

Caroline Overington:

As Helen has said, my name is Caroline Overington, and I'm a reporter with the Australian newspaper.

My role today, as I understand it, is to talk to you about whistleblowers ... and why we, as a community, ought to embrace and protect them, instead of hound and harass them.

I was keen to make this presentation to you today, because I believe that the ordinary member of the public has no idea how difficult it is, for journalists in Australia to get their hands on the type of material that is readily available to journalists in other parts of the world.

Even the simplest information can be impossible to source.

Under current law and protocol, anybody employed by the government – and that can mean a nurse or a police officers or a bus driver – is threatened with what they call ‘disciplinary action’ if they speak to the media.

They'll lose their job, in other words. Or else, wreck their careers.

I think most people would be amazed to know that reporters are not allowed to do even the simplest things, without government approval.

You can't call a state school and ask the principal what think about a State government plan to tackle bullying.

You can't call a social worker in an indigenous community, to ask them about the supply of petrol, or grog.

If you want anything official, you must go through the central press office ... in other words, through government.

In order to get stories, reporters do rely on people who come forward with information. Now, I think that when the organisers asked me to talk about the role that whistleblowers play in the creation of stories, they had in mind the Australian newspaper's coverage of the AWB scandal.

It is certainly true that the AWB scandal absorbed much of my time in 2005 and 2006 ... and I have to tell you, I was more surprised about that than anybody.

I can assure you, when I was a little girl, growing up in the suburbs outside Melbourne, I never, not once, said to myself: when I grow up, I want to move to the big smoke, and write about grain.

But that's what happened, and I suppose the organisers today thought I could speak to you about the role that whistleblowers played, in bringing that scandal to the public's attention. And it's actually a very good example of how whistle blowing works – or, in this case, doesn't work.

There were people who blew the whistle on AWB: some of them were Australian diplomats; there was at least one UN bureaucrat, and there was an army officer, in Baghdad, who thought it was a bit suss, too.

But these people didn't go to the media with their information.

They raised their concerns with their superiors at the UN, or in cables, to the Australian government, and in particular, to the office of Alexander Downer.

They got precisely nowhere.

AWB paid around \$300 million in kickbacks to Saddam Hussein's regime, between 1999 and 2003, and absolutely nothing was done about ... not because nobody knew about it – plenty of people knew about it – but because the media didn't know about it.

The instant the media found out, obviously, the whole thing started to unravel.

The government could and did ignore rumours about AWB's kickbacks provided it wasn't in the papers.

Once it's in the papers, you can't really ignore it any more.

You have to deal with it.

Now, in the media covering the AWB scandal didn't benefit, not initially, anyway, from those whistleblowers.

We did have sources ... but that's different.

A source is somebody that comes to you and says I have some information that I'd like to see in the paper.

Often times, these people are closely aligned with media: they are the Opposition, and they've got some dirt on the government. Look carefully, and you can see the shadow of these people, moving behind many of the stories that get into the newspaper.

Sources aren't whistleblowers ... although they do share some of the same attributes.

They are mischief makers, and they are rabble-rousers. They are malcontents, or king-makers. They've got an axe to grind, or an agenda.

To use AWB as an example, again, our sources included American wheat farmers, in particular, a group known as the US Wheat Associates.

They obviously had an agenda.

They wanted to see AWB destroyed.

As a reporter, you've always got to be on the lookout for people with agenda.

But you've also got to keep in mind the fact that just because somebody has an agenda doesn't make them wrong.

The fact that US wheat associates, for example, wanted to destroy AWB didn't mean that the Americans were wrong about the kickbacks.

They were quite right: AWB was paying kickbacks.

They proved to be a good source of information ... but they weren't whistleblowers.

When I think of whistleblowers, I think of people like the nurse who came forward in Bundaberg, and exposed the horror behind the Dr Death story.

I'm talking about people who come forward with information about the problem of lax security at the nation's airports ...

.... something that's still a problem, it seems.

The organisers today asked me to come up with a few examples from my own reporting, I think because I've spend much of the past year writing about child welfare.

It's an excellent area in which to work, if you want to be totally strangled by media law.

The list of things that we can't tell you sometimes seems never ending.

When a child who is ``known to DoCs'' – and that's a fair number of children – comes to harm, or indeed dies, you can't name the child.

You can't name the parents.

You can't name the siblings.

You can't use any photographs.

You can't give away an address.

You can't, in fact, do anything that will in anyway identify that child, living or dead.

Now, the NSW Department of Community Services which is about as hostile a government department as there is in this country will tell you that these rules are very important.

They tell you that you can't identify a child who is in State care, because those children have a right to privacy.

The government will tell you they are trying to protect the identity of the children in its care. It's absolute nonsense.

DoCS has absolutely no problem identifying a child ... when it suits DoCS.

DoCS has countless times rolled out the best of its foster carers, and handed them over to pliant media organisations.

They've given these media outlets permission to identify a foster parent who has taken many children into their home over the years, to demonstrate how loving these people are.

In that case, a child's right to privacy goes out the window.

As a working journalist, you'd want to be quite careful when DoCS gives you permission to identify its State wards.

You'd want to be careful that you're not being used as a pawn in a public relations exercise for DoCS.

Now, most of us would have heard about the two children recently found dead in the state of NSW.

One of those children was a two year old boy, who was found dead, his body folded into a suitcase, floating in a lake.

There was also a seven year old girl, found starved to death in the house her parents were renting. She was tied to the bed. There were ants in her mouth.

I believe that people should be amazed that we can't legally tell you that girl's name. She's dead, of course, but that doesn't matter.

We can't name her, because that protects her siblings ...
...and, of course, we can't name the people who are accused of starving her.

Anyway, it was as a result of these two deaths that the State government had called an inquiry into child welfare, to be headed by a retired judge, James Wood.

Now, I like an inquiry.

I like an inquiry because it gives a journalist an opportunity to really explore an issue.

I don't believe we have to wait for the State government to deliver the findings.

I believe that newspapers can get in there, and explore an issue by itself. It's not easy to do because, obviously, nobody is allowed to tell you anything, not once there is an inquiry underway.

An inquiry is, in fact, another excellent way for the government to silence the media. But never mind, we decided to soldier on, and report whatever we got.

Early on in the piece, I got a call from a person who told me that 13,000 children in NSW were in State care.

That number staggered me. It's the size of a small town. It's roughly 180 primary schools worth of kids.

These children had been removed from their parents because they were considered to be "at risk" of harm.

Which is all very well. But where did they go?

The bulk of them – roughly half – go to family. They go to grandparents, or other kin.

But what about the rest – the other 7000?

They go to foster carers.

Now, if you're anything like me, or anything like I was, a year ago, you'd have a vision of a foster carer as a community minded person, or else an older person, whose own kids are grown, who happily and lovingly brings a troubled child into the nest.

That's the vision that DoCS wants you to have. The fact is that some foster parents are wonderful. And some aren't.

The fact is that State governments have in recent years become so panicked over the death of children that they have started to remove any child conceivably at risk ... and there is nowhere for them to go.

The orphanages are closed.

Many more women are working, which means many fewer women at home, willing to take in foster kids.

The allowance paid to foster parents has risen, and is now \$600 a week, or more, for anybody willing to take an extremely troubled child.

The income is tax free. It doesn't affect any other benefit a person may get, such as the dole or the disability pension. If you take two or three or more children – and many foster carers do - you can make \$2000 a week.

Thus, a large number of people have moved into fostering for the money.

It would be okay, if the standard of care these foster parents offered was exemplary, but it's often not.

That's sad, and that's inevitable.

In any case, the person who contacted us at The Australian was willing, after a few meetings, to do something extraordinary.

He or she was willing to give us the location of some of the State's forsaken foster children.

It was a massive breach of their employment conditions ... a sackable offence. You cannot tell the media where the State's foster children are living. But this source was so tired of hearing the that Department had no choice other than to shove kids in whatever beds were available, and that he, or she, was willing to do it.

This person gave us 10 addresses. Not many, but enough to prove his or her thesis, that many foster children live in squalor.

Over a period of several weeks, I went with a photographer to all of the addresses this person gave us. We were appalled. These children were living in homes that were completely derelict.

The windows were broken and boarded up. The lawns were barren. Those we stepped inside had rubbish strewn from one end to the other.

We didn't hide our identity. We wore our News Limited lanyards around our necks. We knocked on the doors and we said we were researching a story about the true nature of foster care, and several people welcomed us in.

They had their own stories to tell, about how \$600 a week wasn't enough for what they had to put up with.

We saw food left out to rot, and dirty clothes piled so high you couldn't see the furniture. We saw children barefoot and filthy. We saw nappies strewn across floors. We saw holes in walls. The smell was indescribable.

We reported all this ... and then do you know what happened?

Two things happened.

First, we heard from one of the agencies that employed these people. They didn't seem all that interested in the children.

They didn't say, oh, how bad was it? What can we do?

They hit us with a lawyer's letter: who told us where to find these foster parents?

We didn't tell, and we never will.

Now, let me take one step back.

I know, perhaps more than most, that journalists aren't the nation's favourite people, and perhaps especially not this week. There's a fair argument that we – and perhaps especially me – don't always behave as well as we should ...

Some would argue that we don't deserve any sympathy ...
But that's okay.

I'm not here today to ask for any.

What we're doing today is asking for some protection for those people who have told reporters things that the public deserves to know, who end up being harassed and humiliated, hunted down, and impoverished, for their trouble.

There will be those who say, well, these people shouldn't be speaking to the media.

If they have a complaint, they can take it to their Department head, or to the Ombudsman, or to the government.

You'd be mad if you think that would get them anywhere.

Governments don't expose what might embarrass them.

They don't create a problem, where one seems not to exist. They like to control the release of information, and to spin it.

Because what happens when something is exposed to sunlight?

Again, it's only a small example, but two days after The Australian's report on foster carers went into the paper, DoCS workers turned up at one of the homes we'd visited.

There was a two-year-old girl living there.

She'd been taken away from her mother, who was a hopeless junkie.

She was living in a cold annex that was stuck on the side of the house.

The windows were smashed and covered with plywood. She was barefoot and dirty when we found her. She had a runny nose and blue limbs, and she was shaking, and kept trying to get into my lap, for a cuddle.

DoCS took that child away.

I don't know what became of her. I wish I could tell you that she now lives with good foster parents, who really care about her.

In fact, she could be anywhere.

I hope that one day our source, or another source, will fill in the blanks.

What I do know is this: there was a two year old girl living in a cold annex – and now there is not ...

When the Australian published that story, it did so knowing that the biggest ..
... the most powerful,
... the most influential media organisation the world has ever known ...

Was standing right behind us.

The whistleblower came forward with no protection at all.

It's time to do something about that.