

Whistleblower Matters!

Southern African Institute for Responsive and Accountable Governance (SAIRAG) and the Active Citizens Movement (ACM)

Whistleblower Issues: Response to the 2025 State of the Nation Address

SAIRAG & ACM who are involved in the advocacy for support and protection of whistleblowers as part of the fight against corruption and abuse of power and misuse of national resources welcome the President's 2025 State of the Nation Address in relation to the much awaited legislative reforms in the current legal framework to protect whistleblowers, the Protected Disclosures Act.

SAIRAG and ACM notes that according to President's address, the whistleblower protection framework will be finalised and the Whistleblower Protections Bill will be introduced in Parliament "during this financial year."

Civil society organisations in response to the inadequacies of the Protected Disclosures Act 26 of 2000 as amended (by the Protected Disclosures Amendment Act 5 of 2017) and the resultant victimisation of whistleblowers including the killing of some whistleblowers, have long been calling for the strengthening of the legislative framework to ensure better protection and support for whistleblowers. Numerous submissions have been made to the government in this regard, including a draft model law prepared by the Active Citizens Movement with the support of several civil society organisations.

Some of the submissions in the civil society draft model refer to the lack of support and protection for whistleblowers, many of whom often have to fight their victimisation in courts of law on their own and without or with limited own resources even when victimised by organs of the state - as a result much of the victimisation of whistleblowers goes unabated.

While we welcome the government's commitment to a stronger Whistleblower Protections Bill, we emphasise that interim measures must be implemented immediately to provide support to whistleblowers while the Bill is being processed. SAIRAG and ACM, and other civil society organisations have made submissions calling for these interim measures, which should include financial, legal, and psychosocial support for whistleblowers who have been victimised. The prolonged wait for legislative reform must not continue to come at the cost of the safety and well-being of those who expose corruption and misconduct.

SAIRAG and ACM keenly awaits the finalisation of the whistleblower protection framework and the Whistleblower Protections Bill and will certainly engage with the two processes until a desired Whistleblower Legislation is obtained. It is hoped that this necessary law reform process will not take too long - it has been a long wait since 2000 and 2017.

SAIRAG and ACM further calls upon the Honourable President of the Republic of South Africa and heads of various organs of state to guard against the victimisation of whistleblowers by organs of state and to take decisive action against those who victimise whistleblowers using state power and state resources in violation of the current whistleblower legal framework currently undergoing a review.

SAIRAG and ACM also note the call for a National Dialogue by the President that will take place in 2025 to define the country's vision for the next year. The two bodies hope, and urge, that issues of better whistleblower protection and support as part of the urgent and much needed fight against corruption and abuse of power and public resources will be a key part of this dialogue - corruption and abuse of public resources constitutes the biggest threat to our democracy and is the cause of most of our socio-economic and political challenges in our country.

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