

ACT 2026-27 Budget Consultation  
Chief Minister, Treasury and Economic Development Directorate  
Australian Capital Territory

**By Email**

22 April 2026

Dear colleagues,

**Budget Submission: Improving Support for Whistleblowers**

1. The Human Rights Law Centre is a nationwide community legal centre which uses strategic legal action, policy solutions and advocacy to transform laws and policies to protect human rights.
2. In 2023, we launched the Whistleblower Project, Australia's first dedicated legal service to protect and empower whistleblowers who want to speak up about wrongdoing. We provide legal advice and representation to whistleblowers, as well as continuing our longstanding tradition of advocating for stronger legal protections and an end to the prosecution of whistleblowers. Since launching, the Project has triaged over 600 whistleblowers, provided legal advice to more than 200 whistleblowers, represented over 50 whistleblowers and participated as a friend of the court in the High Court, Federal Court and South Australian Court of Appeal. We are also a member of the Whistleblowing International Network.
3. We write to provide a budget submission calling on the Australian Capital Territory (ACT) to consider investing in improved support for whistleblowers in the ACT public service. While the Centre has other interests in the ACT, including in relation to the ongoing operation of the *Human Rights Act 2004* (ACT), our present submission is limited to the whistleblowing context. Since launching the Whistleblower Project, a number of our clients have been whistleblowers in the ACT, giving us first-hand practical insight.

**Context**

4. The ACT was once a world leader in protecting whistleblowers. The *Public Interest Disclosure Act 1994* (ACT) made the ACT one of the first jurisdictions in Australia, and the world, to have a dedicated whistleblower protection law. That law was significantly

Melbourne Office  
Human Rights Law Centre  
Level 17, 461 Bourke Street  
Melbourne VIC 3000

Sydney Office  
Human Rights Law Centre  
Level 5, 175 Liverpool Street  
Sydney NSW 2000

admin@hrlc.org.au  
(03) 8636 4450  
(03) 8636 4455  
www.hrlc.org.au

updated with the enactment of the *Public Interest Disclosure Act 2012* (ACT) (**ACT PID Act**). However, since 2012, Australian and international whistleblowing standards and best-practice have evolved considerably. For example, in recent years, New South Wales has substantially overhauled its whistleblowing framework, Queensland is in the process of major reform following an independent review, and a number of federal whistleblowing laws are subject to ongoing reform processes. In 2023, the ACT tabled a report of the review of the *ACT PID Act*, undertaken by Ian Govey AM (**Govey Review**). The ACT has agreed to progress the recommendations of the Govey Review, but at present those changes are yet to be enacted.

5. Legislative reform to the *ACT PID Act* is important, to ensure it meets and even exceeds current national and international best practice. The ACT has before, and can again, lead the world in protecting whistleblowers. However, as has been recognised by several recent reviews in other Australian jurisdictions, even in the absence of law reform, a major challenge faced by whistleblowers is the absence of support. Accordingly, we write to encourage the ACT to consider whistleblower support options as part of its budget process.
6. Those support options for consideration should be at least twofold. First, following reform to the *Public Interest Disclosures Act 2022* (NSW), the NSW Government has established a specialist Whistleblower Support Team within the NSW Ombudsman. The Support Team offers confidential and impartial support, provides general information about the public interest disclosure framework and can refer whistleblowers for other support (detailed further below). Importantly, the Support Team operates independently from other aspects of the NSW Ombudsman's public interest disclosure functions. We would encourage the ACT to consider establishing an equivalent unit within the Integrity Commissioner or the Public Sector Standards Commissioner (noting the Govey Review recommendations in relation to the evolution of functions under the *ACT PID Act*, from the Integrity Commissioner to the Public Sector Standards Commissioner). Such a support team could materially enhance the experience of ACT public servants in navigating the *ACT PID Act*; it would also align with equivalent progress in other jurisdictions, such as the proposed establishment of a Whistleblower Ombudsman as part of ongoing reform to the *Public Interest Disclosure Act 2013* (Cth).
7. Second, whistleblowers need access to specialist legal and wellbeing support. As has been well-documented in research literature and policy reviews, the whistleblowing process is often legally fraught and challenging to a whistleblower's wellbeing. The NSW Ombudsman Whistleblower Support Team has recently established pilot programs, whereby it funds whistleblowers in the NSW public sector to access specialised legal and wellbeing support. The Human Rights Law Centre Whistleblower Project has partnered with the Support team to provide the legal support pilot.
8. The need for whistleblowers to have access to such supports has also been canvassed in other jurisdictions. Victoria considered, but ultimately has not yet proceeded with, a 'Discloser Support Scheme' whereby whistleblowers could access funding for legal support, welfare support and career transition costs. A recent review of the whistleblowing framework in Queensland, by a former Supreme Court judge,

recommended a pilot funding scheme for a community legal centre to provide specialist whistleblowing legal support (detailed further below). Such supports remain under ongoing consideration at a federal level as part of various current reform processes.

9. In summary, in addition to – and not necessarily simultaneously to – ongoing legislative reform to the *ACT PID Act*, the ACT should consider as part of its budget processes options for providing greater support to whistleblowers. At minimum, this should include consideration of a specialist whistleblower support unit within the ACT, and options for providing legal and wellbeing support to whistleblowers.
10. We do not consider these proposals to be onerous in terms of resourcing. Given the ACT’s jurisdictional scale, we would not anticipate a specialist whistleblower unit would require any more than a few FTE staff members. Legal and wellbeing support could be undertaken initially on a pilot basis, managed by the unit and operated independently through external providers, to understand demand and preferred models. The Queensland review, for example, which remains under consideration, recommended:

*The Department of Justice and Attorney-General should develop a pilot program to fund a legal assistance provider (for example, Legal Aid or a community legal centre) to provide legal advice and/or representation to a person seeking a remedy under the Act. The pilot program should be operational for a period of five years, after which its effectiveness should be evaluated, with a view to considering whether the program should be made permanent.*

11. We enclose our recent report, *The Cost of Courage: Fixing Australia’s Whistleblower Protections* (2023), which outlines some of the challenges faced by whistleblowers in more detail.
12. We would be pleased to provide further input, as required.

Kind regards,



Kieran Pender  
Associate Legal Director (Whistleblower Project)  
Human Rights Law Centre