

# WHISTLEBLOWERS ACTION GROUP QLD INC

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## MEDIA RELEASE

### **BLOWING THE WHISTLE ON THE WHISTLEBLOWING PROJECT**

#### **WHISTLEBLOWERS REJECT THE GRIFFITH UNIVERSITY STUDY ON WHISTLEBLOWING**

‘A review of the Whistle While They Work Reports and Press Releases from the Griffith University on whistleblowing has found the study to be unsatisfactory’, President of the Whistleblowers Action Group, Gordon Harris stated today.

‘The Griffith study told the world that retaliation rates against whistleblowers was 22%, when their data shows that it is greater than 66%, probably 80%’, Solicitor Harris said

‘How can a credible University claim that sackings of whistleblowers are unlikely’, added Harris, ‘when the study has not surveyed sacked whistleblowers?’

The Review, in 70 pages with detailed referencing, sets out how the Griffith University Study fails to address the dominant form of whistleblowing in Australia. Its treatment of wrongdoing has been over-simplified, and subjective, such that the patterns to serious wrongdoing in agencies are submerged rather than highlighted. Its failure to acknowledge and address systemic wrongdoing in agencies and watchdog renders its recommendations dangerous for public servants resisting or refusing involvement in such wrongdoing.

The review was presented to the National Conference of Whistleblowers Australia by its National Director in Adelaide last weekend

‘The bulk of whistleblowers who have read the Griffith University documents find that the whistleblowing that these documents describe is not representative of their whistleblowing experience’, National Director Greg McMahon stated.

The Griffith study has been given a high profile in recent debates over whistleblowing. Whistleblowers who had dismissed the study for its failings are finding that they now need to bring those failings to the public notice.

The main survey by Griffith University diluted in large measure the responses about whistleblowing with responses about grievances. These grievances in the main lacked the public interest element necessary to qualify as whistleblowing. The main survey excluded responses from whistleblowers who had been terminated. The Griffith University study then, unconvincingly, went on to claim that sackings for blowing the whistle are unlikely.

‘If sacked whistleblowers are not surveyed, it is unlikely that the survey will record sackings. The Griffith approach lost much credibility for this anomaly’, McMahon said.

The recommendations made by Griffith also relied on surveys from public servants who nominated themselves as whistleblowers. The Griffith study disregarded contradictory information from a smaller survey of ‘**known whistleblowers**’. Griffith told the world  
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that only 22% of whistleblowers suffer bad treatment, when the Griffith study had recorded a 66% retaliation rate from the survey of known whistleblowers.

‘If the Griffith study had also surveyed terminated whistleblowers, the retaliation rate would be 80%’, McMahon stated. ‘Retaliation rates have risen, since the introduction of Whistleblower Protection legislation, from 70% to 80%, about 0.7% per year’, he added.

‘Wrongdoing’ was also badly structured. Destroying documents wanted for litigation, a criminal act, is mixed in with maladministration, such as failures to report whistleblower statistics, because both involve ‘information’. The seriousness of each wrongdoing is lost in this over-simplification of wrongdoing. Seriousness of wrongdoing was attempted by asking the respondees to decide how serious their disclosure was – was it ‘somewhat’, ‘very’ or ‘extremely’. Using terms ‘maladministration’, ‘crime’ and ‘misconduct’ would have given us more information about how the various watchdogs were performing

The survey results, in these structures and forms, are not usable in linking retaliation rates and other factors on whistleblowing to the seriousness of the whistleblower’s disclosures

‘The credibility of the Griffith study is under the strongest criticism for its failures to address systemic wrongdoing’, McMahon explained. The Griffith study reported that

- 78% of reprisals are initiated by managers
- 71% witnessed wrongdoing in the last two years, but did not report it
- 61 % who observed wrongdoing did not report it. Most (80%) did not report because of fear that nothing would be done to investigate, or to protect them from reprisals
- 91% of the latter stated that they feared reprisals from senior managers
- If public servants went to watchdogs, the risk of bad treatment increased four times.

‘The possibility, that systemic wrongdoing in agencies and watchdogs has caused these figures to be so high, is not discussed, not even to dismiss the possibility’, McMahon said

‘There is an elephant in the public service. That elephant is the poor performance of watchdogs, like ombudsmen and crime commissions, to reduce wrongdoing in the public service. Wrongdoing is increasing. The most reliable information in the Griffith study indicates this, but these figures have not made it into the Media Releases about the study. The only ‘data’ we have, that wrongdoing is reducing in our public bodies, is a study paid for and steered by the watchdog bodies who have failed us’, Harris stated.

‘Thirteen (13) of the fourteen (14) organisations steering this Griffith study were watchdogs. Whistleblowers are questioning whether the failures in the study and the membership of the steering committee for the study are linked. The Griffith study has called the watchdogs ‘integrity agencies’, and left it at that’, McMahon has observed.

The Review of the Griffith study concluded that earliest consultation with whistleblower organisations, and inclusion of representatives on the steering committee, would have assisted the study to an independent analysis of whistleblowing in Australian jurisdictions

The performance of watchdogs needs to be included in any bona fide research into whistleblowing’, Solicitor Gordon Harris concluded.

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