

Effective Whistle-Blowing Mechanisms in the Public Sector

FAWOLE, Temitope Sarah (M.Sc)

Department of Accounting, Faculty of Management Sciences, University of Benin, Benin City

FASUA, Henry Kehinde (M.Sc, A.C.A)

Department of Accounting, Faculty of Management Sciences, University of Benin, Benin City

Email: Henryfash7@yahoo.com

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Abstract

The objective of this paper is to investigate effective whistle-blowing mechanisms in the public sector. The study adopted descriptive survey research design. It collected data from both primary and secondary sources. A total of 700 questionnaires were administered out of which 672 were retrieved. These were used for analysis, employing simple random technique together with simple frequency table, Pearson's correlation coefficient and descriptive statistics. The findings of the study show that: there is a significant relationship between whistle blowing mechanism and performance in the public sector and internal whistle-blowing mechanisms should be encouraged. The study recommends that those who are charged with responsibility in public sector should promote the system, procedures and culture of whistle blowing mechanisms, and strengthen internal reporting mechanism. This would enhance government to achieve her mission and objectives. The study concludes that whistle blowing mechanisms should be encouraged and relevant Acts should be applied judiciously.

Keywords: Whistle-blowing mechanism, Whistle-blower, Public sector

1.0. INTRODUCTION

Public sector is created by government for some reasons which include provision of social goods, public goods, and private goods at affordable prices. These objectives and other visions can only be achieved if large percentage of activities carried out by public sector is performed according to laid down rules and regulations. Government has one period or the others put in place several acts and statutes to mitigate illegal activities among her employees so that her mission would not be mirage. There are several regulatory frameworks in public sector in Nigeria. These include: the constitution of the Federal Republic of Nigeria, 1979 as amended 1989 and others, the Audit ordinance of 1956, the Finance (control and Management) Act of 1958, the Financial Regulation and Revenue Allocation Laws. However, this stream of rules, code of ethics, constitution, and statutes cannot operate themselves except some people are commissioned to carry them out (Adams, 2014). This has been done to some extent but the rate of playing about; playing round, and beating these regulatory frameworks it is at alarming

rate. In fact, this has resulted to a sluggard: everybody eats from national cake. Government work is at ease.

On this background, all illegal and illicit activities needed to be fought with all seriousness in order to prevent fraud and corruption. Therefore, this act should be collective responsibility to fight against illegal practices. However, from available literature there are mixed conclusions or conflicting conclusions. For example, Vandekerckhove (2006) examined whistle-blowing and organization social responsibility, asserts that in organizations, law, education, culture and practice advise employees to turn a blind eye to illicit activities or wrongdoing, even should not raise their concerns internally or externally. Lee and Oh (2007) worked on corruption in Asia: pervasiveness and arbitrariness indirectly discourage whistle-blowing mechanism in their statement. They lamented that often times, failure to bribe or comply with illicit activities can make the achievable and viable project remains pending for years. Brown, Mazurski and Olsen (2008) confirm that the reality of whistleblowers would provide little justification for government or senior public sector managers to think 'proactively' about how to manage whistle blowing cases.

Against this background, Ponemon (1994) argues that whistle-blowing mechanism plays a vital role as a preventive and detective mechanism, if the firm explicitly incorporates reporting method that discloses incidents of wrongdoing into its internal control structure. Organization for Economic Cooperation and Development wrote about whistle-blowing protection and advocates for whistle-blowing mechanism and its demonstration as well as implementation in both private and public companies (OECD, 2011). Besides, Council of Europe Civil Law Convention on corruption supported the effective establishment of whistle-blowing mechanism in 1999.

Therefore, the paper is motivated to examine effective whistle blowing mechanism in the public sector. The specific objectives are to: examine relationship between whistle-blowing mechanism and activities in the public sector; and examine the association between protections of whistle-blowers and performance in the public sector. This study shall offer answers to the following research questions: is there a significant positive relationship between whistle-blowing policies and practices in the public sector? Is there a significant positive relationship between protections of whistle-blowers and the performance on the public sector?

2.0 LITERATURE REVIEW

2.1.1 Whistle-blowing

There is no consensus definition of whistle-blowing (Brennan & Kelly, 2007). One consistent element that scholars agree on is that whistle-blowing is an act to account, report as well as expose wrongdoings. The whistle-blowing term has been differently defined and debated in available literatures. The substantial disagreement as well as arguments surround which channels (external vs. internal whistle-blowing) to report and whether auditors (external or internal), should be countered as whistleblowers.

For instance, some researchers assert that whistle-blowing is an action which involves reporting of the wrongdoing is only to outside persons (Elliston, Keenan, Lockhart, & Van Schaick, 1985; Courtemanche, 1988; Jubb, 1999). Jubb (1999: 91) asserted that "whistleblowing

is an ethical dilemma because it necessitates a breach of trust". This is because the whistleblower has violated his loyalty not only to his own organisation but to the professional association he represents as well as to the general public. To Jubb (1999), an internal disclosure on the other hand, is considered as discreet and the intention is only to get the attention of internal management and not to the general public and hence fails to create the notion of an ethical dilemma.

Jubb (1999) further explained that though internal disclosure may breach the reporting individual's loyalty to his/her own organization, the act does not affect the organization's privacy and property rights, hence it should not be regarded as whistle-blowing. However, to Near and Miceli (2008), the definition provided by Near and Miceli (1985) covers both internal and external whistle-blowing. Brennan and Kelly (2007) stated that Near and Miceli's (1985) definition does not exclude internal reporting, which suggests that organization members may blow the whistle either internally or externally. This is interpreted from the phrase that describes "persons or organizations that may be able to effect action" in Near and Miceli's (1985) definition.

Furthermore, Near and Miceli (1996) indicate that a genuine whistleblower reports wrongdoings to someone capable of stopping the wrongdoing. That "someone" could be internal or external parties to the said organization. Consistent with Near and Miceli's (1985) definition of whistleblowing, Dworkin and Baucus (1998) and Read and Rama (2003) stated that whistleblowers have a choice on whether to whistle-blow either internally or externally, while Miethe (1999) and Vinten (1992) reported that whistleblowers are distinguished according to the nature of their disclosures; i.e. internal and external whistleblowers. Internal whistleblowers disclose the wrongdoing to another person within the organization who can take immediate action while, external whistleblowers expose the wrongdoing to outside parties.

Several researchers have contended that the act of whistle-blowing incorporates both internal and external reporting (Brennan & Kelly, 2007; Dasgupta & Kesharwani, 2010; Eaton & Akers, 2007; Miceli & Near, 1992; Miceli, Near & Dworkin, 2008; Miethe, 1999; Rothwell & Baldwin, 2006; Tsahuridu & Vandekerckhove, 2008; Vinten, 1992b) and state that a distinction between internal and external whistleblowers is important in understanding the whistle-blowing process (Eaton & Akers, 2007; Miceli & Near, 1992; Miethe, 1999; Somers & Casal, 1994). Therefore Miceli et al. (2008: 9) state that, "using the term "whistle-blower" when referring to internal complaints and to external complaints is consistent with legal usage".

Another important reason why internal and external reporting should be regarded as whistleblowing is highlighted by Miethe (1999: 16) who contends that, "internal whistleblowing is often regarded as a precursor to external whistleblowing". This is consistent with Miceli et al. (2008) who assert that whistleblowers resort to disclose externally after first using an internal channel that failed to rectify the wrongdoing. On the contrary, MacNab, Brislin, Worthley, Galperin, Jenner, Lituchy, Maclean, Aguiler, Ravlin, Tiessen, Bess and Turcotte (2007) argued that internal whistleblowing and internal reporting are two different phenomena, and so are external whistleblowing and external reporting. MacNab et al. (2007) stressed that the major difference between the act of whistle-blowing and reporting is that, the

former is unauthorized by normal organizational processes, while the latter is authorized internally.

Besides, the term whistle-blowing was developed originally from Bobbies (British police officers, and later American police officers) blowing their whistles to alert the public to criminals. History told us that later private organizations would use their own whistles to alert and inform the law enforcement agents of thievery and other criminal activities (Wordorigins, 2012). However, according to Near and Miceli (1985: 4), whistle-blowing can be seen as “... *the disclosure by organization members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action.*”

On this note, whistle-blowing, it is seen as a positive social behaviour as a result of this, the whistleblower takes action to prevent the wrongdoing within a firm with the aim of benefiting individuals within and outside the corporation. To Dozier and Miceli (1985) whistle-blowing is a kind of pro-social behaviour as the act includes both selfish (egoistic) and unselfish (altruistic) motives on the part of whistleblowers. They added that whistle-blowers' actions are not purely altruistic but to a certain extent the actors may also have motives to obtain personal benefit and reward.

2.1.2 Whistleblower

According to Gobert and Punch (2000: 27), whistleblower can be referred to as “... *an individual within an organisation who reveals negative information about the organization, its practices or its personnel. The information may relate to abuse of power, fraud, mismanagement, waste, corruption, racial or sexual harassment, or health and safety dangers.*”

A whistleblower is a person who tells the public or someone in authority about alleged dishonest or illegal activities occurring in a government department, a public or private organization or a company. The alleged misconduct may be classified in several ways; a violation of law, regulation and or a direct threat to the public interest such as fraud, health /safety violation and corruption (Hannigan, 2006). Miceli, Near and Dozier (1991) describe whistleblowers as committed members of the organization who feel compelled to report wrongdoing by their own sense of moral behavior.

However, this act is not always seen positively by organizations. A whistleblower is characterized as reluctant dissenters moved neither by altruistic nor selfish concerns, but rather by tide of events over which they feel they have little control. Bucka and Kleiner (2001) refer to a whistleblower as a person who exposes falsehood and corruption although he or she is aware of the potential negative outcomes of this act, which may include loss of job. The whistle blowers are vulnerable not only to organizational reprisal but also to the chastisement at the hands of other organizational members, organizational members react and most likely show retaliation against whistle blower.

Thus, whistle-blowing is not a risk-free decision or initiative for any individual as it can entail direct and undesired consequences for the person raising voice against some wrongdoing. Whistleblowers can be considered as ethical consistent employees who disclose in

good faith unethical practices within the workplace, thereby expecting investigation of the disclosure.

2.1.3 Channels of reporting wrongdoings

There are two channels of reporting wrongdoings – internal and external whistle-blowing (Eaton & Akers, 2007; Near & Miceli, 2008). Read and Rama (2003) also identify two types of whistle-blower in an organization, namely: internal and external whistle-blower. They are of the opinion that internal whistle-blowers are habitually more aware of unethical acts but may be in threat of consequences of blowing the whistle, namely: loss of job or being ostracized within the organization. While external whistle-blowers are whistleblowers external to the organization who may have less to threat from the consequences of whistle-blowing but may not have as much at stake about the absence of unethical acts in a particular organization, or may not be aware of the extent of unethical acts.

Bordeleau (2011) asserts that though channels of reporting wrongdoings are internal and external yet external disclosures, in public sector by whistle-blowers, should be discouraged and limited to internal mechanism because of the following reasons:

1. the existence of internal mechanisms,
2. disruption in ministerial responsibility, and
3. Conflicting ideas of loyalty and the public interest.

Clark (2013) also argues that whistle-blowing mechanism in public sector should be limited to internal channel of reporting for effective performance. The paper advises those who are charged with responsibility to strengthen internal whistle-blowing mechanism. Taken further, an external disclosure would circumvent internal mechanisms in place to allow the ministers or Auditor General to identify and rectify the problem; provided the flow of information is paramount if those who are charged with responsibility are to remain transparent to the public and accountable to National assembly.

2.1.4 The decision process for whistle-blowing behavior

According to Latane and Darley (1968), the decision process for whistle-blowing behaviour goes through five stages and each stage is critical in making the whistle-blowing decision. The five stages include:

1. the onlooker must be aware of the event;
2. the eyewitness must decide that the event is a tragedy;
3. the witness must decide that he or she is responsible for helping;
4. the witness must choose the appropriate means of assisting; and
5. the eyewitness implements the intervention.

2.1.5 Public sector and effective whistle-blowing mechanism

Public sector is established for provision of social amenities as well as a means of generating revenues for government to meet states' responsibility and needs. Therefore, the best way to achieve this is by fighting all wrongs and corruption which can erode public sector benefit and reporting all illicit and illegal activities to appropriate authority. According to Brown

(2008), who wrote on whistle-blowing in the Australian public sector: enhancing the theory and practices of internal witness management in public sector organization, whistle-blowing is a means of achieving and maintaining public integrity provided it is widely recognized across the public sector.

Besides, Brown (2008) states the reasons why whistleblowers are interested in reporting illicit activities especially in public sector, namely:

1. when they are motivated by the circumstances to do so,
2. they are confident that actions would be taken, and
3. there is protection for whistle-blowers.

To OCED (2011), effective whistle-blowing mechanism can only be achieved if there are effective legal protection and clear guidance on reporting. Therefore, whistle-blowing protection brings the following benefits, namely:

1. It facilitates and encourages whistle-blowing,
2. It assists authority to monitor compliance and detect violations of anti-corruption law,
3. It is an open organizational culture even where workers are not only aware of how to report but also have confidence in reporting procedures,
4. It assists government to prevent and detect bribery and kickbacks in commercial transactions, and
5. It promotes public sector integrity and accountability, and supports a clear business environment.

2.1.6 Challenges and prospect in whistle blowing

Whistleblowers suffer in various ways including ostracism, harassment, punishment, punitive transfers, reprimands and dismissal. Bosses and top managers are responsible for many attacks of whistleblowers but coworkers often join in or do nothing often due to fear that they could be the next victim. Premeaux and Bedenan (2003) are of the view that employees hesitate to raise voice as this might lead to retaliation. Poverty and unemployment are rampant in these countries and whistle blowing can result in job loss (Vinten, 2000). The risk of corruption is significantly sensitive in environments where the reporting of wrongdoing is not supported or protected. These include:

1. Public and private sector employees have access to up-to-date information concerning their workplaces' practices, and are usually the first to recognize wrongdoings.
2. However, those who report wrongdoings may be subject to retaliation, such as intimidation, harassment, dismissal or violence by their fellow colleagues or superiors. In many countries, whistle blowing is even associated with treachery or spying.
3. Whistleblower protection is therefore essential to encourage the reporting of misconduct, fraud and corruption.
4. Providing effective protection for whistleblowers supports an open organizational culture where employees are not only aware of how to report but also have confidence in the reporting procedures.
5. It also helps businesses prevent and detect bribery in commercial transactions.

6. The protection of both public and private sector whistleblowers from retaliation for reporting in good faith suspected acts of corruption and other wrongdoing is therefore integral to efforts to combat corruption, safeguard integrity, enhance accountability, and support a clean business environment.
7. Adequately implemented, legislation protecting whistleblowers can become one of the most effective tools to support anti-corruption initiatives, and detect and combat corrupt acts, fraud and mismanagement

2.2.0 Empirical Studies Review

Brown (2008) researched on whistle-blowing in the Australian public sector: enhancing the theory and practice of internal witness management in public sector organizations, recommends that internal whistle-blowing mechanism should be given attention in order to achieve effective result. Clark (2013) wrote on external whistle-blowing in the public service: a necessarily messy practice, argues that external whistle-blowing should not be practiced, and recommends the strengthening of the internal reporting mechanisms to limit external disclosures made in the public service. Bordeleau (2011) argues that external whistle-blowing by whistleblowers would disrupt the feedback loop of accountability bypassing those who are charged with responsibility when problems emerge.

The influence of attitude in explaining the intention of external whistle-blowing is not as great as for internal whistle-blowing, which explains why the widely observed disjunction between attitude and intentions is greater for external than for Internal whistle-blowing. One way to interpret this is thinking about the nature of the decision to blow the whistle (Blenkinsopp & Edward, 2008). Shelvin (2012) argues that stakeholders who play an important role in the effective running of a Organization need to recognize the value that the Organization brings to the economy and the wider society. Therefore, the interests of all stakeholders should not be jeopardized by improper management of whistle blowing practices.

Bond and Manyanya (2003) incited and excited debate on the moral justification of whistle-blowing. Proponents of whistle blowing have advanced lines of argument to vindicate the contentions that whistle blowing is morally justifiable. Whistle blowers are morally justified to report immoral business practices if they have good reasons to think that they are potentially harmful to the health and well-being of the public. However, when freedom of speech is pitted against the obligation of loyalty and obedience, it gives to a serious moral conflict. The obligation to whistle blow is prima facie in some situation can overridden by other moral considerations (Martin & Schinzinger, 2005).

Fasua and Osifo (2017) examined effective whistle-blowing mechanism and audit committee in Nigerian banking sector, discover that there is a strong relationship between effective whistle blowing mechanism in Nigerian banking sector and audit committee independence, audit committee financial expertise, and audit committee meeting. They conclude that whistle blowing mechanism in Nigerian banking sector should to be strengthened. Sunday (2015) researched on effects of whistle blowing practices on organizational performance in the Nigerian public sector, discovered that there is positive association between whistle-blowing system in the public sector and

performance and practice in public service and encouraged establishment of whistle-blowing mechanisms in public sector. According to Miceli and Near (2002), when research is designed to capture the experiences of wider range of whistleblowers, managers and case handlers a more varied picture of whistle-blowing is found in which the outcomes for both organizations and whistleblower is sometimes negative but often times positive.

3.0 RESEARCH METHODS

The study was conducted in some of the states in Nigeria, using descriptive survey research design. The target population is workers of selected local governments in Ogun State as well as Lagos State. Lagos state was selected because of its features & Ogun state because of easy accessibility and closeness to Lagos State especially Abeokuta South Local Government Area.

A sample size of 700 workers formed the respondents for the study, out of over 2100 staffs that formed the population of the selected local government. Simple random sampling techniques were used to choose the respondents whereby the workers were randomly selected.

Questionnaire was used to gather data which were validated through cronbach's alpha. The questions were closed ended on a five point Likert scale. Descriptive statistics and Correlations were used to test and analyze collected data.

4.0 Data Presentation

The relevant data for this study were from the primary sources. The presentations of the data are in tables using frequency and simple percentages. The Pearson correlation coefficient will be used in testing hypothesis.

Table 1

Distributed Questionnaire: Analysis of respondents by various local government workers

| Local Govt. Area | Population size | Population sample (Total distributed) | Total Returned questionnaire | Percentages |
|------------------------|-----------------|---------------------------------------|------------------------------|-------------|
| Alimosho Government | 728 | 236 | 220 | 33% |
| Ojo Local Government | 490 | 160 | 152 | 22% |
| Abeokuta South & North | 938 | 304 | 300 | 45% |
| Total | 2,156 | 700 | 672 | 100% |

Source: Author's compilation

Table 1 shows that seven hundred copies of questionnaire were distributed among three local government areas' workers who are stratified according to their population size. 236 questionnaire copies to Alimosho government while 220 copies were returned according to

data obtained. 160 copies of questionnaire were administered to Ojo local government while 152 copies were returned from the respondents according to information received. Finally, Abeokuta south and north local government workers obtained 304 copies while 300 copies were retrieved according to the table one above. This shows that six hundred and seventy two (672) representing 96% were completed and returned while twenty eight (28) were withheld.

Table 4.2
Reliability Statistics

| Cronbach's Alpha | Cronbach's Alpha Based on Standardized Items | N of Items |
|------------------|--|------------|
| .839 21 | .839 21 | 10 |

Source: Author's compilation, 2016

Table 2 presents the properties of measurement scales and the items that compose the scales to determine the degree of its reliability. The Cronbach Alpha Coefficient should be 0.7 or higher is accepted (Nunally, 1978). The Cronbach coefficient for this study can be said to have performed at an acceptable reliability value of 0.839 21; however, Cronbach value less than the range indicate an unreliable scale. Therefore the instrument used in gathering the data is reliable.

4.1 Test of Hypothesis

Hypothesis One

Objective 1: To examine the relationship between whistle blowing policies and practices in the public sector.

Research Question 1- Is there a significant positive relationship between whistle policies and practices in the public sector?

Hypothesis 1

H₀: There will be no significant positive relationship between whistle-blowing policies and practice in the public sector.

H₁: There will be a significant positive relationship between whistle blowing policies and practices in the public sector.

Correlations

Whistle-blowing Policies Practice in the public sector

| | | | |
|--------------------------|---------------------|------|--------|
| Whistle-blowing Policies | Pearson Correlation | 1 | .363** |
| | Sig. (2-tailed) | .000 | |
| | N | 672 | 672 |

| | | | |
|-------------------------------|---------------------|--------|-----|
| Practice in the public sector | Pearson Correlation | .363** | 1 |
| | Sig. (2-tailed) | .000 | |
| | N | 672 | 672 |

** . Correlation is significant at the 0.01 level (2-tailed).

Source: Author's compilation

The results reveal that there is a positive and significant relationship between whistle-blowing mechanism and practice in the public sector. The null hypothesis is rejected and the acceptance of the alternative. Thus whistle-blowing mechanism does significantly enhance the activities and practice in the public sector.

4.1.2 Test of Hypothesis Two

Objective 2: To examine the relationship between protections of whistle-blowers and performance in the public sector.

Research Question 2: Is there a significant positive relationship between protections of whistleblowers and the performance in the public sector.

Hypothesis 2

Ho: There will be no significant positive relationship between the protections of whistle-blowers and performance in the public sector.

H1: There will be a significant positive relationship between the protections of whistle-blowers and performance in the public sector.

Correlations

Protection of whistle blowers Performance in public sector

| | | | |
|-------------------------------|---------------------|--------|--------|
| Protection of whistle blowers | Pearson Correlation | 1 | .511** |
| | Sig. (2-tailed) | .000 | |
| | N | 672 | 672 |
| Performance in public sector | Pearson Correlation | .511** | 1 |
| | Sig. (2-tailed) | .000 | |
| | N | 672 | 672 |

** . Correlation is significant at the 0.01 level (2-tailed).

Source: Author's compilation

The results showed that there is a positive and significant relationship between relationship between protection of whistle blowers and performance in public sector. The null hypothesis is rejected and the acceptance of the alternative. Thus protection of whistle blowers does significantly promote the activities and performance in the public sector.

4.1.3 Discussion of Results

This study has appraised effective whistle-blowing mechanisms in the public sector. The major findings are summarized as follows:

- (1) The analysis on our first hypothesis showed that there is a significant relationship between whistle blowing mechanism and performance in the public sector.
- (2) The second hypothesis shows that there is a strong relationship between protections of whistleblowers and the performance in the public sector.

5.0 CONCLUSION AND RECOMMENDATION

This study investigated effective whistle blowing mechanism in the public sector, using secondary and primary data. The objectives of the study include examining the relationship between protections of whistle blowers and performance in the public sector; and examining the relationship whistle blowing mechanisms in the public sector.

Furthermore the study has been able to achieve to a reasonable extents the objectives set out as the introductory part of this study. The hypothesis drawn were tested and verified to identify the different dimensions among the variable analyzed. The study therefore concludes and recommends that whistle blowing mechanisms should be effectively utilized to combat illicit activities and corruption in the public sector, and internal whistle blowing mechanisms should be encouraged more in public sector.

5.1 Contributions to Knowledge

This study makes several contributions. It gathers information about the up to date research on the effective whistle-blowing mechanisms in the public sector including the issues about the relationship that exists between effective whistle blowing and performance practices in public sector. Additionally, the paper provides direct evidence for the literature to document a significant relationship between performance in the public sector and internal whistle-blowing mechanisms. Thirdly, this research proves one aspect that: those who are charged with responsibility in public sector can promote the system, procedures and culture of whistle blowing mechanisms, and strengthen internal reporting mechanism.

Therefore, this paper will be of importance to the government's employees, managers, directors, those who are saddled with the responsibility and duties, stakeholders, potential government's employees and Nigeria companies and government at large on the fact that it will serve as a awaken call to various public sectors to appreciate the need as well as the importance of engaging in whistle blowing mechanism and practices. Finally, it will enhance government to attain her mission and targets. Also it will encourage on how to execute and apply relevant Acts and code of conducts that affect the subject matter judiciously.

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