



South Australian Independent Commission Against Corruption
GPO Box 11066
Adelaide SA 5001

1 December 2025

Re: Submission to the Whistleblower Project Discussion Paper

We write to make a submission for your consideration in the *Whistleblower Project*.

The Centre for Public Integrity is a non-partisan think tank led by integrity experts from academia, public policy, and the judiciary.

We congratulate the South Australian ICAC for undertaking this Project in relation to a vital pillar of a well-functioning public integrity framework. As is noted in the ICAC's Discussion Paper, encouraging, supporting and protecting people within the public sector to disclose wrongdoing is an essential feature of a democratic accountability framework. It is also important that these laws are frequently revised to ensure they are working as intended, in often quickly changing environments.

In this submission, we provide our views on two points. The first relates to the introduction of an 'independent statutory authority to support whistleblowers' (Issue 3 in the Discussion Paper). The second relates to the need to incorporate a statutory review to assess the success of any major changes that may be introduced, including the introduction of an independent authority.

Issue 3: Independent statutory authority to support whistleblowers

We note the anecdotal evidence referred to in the Discussion Paper (page 9), that would-be disclosers and disclosers often seek advice from the Office for Public Integrity in relation to their actions. This underscores the need for a dedicated office to support whistleblowers navigate a complex system that can have serious professional and personal consequences for them.

It is our strong recommendation that an independent statutory authority dedicated to supporting whistleblowers should be established, (we have previously called this an ‘independent whistleblower protection authority’)

Below we consider three issues in relation to the proposed authority: location, functions and appointment.

Location: Resourcing and Conflicts

We note that there are examples in other jurisdictions of co-locating the independent whistleblower commission in an existing statutory office, such as the Ombudsman or the ICAC itself. Co-location may be one way of reducing establishment, administrative and operational costs. However, any proposal to co-locate the office in another agency (such as the Ombudsman Office, as was proposed in Queensland in 2023 by the Hon Alan Wilson KC following his [independent review](#) into Queensland’s *Public Interest Disclosure Act 2010*, and which is also the model adopted in the Canadian province of Alberta (where the Ombudsman is also the Public Interest Commissioner)) must carefully consider issues of independence, resourcing and any conflicting functions. For this reason, if, for instance, it was considered desirable to include the role within the an agency such as the Ombudsman Office, we would recommend that the role be established independently *within* that agency, rather than simply extending the responsibilities of the Ombudsman.

Functions

We have previously argued that an independent whistleblower protection authority should have the following functions:

- advising, assisting and guiding prospective disclosers of wrongdoing;
- receiving disclosures and protecting the identities and confidentiality of disclosers to the greatest extent possible and appropriate;
- allocating disclosures to appropriate government agencies;
- monitoring and assisting agencies and bodies to whom disclosures of wrongdoing have been allocated;
- overseeing the way in which government agencies investigate or otherwise deal with disclosures of wrongdoing;

- investigating and reporting on relevant reprisals, detrimental action, or failure to prevent detrimental action;
- supporting disclosers, including by initiating court action or applying to industrial, civil or administrative bodies in order to enforce their entitlements to protection; and
- the power to administer a whistleblower reward scheme of the kind recommended by Transparency International Australia and the Human Rights Law Centre. Such a scheme is necessary to ensure that those with genuine wrongdoing to disclose are incentivised, as they should be, to disclose.

Appointment

Finally, we draw attention to the importance of establishing an appointment process for an independent whistleblower protection authority that is transparent, arms-length and merit-based. This should involve the public advertising of vacancies, selection based on clear and legislated criteria and qualifications, and independent panels that shortlist candidates to the Minister, who has explanatory responsibility to the Parliament for all appointments. See more on our recommended framework for public appointments [here](#).

Statutory Review

As the ICAC notes in its Discussion Paper, it is important frameworks that are designed to encourage and support whistleblowers are reviewed regularly to ensure they are achieving their objectives. If significant changes are implemented to the South Australian framework, including the introduction of an independent whistleblower protection authority, we recommend the inclusion of a mandatory statutory review of the operation of the new regime: such a review would provide an opportunity consider whether the commission has the independence, functions, and resourcing it requires to fulfil its objectives.

Thank you for the opportunity to contribute to this process. We are happy to discuss further with the Commission the content of this submission and our views.

Yours sincerely

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