

Combating Corruption through Employment Law and Whistleblower Protection

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ABSTRACT

This article examines the extent to which employment law has the potential to fight corruption by imposing rights and duties on employers and workers and analyses the extent to which the UN Convention on Corruption 2003 (UNCAC) protects those who speak out about malpractices within an organisation. Section I focuses on UNCAC while Section II focuses on the extent to which employment law imposes obligations on those within the workplace to report corrupt activities and the circumstances in which those who speak out about corruption are protected under UK employment law. It is argued that because of the inadequacies of the existing legislation and the threat posed by disclosures via the internet, organisations have much to gain from devising effective policies on both internal and external reporting that do not inhibit the exposure of corruption or unnecessarily curtail freedom of speech. The authors conclude by welcoming the draft recommendations from the Council of Europe's Parliamentary Assembly to draw up a set of guidelines for the protection of whistleblowers and consider drafting a framework convention.