



Criminal Lawyers Association of the Northern Territory (CLANT)

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Caroline Heske
Senior Policy Lawyer
Legal Policy Division
Department of Attorney-General and Justice

7th February 2017

Dear Ms Heske

Re: Whistleblower Protection for the Independent Commissioner Against Corruption for the Northern Territory

Thank you for the opportunity to respond to the January 2017 Consultation Paper in relation to the above matter.

We refer to the passage in CLANT's submission to the Martin Inquiry under the heading "Stronger Protection for Whistleblowers" (http://clant.org.au/images/images/Martin_Inquiry_submission_180316.pdf).

Martin Inquiry Recommendations 2 and 26, if adopted, would give substantial effect to those submissions, and we look forward to their implementation. We also urge the adoption of the Martin Inquiry recommendations concerning whistleblower protection, including numbers 23, 24, 25, 36, 45 and the following "dot point" of 37:

- To enlist the services of Police personnel to assist in the conduct of investigations and the **provision of security** for the Commissioner, Commission investigators and staff **and witnesses** in circumstances where the Commissioner believes on reasonable grounds that such assistance and **protection** is necessary [emphasis added].

CLANT also refers to the Martin Report at [411] – [413], and endorses the recommendation therein that legislation similar to section 50 of the NSW ICAC Act be enacted.

In CLANT's respectful view, the issue of whistleblower protection has been explored in sufficient detail in the Martin Report, and the relevant recommendations in that Report provide a practical, affordable and workable means of establishing an effective scheme to protect whistleblowers.

Although a more elaborate statutory whistleblower protection scheme could no doubt be devised, in our view the risk that this would distract from and delay the implementation of the substantive measures proposed in the Martin Report outweighs the opportunity to provide a substantially better scheme.

Regards,

Russell Goldflam
PRESIDENT