

Whistleblowing: Opportunity or Threat?

Understanding corporate
governance and public
sector reforms

National Conference
Melbourne

31 July 2003

organised by



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Freehills



Whistleblowing is an important way - and sometimes the only way – to expose corruption, fraud and maladministration and to achieve accountability.

As part of governance reforms, effective whistleblowing regimes could become an integral part of the internal accountability of every organisation, public and private.

However, even where regulatory frameworks exist, whistleblowers are often seen as disloyal. They can suffer retribution and victimisation by co-workers and employers. This deters many people from speaking up about organisational wrongdoing and illegal practices. The Enron, WorldCom and HIH crises have demonstrated the detrimental consequences of ignoring such information until it's too late.

Australia is not immune from this negative perception. A recent survey of the Victorian public sector by the Office of Public Employment found:

- 65% of employees believed those that made reports are likely to suffer as a result, and
- 30% were not aware of the appropriate place to report a problem.

It is unlikely that private sector employees hold different views. Negative perceptions are even more likely when whistleblowers feel forced to resort to disclosure to a watchdog agency or to the media.

At the same time, unfounded and malicious allegations need to be dealt with appropriately. This real problem often deters employers from implementing systems to encourage internal disclosures.

At this timely and significant conference, leading Victorians in the field will present and discuss their views and engage in public debate with conference participants.

Plenary sessions include:

- Existing Laws: gaps and shortcomings
- Culture and Psychology
- Competing interests: Privacy, transparency and the media

Parallel workshops for private and public sectors cover:

- Corporate Developments and Initiatives
- Victorian and Local Government Workshop

Keynote speaker: Professor Alan Fels AO

Confirmed speakers include:

- **Penny Armytage**, *Secretary, Department of Justice, Victoria*
- **Paul Chadwick**, *Victorian Privacy Commissioner*

- **Professors Tony Coady and Kim Sawyer**, *University of Melbourne*
- **Bob Falconer**, *Chairman STOPLine, former Chief Commissioner of Police (WA) and Deputy Commissioner of Police (Vic)*
- **Laurel Grossman**, *CEO Reputation Measurement, developer of The Age and SMH Good Reputation Index (now called Reputex)*
- **Stephen Walmsley**, *Partner, Freehills*
- **Peter Johnstone**, *CEO City of Boroondara, Victoria*
- **Commissioner George Lekakis**, *Chairperson of Victorian MultiCultural Commission*
- **Dean Newlan**, *KPMG Forensic and member of the Australian Standards working committee on whistleblowing*

Numbers are limited and registrations will be dealt with on a first come, first served basis.



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Programme outline

8.15 Registration and coffee

9.00 Keynote address: Professor Alan Fels AO

9.45 – 11.00 **Session 1: Whistleblowing as a strategy for promoting accountability and preventing corruption within organisations**

Chairman: Henry Bosch AO, TI Australia

- Brian Hardiman, Senior Assistant Ombudsman (Police Complaints) Victoria
- Gayle Hill, TI Australia
- Professor Kim Sawyer, Faculty of Economics & Commerce, University of Melbourne
- Calvert Duffy, General Manager Legal Risk Management Freehills and Secretary Australian Compliance Institute

11.00 – 11.30 Morning break

11.30 – 13.00 **Session 2: Parallel workshops for private and public sectors**

Session 2 A Corporate Developments and Initiatives

International and national developments since Enron and HIH. Where to from here?

Chairman: Grahame Leonard, TI Australia

- Stephen Walmsley, Partner Freehills
- Fiona Mead, Assistant Company Secretary Governance & Compliance Telstra
- Dean Newlan, Partner KPMG & member of Australian Standards working committee on a whistleblowing standard
- Bob Falconer, Chairman STOPLIne

Session 2 B Victorian and Local Government Workshop

Chairman: Andrew Rowe, Chief Executive VLGA

- Penny Armytage, Secretary Department of Justice Victoria
- Susan Lakey, Whistleblowers Officer, Ombudsman Victoria
- Peter Johnstone, CEO City of Boroondara
- Wayne Bruce, CEO STOPLIne

13.00 – 14.15 **Lunch break (lunch included for delegates)**

14.15 – 15.15 **Session 3: Culture and Psychology**

Building sound reputation; addressing negative perceptions; understanding the dynamics of victimisation; handling vexatious complaints.

Chairman: Mike Lotzof, CEO Australian Compliance Institute - Panel discussion

- Joe Pietrowski, Clinical Psychologist Cairnmillar Institute
- Irene Blonder, Centre for Applied Philosophy and Public Ethics, University of Melbourne
- Commissioner George Lekakis, Chairperson, Multicultural Commission Victoria
- Laurel Grossman, Reputation Measurement Pty Ltd

15.15 – 15.35 **Afternoon break**

15.35 – 16.35 **Session 4: Competing interests? Privacy, transparency and the role of the media**

Chairman: Peter Butler, National Litigation Partner Freehills (former Special Counsel to the Board, Reuters plc) - Panel discussion

- Gary Hughes, Investigative journalist, The Age
- Paul Chadwick, Victorian Privacy Commissioner
- Professor Tony Coady, Centre for Applied Philosophy and Public Ethics, University of Melbourne

16.35 – 16.50 **Closing presentation**

Who should attend?

- Senior public and private sector executives
- Public disclosure officers and their managers
- Human resources specialists
- Compliance and fraud prevention officers
- Public and corporate affairs officers
- Corporate psychologists
- Lawyers, accountants and other professionals
- Investigative journalists
- Interested citizens

Where? When?

Freehills

Level 42, 101 Collins Street, Melbourne

Thursday 31 July 2003

9.00am to 5.00pm (registration/coffee from 8.15am)

Light lunch and refreshments included



Registration

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Programme and TI Australia Information

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About the organisers and sponsors



TRANSPARENCY INTERNATIONAL AUSTRALIA

TI Australia is a member of Transparency International, the global movement against corruption in over 85 countries. TI promotes transparency and accountability in both public and private sectors.

www.transparency.org.au

www.transparency.org



Australian Compliance Institute (ACI) is a non-profit organisation established to promote the development of effective and efficient compliance in Australia. ACI members continue to be at the forefront in maintaining and enhancing the Australian compliance framework from their positions in industry, business, academia and the public service.

www.compliance.org.au



The Victoria Local Governance Association exists to promote good governance and sustainability by supporting local governments and communities through programs or advocacy, training, information and support.

www.vlga.org.au

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Freehills backs up its commitment to providing innovative commercial legal advice with the resources and expertise of more than 1000 lawyers, including more than 210 partners, across offices in Australia and South-East Asia. Freehills undertakes high-level legal work for Australia's top companies and are involved in many of the largest and most complex commercial transactions in this country.

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Registration form

Full name _____

Title - Mr / Mrs / Ms / Dr / Prof _____

Organisation (if applicable) _____

Mailing address _____

Postcode _____

Tel () _____ Fax () _____

Email _____

All fees are inclusive of GST *tick box*

Registration fee \$495.00

Reduced fee for TI Australia organisation members \$385.00

Reduced fee for TI Australia Current individual members as at 1/5/2003 \$110.00

Please enclose cheque for appropriate fee made payable to **Transparency International Australia**
or complete credit card details

Bankcard MasterCard Visa

tick box

Card account number

/ _____
expiry date name on card

Cardholder's signature

Please complete this form and mail or fax to **Desley Stafford** at Freehills with your credit card details or cheque.

Desley Stafford Freehills 101 Collins Street Melbourne

Phone 03 9288 1513 Fax 03 9288 1567 Email desley.stafford@freehills.com

Privacy preference box (see below)

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