International Issue

- EU Convention: Protection of the European communities’ financial interests, 1\textsuperscript{st} & 2\textsuperscript{nd} Protocols; Fight against corruption involving officials of European Communities or officials of Member States

- OECD Convention Anti-bribery Convention 1997

- Civil Law Convention on Corruption – art 9 (+GRECO)

- UN Convention Against Corruption – art 33

- EU Project on Whistleblowing Law in 27 member states (2012)

- Sarbanes Oxley Act & Dodd-Franks (USA) Bribery Act (UK) – domestic examples of international reach

- scandals
Whistleblowing - 

a. Bringing an activity to a sharp conclusion as if by the blast of a whistle (OED) 

b. Raising concerns about misconduct within an organisation or within an independent structure associated with it (Nolan Committee) 

c. Giving information (usually to the authorities) about illegal or underhand practices (Chambers) 

d. Exposing to the press a malpractice or cover-up in a business or government office (US, Brewers) 

e. Providing a safe alternative to silence (Public Concern at Work) 

f. (origins) Police constable summoning public help to apprehend a criminal; signal to stop work in the industrial age; referee stopping play after a foul in football.
Why whistleblowing matters

The whistle was blown, but Enron never heard it

EC clears whistleblower who exposed Brussels fraud

Canoe death firm ‘had been warned over safety’

Ferry firm admits doors were open

Maxwell may have transferred £400 million without authority

Why I had to blow the whistle on heart unit

...the tragedy of Zeebrugge
GRECO evaluations

• Need to address a contradiction between whistleblowing and a duty of confidentiality – **hard law**

• Concerned employees need early confidential advice – **preventive**

• Protection against the more subtle types of retribution – **preventive & hard law**

• Not enough to provide that identity is not revealed – **preventive**

• Purpose & detail of whistleblowing law explained to public officials & more widely – **preventive**
• A workplace issue?
• Public/private sectors
• Degree of knowledge: suspicion/proof?
• Disclosure channels: internal, authorities, wider (e.g. CSO, media)
• Openness, confidentiality, anonymity
• Power/duty to disclose?
• Incentives? – protection, rewards