



Chris Burns
ATTORNEY-GENERAL

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New Protection for Whistleblowers

The Northern Territory Government's Whistleblowers Bill has been passed in the NT Parliament.

The Attorney-General Chris Burns said the passage of the legislation marked a significant moment in the Territory's history.

"The Opposition never had the inclination to introduce protection for whistleblowers in the three decades they were in power," he said.

"The *Public Interest Disclosure Bill* underlines the Northern Territory Government's commitment to transparency, accountability and fairness."

The legislation has three main aims:

- protects people making disclosures from reprisals
- provides a mechanism for people to make disclosures
- provides for those disclosures to be investigated in relation to improper conduct of public servants and/or public bodies

Dr Burns said anyone who believes a public body or public officer* has engaged in improper or criminal conduct will be able to raise their concerns without fear of reprisals or identification.

"Disclosures ensure accountability and lead to higher standards of performance and increased confidence in the public sector," he said.

"Public interest disclosures can be made to a newly created Public Information Commissioner, who is not a government bureaucrat but holds an independent statutory authority."

** Public officers include members of Parliament and local government councils, members or employees of public bodies and public office holders appointed by the Administrator or a Minister.*

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FACT SHEET – Whistleblowers Legislation

- The Bill protects people who make disclosures or who may suffer reprisals, and ensures any impropriety revealed is properly dealt with
- The Bill is not a response to any lack of professionalism but is a demonstration of Government's support for open, accountable Government
- The Bill has involved a long and extensive consultation process that included a discussion paper and discussion Bill for public comment
- Anyone can make a disclosure.
- The information and identity of the complainant will be kept confidential. The complainant cannot be sued or dismissed for a disclosure
- Disclosures can be made for conduct that is criminal, including bribes, inappropriate bias, breach of trust, misuse of confidential information.
- Disclosures can also be made for actions involving substantial misuse or mismanagement of public resources
- The Public Interest Disclosure Commissioner has the discretion not to investigate if satisfied the complaint is trivial, vexatious or contains misleading information
- To make a false or misleading disclosure is an offence carrying a maximum penalty of \$44,000 or two years jail. This reflects the seriousness of a disclosure
- The Bill also makes it an offence carrying a maximum penalty of \$44,000 or two years jail to take action or reprisals against a person involved in a complaint
- The current Information Commissioner will take on the role of Public Interest Disclosure Commissioner (so she will have a dual role)

