

CORRECTIVE SERVICES — WHISTLEBLOWER

**887. Mr P. PAPALIA to the Minister for Corrective Services:**

I refer to the minister's response last week in relation to questions about the treatment of a whistleblower by the Department of Corrective Services, and his claim that he had no knowledge of the whistleblower being forced on leave without pay.

- (1) Noting the whistleblower informed the minister's chief of staff of the matter in a series of email exchanges on 5 September, 11 October and 14 October, and also met with a staff member of the minister's office in person on 11 October, did the minister mislead the house last week when he said he had no knowledge of her loss of pay?
- (2) What action has the minister taken to assist the whistleblower since becoming aware that her pay has been stopped?

**Mr J.M. FRANCIS replied:**

I thank the member for Warnbro for his question.

- (1)–(2) I will start by reiterating that under the Public Sector Management Act, ministers are limited as to how much they can be involved in these particular matters. The Public Sector Management Act 1994 has a very short little section—section 8(2)(b)—which reads —

... an employing authority is not subject to any direction given, whether under any written law or otherwise, by the Minister responsible for the department or organisation, but shall, subject to this Act, act independently.

I am always willing to listen to the many people who come to see me; when she came to see me on 9 July, I listened. I made it perfectly clear that I could not involve myself in these things, but I listened to her concerns and I made a commitment to tell the Public Sector Commissioner that day of the issues she raised. I did so in writing that day, and I am happy to give the member for Warnbro a copy of the letter, which reads —

Dear Mr Wauchope

This afternoon I had a meeting with ... and ... legal representative ...

In fact, I am happy to table this, if the member for Warnbro would like me to. Obviously, I have deleted the person's name, but I am pretty sure we are talking about the same person.

Since that time, I understand that person has contacted my office on a number of occasions, and it has been made clear repeatedly to that person that I cannot involve myself in this matter and that it is in the hands of the Public Sector Commissioner and the Department of Corrective Services, as it should be. I do not know what happened when Labor was in government and I do not know what kind of involvement ministers had with the direct employment or otherwise of public servants, but it is a path that I am not quite prepared to go down because I know my limitations under the Public Sector Management Act. Although I have complete sympathy for the individual and her cause, I am not going to break the law in order to do anything that perhaps the member for Warnbro might be suggesting he would do if he were the minister. I am happy to table that letter.

[See paper 1248.]