

Transcript of GB News interview by John Penrose MP for Weston Super Mare and The Prime Minister's Anti Corruption Champion, based at the UK Home Office, posted on YouTube by John Penrose on 26 April 2022 https://www.youtube.com/watch?v=wRA1x_tGeg&t=207s

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BACKGROUND INFORMATION

This is a link to information on the Home Office website about John Penrose's role as The Prime Minister's Anti Corruption Champion:

<https://www.gov.uk/government/people/john-penrose>

This is an article about the role of the Anti Corruption Champion based on released documents:

[WHAT DOES THE UK'S ANTI-CORRUPTION CHAMPION DO?](#)

This an article by Byline Times about the political background of the post and John Penrose's appointment and tenure:

[Where is the Government's Anti-Corruption 'Champion'?](#)

TRANSCRIPT OF INTERVIEW 26 APRIL 2022:

Interviewer: Joining me now is Conservative MP for Weston Super Mare backing the new proposal John Penrose, good to see you, welcome

John Penrose MP: Hi Gloria

Interviewer: So, the problem is you blow the whistle on bad practice at work and it's you that ends up paying the price by ending up in an Employment Tribunal and damaging your career, is that basically the problem?

John Penrose MP: Yes, absolutely. The difficulty is that you get people who are trying to do the right thing and they end up losing, ending up in some cases being horribly monstered

and losing their entire livelihoods, their careers, in some cases their marriage and their homes and everything else as well. All for trying to do the right thing. So what you've got to try and do is create an environment where they're better protected, where they know that if they do take this important, sometimes life-changing step that they're going to have, some one's going to have their back. So that's what we need to do. Interestingly ten years ago, maybe fifteen years ago, British law on this stuff was world class but the rest of the world's caught up, overtaken us. It's clear now that we've been left behind. It's time for an upgrade.

Interviewer: Do you have in mind a particular institutions or places which would benefit from these proposals. I'm thinking perhaps the public services.

John Penrose MP: Oh In fact it's interesting. Almost any company or profession that's got a strong culture to it, a professional culture, a corporate culture, can be vulnerable to this notion of trying to reject the whistleblower, trying to exclude them, trying to ostracise them and monster them. So it's not just the public sector, it's not just the private sector, it's right the way through our society these protections are absolutely needed. But yeah, you're right there're lots of ways of doing it, perhaps with an Office of Whistleblower, but there are other ways of doing it, just to make sure that ultimately it helps our law enforcement and investigations people in the Police and other crime fighting institutions. Cos whistleblowers are a key source of information. If you've got someone coming forward with evidence, it just makes the investigators' lives a million times easier. It increases your rate of hit [?] detection and ultimately makes everybody safer.

Interviewer: How would they be protected, people who blow the whistle, what sort of protections are you seeking for them?

John Penrose MP: Well there are a couple of things you need to do. One is I think to extend the range of the kinds of people who are protected. Quite a lot of protection already in place for direct employees, people on salary but what happens if you're a supplier to a company or you see something dangerous going on? What happens if you are a non executive director on the board so you are not technically an employee? So to broaden the range of people who are protected. And we also need to make it's really really clear that companies need to have a, the right systems in place, the right processes in place and if necessary, professional bodies need to have these, so doctors, nurses, also lawyers, accountants, they also need to the right processes in place so that when someone does blow the whistle, when something like this does happen, they don't have to invent it all from scratch. It's ready-made and ready for people to say "Alright, this person's blown the whistle, they've done it in the right way, here's what we've now got to do in order to protect this person, to stop them being monstered and destroyed." And it's all there sitting in the bottom of a drawer somewhere. You just take it out and follow the process and know you're doing the right thing.

Interviewer: Let's talk about non-disclosure agreements. I think that's also in your sights, so this is basically, you get a payout for basically keeping silent when you leave a workplace. Do people quite like them? The payout? And think it's a price worth paying, to keep quiet? [Smiles]

John Penrose MP: [Smiles] I don't know. Quite possibly, some do. I think it's a really fraught moral area as you can imagine, particularly if there's something dangerous going on which actually is in all our interests, society's interest's, to make sure it doesn't happen. You don't want to have potential witnesses being sort of paid off. That's not something which we want to have happen. What we want to do is to change the equation so that it always pays to do the right thing and be a whistleblower, when you see something wrong. That obviously may mean that some non-disclosure agreements become...just shouldn't apply. We've got to make sure we've got the protections in place before we start going after non-disclosure agreements, so that people know they're going to be protected.

Interviewer: And this has been brought forward by a backbench MP. But from what I've read it's the government are in favour, want to push this through but realistically, it's all about timing isn't it? Is this going to be at the top of the government's legislative programme, or is it something that they'll get round to tomorrow, you know, mañana, if you like?

John Penrose MP 5.01: Yeah, I'm waiting for a government minister to say mañana at the dispatch box, that would be a parliamentary moment. But you're right, it's always a problem of timing, of getting space in the legislative timescale to do this sort of stuff. There is however, some legislation coming up, there's an Economic Crime Bill which will we're hoping will be coming up in the next couple of months. We could put some whistleblowing clauses in that to solve some of the problems that you and I are talking about here. So the time is now, the moment is available and so even if we can't get a full blown Whistleblowing Bill Act stand alone, we may be able to get some of these things that I'm talking about into another piece of legislation quite soon if the government is willing. That's the reason why I'm supporting Mary Robinson's Bill today. And I hope it will attract some attention and perhaps get a bit of a following wind.

Interviewer: Just to bring this thing to real life, can you give us any examples of people who blown the whistle and who have been, in your words, monstered as a result?

John Penrose MP: I probably shouldn't name cases but a quick internet search will show all sorts of sometimes heart rending stories about people who've lost everything. I'm afraid it's all too common and therefore this is something that we need to protect and [?????]. As I said it helps the police, it helps the investigators as well but also there is a trail of broken lives of people who've tried to do the right thing and who've been badly, badly mistreated. I'm afraid there are too many accounts. If I mention one or two, it won't be fair on the others.

Interviewer: Just tell us what happens under the current legislation if you do blow the whistle? What's a practical example of being monstered?

John Penrose MP: Well, so, if you are a member of a either a company with a strong corporate culture or an organisation, a strong organisational culture or a member of a profession, what can happen is that basically your work dries up. You don't get given jobs to do, your income vanishes, if you're contractor or a consultant or something like that. Your

colleagues and people you thought were your friends don't talk to you any more, they don't trust you any more, or you may find yourself being pursued for.. through an Employment Tribunal effectively for what your colleagues think of as betraying secrets the organisation whether public sector organisation or company. You end up losing your job, you end up losing quite a lot of your friends, you end up losing most of your income, and that can mean that you lose your house. It can mean that your relationship breaks down because of stress can be very, very serious indeed. Now, all that is solvable if you have a system where you know that somebody's got your back and that the organisation and professions concerned know that they can't behave that way and that there's a sort of "How to" programme on the right way to treat a whistleblower. Here's the right thing to do. And if we get people who then have confidence that if they do the right thing, it's not going to happen that way, and they're going to be looked after, and they're still going to be able to be what they've trained all their life to be – anything from a quantity surveyor through to a medic and that's what you know that's what you do and if you're mid career and suddenly it all dries up, you need to know that you're going to be protected from that and you're going to be able to carry on being able to earn a living, having done the right thing. And so that's where we get to, to stop those kinds of I'm afraid very human, very understandable but ultimately really unacceptable and all too common things from happening.

Interviewer: The regulator, if these proposals come into law, now just explain the role of the regulator and the penalties that companies might be subject to if they flout the regulator?

John Penrose MP: Yes, this particular version of the Bill would propose a regulator but you could do it other ways if you needed to ...but this is a pretty good set of suggestions: an Office of the Whistleblower which basically says "Look," the Office of the Whistleblower will say "Here's how to do it right" and if you're a company, if you're a public sector organisation, if you're a charity, "Here's the right way to do it, please follow the guidelines". They'll talk to your professional bodies and regulators and make sure they've got the equivalent set of rules as well, but, so just to make sure that the, it doesn't matter what you do and where you work, the chances of your organisation and your profession reacting in the right way are just massively higher once these guidelines are out there. But even if you are unlucky enough to work in a profession or in an organisation that doesn't have this in place yet or it doesn't do the right thing then the Office of the Whistleblower is kind of a back stop organisation where you can go directly to them if you have to, and they will fill in any gaps as to any organisations or professions that aren't doing the right thing. It's kind of raising the standards for everybody and a backfill, backstop for any gaps or omissions that are still left. You could do it other ways but it's a pretty good starting point and you know if people think they've got a better way of dealing with this particular problem, I'm sure we'd be all ears but the important thing is that we've got to have something that basically changes this equation so people know they're going to be looked after if they do the right thing.

Interviewer: Conservative MP John Penrose thanks for joining us explanation of what you're trying to do, so thank you.

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