

'Whistleblowing' – The legal and moral position.

*'A new law to protect UK employees who blow the whistle on wrongdoing or malpractice at work came into force this week. **The Public Interest Disclosure Act 1998**, described by US campaigners as "the most far reaching whistleblower law in the world," comes in the wake of the Bristol heart surgery case and other medical tragedies.'*

<http://bmj.bmjournals.com/cgi/content/full/319/7201/7>

The Public Interest Disclosure Act 1998, which provides employees with protection from dismissal or other detriment when they 'blow the whistle' on their employers, came into force on 2 July. The Act amends the Employment Rights Act 1999 and a summary of how the Act works is set out below.

Extract:

'External disclosures

Not surprisingly, employees making a disclosure to someone other than their employer, legal adviser or an appropriate regulatory body must satisfy a harder test. Employees must:

- *make the disclosure in good faith;*
- *reasonably believe that the information is substantially true;*
- *not make the disclosure for personal gain; and*
- *reasonably believe they will suffer detriment if they make the disclosure to the regulator (where a regulator has been designated) or that evidence will be concealed or destroyed if they make the disclosure to their employer (where no regulator is designated). Alternatively, employees will be protected if they have already made the same disclosure to their employer or the regulator.*

In addition to these criteria, it must be reasonable in all circumstances for employees to make the disclosure.'

http://www.icclaw.com/devs/uk/ep/ukep_143.htm
<http://www.centipedia.com/articles/Whistleblower>

*"The establishment of the Scottish office of **Public Concern at Work**, and a new Scottish helpline number, will help to deliver a change of culture in workplaces here. We want to ensure that there is an alternative to silence for those who witness malpractice at work, and an end to the cycle of inaction and inertia that can lead to disaster." '*

http://www.pcaw.co.uk/news/press_20.html

'The reasoning behind protecting employees who "blow the whistle" to the news media is well established. On the one hand, whistleblowers who report their concerns only to their bosses are often ignored or retaliated against. On the other hand, reporting allegations to the press is often the best way to force the government to do its job. Public exposure is absolutely critical in initiating objective investigations into misconduct, which have led to significant reforms and have protected the public interest.'

<http://www.whistleblowers.org/>
http://www.whistleblowers.org/html/about_the_national_whistleblow.htm

'(Washington, DC) – Last Tuesday night, April 12, Government Accountability Project (GAP) client and Los Alamos National Laboratory (LANL) Quality Assurance Auditor Don Brown was honored at a banquet hosted by the watchdog group Alliance For Nuclear Accountability (ANA). Brown accepted the ANA's Whistleblower Award for "putting public safety above career security by blowing the whistle on the defective work, lack of quality assurance and lack of safety systems at nuclear facilities.'"

<http://www.whistleblower.org/template/index.cfm>

'The goal of Whistleblowers Australia (WBA) is to help promote a society in which it is possible to speak out without reprisal about corruption, dangers to the public and other vital social issues, and to help those who speak out in this way to help themselves.'

http://www.uow.edu.au/arts/sts/bmartin/dissent/contacts/au_wba/info.html