PPLAAF

WHISTLEBLOWING

Guidelines for Journalists

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THE RELATIONSHIP:
WHISTLEBLOWERS & JOURNALISTS

Whistleblowers play a crucial role in our anti-corruption toolkit, exposing wrongdoing, corruption, and ethical breaches that would otherwise go unreported. The media serves as a powerful ally in amplifying their voices and bringing important issues to the public's attention. The relationship between the media and whistleblowers is a symbiotic one built on trust, with both parties relying on each other to shed light on matters of public interest.

The following guidelines are designed to provide a framework for responsible and ethical reporting on whistleblower cases while prioritising the safety and protection of whistleblowers and journalists. By adhering to these guidelines, media organisations can foster an environment of trust and support, encouraging individuals to come forward with valuable information that benefits society as a whole.

GUIDELINES

By following these guidelines, the media can fulfil its vital role as a responsible and ethical conduit for whistleblowers, ensuring their voices are heard while safeguarding their rights and well-being. Together, the media and whistleblowers can strive for greater accountability, integrity, and social progress.

When dealing with whistleblower cases, journalists should consider the following guidelines:

1

PROTECTING WHISTLEBLOWER IDENTITY:

- Use secure communication software like Signal when communicating with whistleblowers
- Remind whistleblowers that confidentiality does not necessarily mean anonymity.
- Where whistleblowers choose to remain anonymous, use pseudonyms or initials to refer to them.

2

ENSURING CONFIDENTIALITY AND DIGITAL SAFETY:

- Encrypt all communication and information.
- Ensure data and communication are scrubbed of metadata to protect the source. Explain the risk of digital exposure to the whistleblower. Metadata can be used to trace connections and determine the identity of the whistleblower.
- Ensure digital drop boxes have a high level of security
- Use two-factor authentication
- Keep software updated
- Remember that deleting data or reformatting a computer does not mean that the information is completely gone, it can be recovered.

3

VERIFYING WHISTLEBLOWER CLAIMS:

- Be sure the story carries journalistic credibility and focus on the public interest value of the information not on the opinions and values of the whistleblower
- Conduct thorough investigations and research
- Have documentary evidence of when the disclosure was received
- Give the right of reply but avoid exposing your sources.
- Be aware of the process of elimination whereby the information disclosed may reveal the identity of the whistleblower because of who had access to the information.
- Trey to understand the whistleblower's motives so that you have a better grasp of the story but your role is to test the credibility of the story regardless of their motives
- Publish original documents where it is safe to do so

4

TRANSPARENCY AND ACCOUNTABILITY:

- Provide safe ways for whistleblowers to make "first contact" – publish safe ways for whistleblowers to contact journalists
- Keep whistleblowers updated on publication progress. If a story is not published, take the time to explain why this is the case.

5

SAFEGUARDING AGAINST RETALIATION:

- Determine the biggest threats to the whistleblower and the journalist
- Ask whistleblowers if they have made an internal report or disclosure before coming to the media
- Advise whistleblowers to seek legal guidance: It is not the responsibility of journalists to legally advise whistleblowers.
- Be aware of patterns: determine when it is necessary to change numbers or use burner phones and when to meet in person rather than virtually.
- Avoid places with surveillance cameras, and do not use public Wi-Fi.
- If the source is at risk, spread out meetings and allow a gap between meeting the whistleblower and publishing the story.
- Understand the national, regional and international legal and regulatory frameworks protecting whistleblowers.
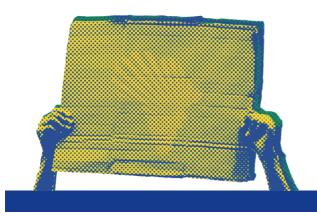
LEGISLATION IN SOUTH AFRICA

THAT OBLIGES OR PROTECTS WHISTLEBLOWING

- The Constitution, 1996
- Protected Disclosures Act, 2000 as amended: Section 9 of the PDA specifically refers to disclosures made to entities like the media
- National Prosecuting Authority Act: Deals with possession vs disclosure of information and the classification status of documentation
- Labour Relations Act, 1995
- Companies Act, 2008
- Financial Intelligence Centre Act, 2001
- The Pensions Fund Act, 1956
- National Environmental Management Act, 1998
- Municipal Finance Management Act, 2003
- Public Finance Management Act, 1999
- Prevention and Combating of Corrupt Activities Act, 2004
- Protection from Harassment Act, 2011
- Defence Act, 2002
- Witness Protection Act, 1998

CHECKLIST

☐ I asked about internal reports before media disclosure.

☐ I advised whistleblowers to seek legal guidance.

☐ I used secure communication software like Signal.

☐ I reminded whistleblowers that confidentiality didn't guarantee anonymity.

☐ I used pseudonyms or initials for anonymous whistleblowers.

☐ I encrypted all communication and information.

☐ I scrubbed metadata to protect the source and explained digital exposure risks.

☐ I ensured high security for digital drop boxes.

☐ I enabled two-factor authentication.

☐ I kept software updated and was aware that data deletion may not be permanent.

☐ I focused on journalistic credibility and the public interest value of information.

☐ I conducted thorough investigations and research.

☐ I identified threats to whistleblowers and myself as a journalist.

☐ I was cautious with patterns and avoided surveillance.

☐ I spaced out meetings and publication to reduce risks.

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