



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

BILLS

**Parliamentary Service Amendment Bill 2012
[2013], Public Service Amendment Bill 2012**

In Committee

SPEECH

Thursday, 7 February 2013

BY AUTHORITY OF THE SENATE

SPEECH

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Questioner
Speaker McLucas, Sen Jan

Source Senate
Proof No
Responder
Question No.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers and Parliamentary Secretary to the Prime Minister) (10:13): Introducing strengthened protections for whistleblowers in the Public Service is something the government takes very seriously. While the amendments are noteworthy in their intention, we believe they are insufficient for the intended purpose. Section 16 of the Public Service Act 1999 currently provides protections for APS whistleblowers. In addition, proposed sections 72C and 72D within the amendment bill will provide extensive protections against civil and criminal penalties to people who make whistleblowing reports to the Public Service Commissioner or the Merit Protection Commissioner.

The government is in principle in favour of improving these protections and extending protection to all Commonwealth public officials who report in good faith serious misconduct or maladministration. Indeed, the government is developing a comprehensive Commonwealth public interest disclosure scheme including strengthened protections for whistleblowers. The government has been taking a careful and considered approach to implementation of the whistleblower policy that it took to the 2007 election. This started with the government's referral of the matter to a parliamentary committee for public consultations, resulting in the 2009 report of the House of Representatives Standing Committee on Legal and Constitutional Affairs chaired by Mr Dreyfus. The Commonwealth report noted that most whistleblowers are not looking for compensation and that instead focus should be put on prevention of detrimental action and restitution. As the government is developing a comprehensive Commonwealth public interest disclosures scheme, including strengthened protections for whistleblowers, the government considers the rest of the proposed amendments unnecessary and therefore does not support these amendments.