Australian Securities and Investment Commission, June 2014, Commonwealth of Australia, Canberra.

Brown, A.J. & Lewis, D & Moberly, R & Vandekerckhove, Wim (eds) (2014). International handbook on whistleblowing research. Edward Elgar. DOI: 10.4337/9781781006795.

Additional impact indicator information

Additional impact indicator information

(Provide information about any indicators not captured above that are relevant to the impact study, for example return on investment, jobs created, improvements in quality of life years (QALYs). Additional indicators should be quantitative in nature and include:

- name of indicator (100 characters)*
- data for indicator (200 characters)*
- brief description of indicator and how it is calculated (300 characters).)*