

Potential introduction of corporate whistleblowing bounties: What are the implications?

23 June 2017, Melbourne Law School

9.15 – 9:30am	Registration
9:30 – 10am	Welcome and introductions Dr Sulette Lombard and Assoc Prof Vivienne Brand, Flinders Law School
	Opening The Hon Kelly O’Dwyer, MP, Minister for Revenue and Financial Services
	Thank you Prof. Carolyn Evans, Dean, Melbourne Law School
10am – 11.15pm	PANEL A Whistleblowing bounties: Regulatory issues and perspectives
Chair:	Prof. Ian Ramsay
Panellists:	Assoc Prof Dr Janet Austin (University of New Brunswick, Canada) Heidi Franken, Chief of the Office of the Whistleblower, Ontario Securities Commission (via video link) John Price (Commissioner, ASIC) Greg Golding (Partner, KWM)
11.15am – 11.30am	Morning Tea
11.30am – 1.00pm	PANEL B The impact of whistleblowing bounties on prosecutions
Chair:	Assoc Prof. Dr Janet Austin
Panellists:	Sarah McNaughton SC (Commonwealth Director of Public Prosecutions) Norman O’Bryan AM SC (Barrister)
1.00pm	Closing Prof. Bob Baxt AO

This event is co-hosted by Melbourne Law School, the Centre for Corporate Law and Securities Regulation and Flinders Law School.



Speaker Biographies

Janet Austin

Dr. Janet Austin, BCom (UNSW), LLB (UNSW), LLM (Sydney), PhD (Osgoode) is an Associate Professor at the Faculty of Law, University of New Brunswick, Canada (UNB). She teaches Securities Regulation, Criminal Law and Corporate Crime. Her research interests include corporate and white collar crime and its enforcement encompassing foreign corruption and bribery, fraud and dishonesty offences, insider trading and stock market manipulation and its enforcement and the role of securities regulators. Prior to joining UNB Dr Austin lectured at the University of New South Wales and spent many years as a senior prosecutor at the Commonwealth Director of Public Prosecutions, where she conducted significant prosecutions for white collar crime. During her career she also practiced as a lawyer for the Australian Securities and Investments Commission and for private commercial law firms.

Heidi Franken

Heidi Franken is the Chief of the OSC's Office of the Whistleblower and Acting Deputy Director in the Enforcement Branch. She oversees the Enforcement Branch's Office of the Whistleblower, Case Assessment Unit, as well as three investigation and litigation teams that specialize in securities-related misconduct. Ms. Franken joined the OSC in 1994 and has held several senior roles, most recently serving as Manager of the Office of the Whistleblower and Manager of an investigation and litigation team specializing in Registrant misconduct. Prior to joining the Enforcement Branch, Ms. Franken held senior roles in the Corporate Finance Branch and the Office of the Chief Accountant. She has led various OSC and CSA policy and operational initiatives, including most recently the development of OSC Policy 15-601 Whistleblower Program and launch of the OSC's new Office of the Whistleblower. Ms. Franken joined the OSC from the accounting firm PWC. She is a Chartered Professional Accountant (CPA, CA).

John Price

John Price commenced as an ASIC Commissioner on 21 March 2012. In March 2015, John was reappointed for a further 3 years to 20 March 2018. He has over 15 years regulatory experience in a variety of regulatory roles at ASIC relating to policy making, fundraising, mergers and acquisitions, financial services and products, licensing, insolvency and financial reporting and audit. John was previously a member of CAMAC, an advisory body to Government on corporate and markets issues and also the Financial Reporting Council, a body providing broad oversight of various accounting and audit-related issues in Australia.

John is a current member of the Council of Financial Regulators, the coordinating body for Australia's main financial regulatory agencies. John is also the sponsor of ASIC's innovation hub, an initiative to help innovative fintech startups offering financial products or financial services in Australia. Prior to joining ASIC, John worked in the Gold Coast and Brisbane offices of Corrs Chambers Westgarth, a national law firm.

Greg Golding

Greg Golding is a partner in the Sydney office of King & Wood Mallesons where he specialises in the areas of contested public company takeovers, reconstructions and capital raisings. Greg has been involved in many of Australia's most significant mergers and acquisition transactions. Greg has a long standing interest in whistleblowing reform, and was a key driver of the Law Council of Australia's submission to the current Parliamentary Joint Committee Whistleblowing Inquiry.

Ms Sarah McNaughton SC

Ms McNaughton commenced her five year term as the Commonwealth Director of Public Prosecutions on 16 May 2016. Ms McNaughton has 28 years' experience as a legal practitioner. She has been a respected member of the NSW Bar since 1996 and was appointed Senior Counsel in 2011. Prior to her appointment, Ms McNaughton appeared as both prosecution and defence counsel in a number of complex criminal trials and appeals and has specialist expertise in offences related to taxation, corporate crime, drug importation and terrorism. She held a range of roles in private practice and with the Office of the Commonwealth Director of Public Prosecutions.

Norman O'Bryan

A leading member of the Victorian Bar, and immediate past Chair of the Commercial Bar Association's Corporations & Securities, Norman has held a Vinerian Scholarship and Rhodes Scholarship and won the Solicitors' Prize and the Supreme Court Prize. He is a member of the Law Council of Australia, the Australian Bar Association and the International Bar Association, and has written various articles and comments on company and securities law and "Securities Legislation" Laws of Australia.

Prof Robert Baxt

Professor Robert Baxt AO is a renowned practitioner and academic in trade practices, corporate law and taxation law. Professor Baxt is chairman of the Law Committee of the AICD, and a member of the Executive of the Business Law Section of the Law Council of Australia. He is also a professorial Fellow of the University of Melbourne. Professor Baxt has a long-standing interest in whistleblowing protections and legislative reform.