Protecting And Promoting Whistleblowing In South Africa

DEMOCRACY WORKS FOUNDATION

THE WHISTLEBLOWER HOUSE

Co-funded by the European Union

Literature Review On The Ecosystem Of Whistleblowers In South Africa

Research Report by Democracy Works Foundation
Author: Dimakatso John Manthosi

The PPW project is led by Democracy Works Foundation, in partnership with the Whistleblower House, with co-funding by the European Union. Its outputs and convenings are the sole responsibility of Democracy Works Foundation and do not necessarily reflect the views of the European Union.

Disclaimer: AI was used to generate images, fix sentence construction, make the paper sound more formal, correct grammar, create the list of abbreviations, and order the reference list.

The Reports are made available Creative Commons license. © 2026

For more information: Visit www.democracyworksfoundation.org

Table of Contents

List of Abbreviations		**5**
List of Figures		**5**
1.	**Introduction**	**7**
2.	**Method and Limitations**	**8**
3.	**Conceptualising Whistleblowing and the Ecosystem in South Africa**	**9**
4.	**The Legislative and Institutional Framework**	**10**
4.1	National and International Anti-Corruption Frameworks and Policy Role	12
4.2	Lessons from Comparative Jurisdictions	13
5.	**The Supply and Demand Sides of Whistleblowing**	**15**
5.1	Supply Side: Factors and Barriers that Deter Disclosure	15
5.1.1	Psychological and Socio-Economic Dimensions	16
5.2	Demand Side: Societal and Institutional Needs and Responses	18
5.2.1	Technology, Digital Platforms, and Media	18
5.3	Mapping Demand Side Stakeholders and Alignment	19
6.	**Alignment and Misalignment in the Whistleblowing Ecosystem**	**20**
6.1	Power Relations and the State's Role in Whistleblower Support	20
6.2	Case Studies in South Africa	21
6.3	Consolidation of total whistleblower cases in South Africa	22
6.4	Disclosures Versus Prosecution: Power Dynamics and Systemic Mismatches	24

7.	**Recommendations for Strengthening the Ecosystem**	**24**
7.1	Legislative and Policy Reform	24
7.2	Institutional Strengthening and Organisational Reform	25
7.3	Support Structures and Incentivisation	26
7.4	Socio-Cultural and Public Awareness Initiatives	26
7.5	Multi-Stakeholder Collaboration	27
7.6	Expanding Global Best Practices for South Africa	27
8.	**Conclusion**	**28**
9.	**References**	**29**

List of Abbreviations

AGSA	Auditor General of South Africa
AI	Artificial Intelligence
CPA	Criminal Procedure Act, South Africa
CW	Corruption Watch
EU	European Union
FAQ	Frequently Asked Questions
FIC	Financial Intelligence Center
GIBS	Gordon Institute of Business Science
IACC	International Anti-Corruption Court
NACAC	National Anti-Corruption Advisory Council
NACS	National Anti-Corruption Strategy
NPA	National Prosecuting Authority, South Africa
OECD	Organisation for Economic Co-operation and Development
PDA	Protected Disclosures Act, South Africa
PIDA	Public Interest Disclosure Act (UK)
PPSA	Public Protector South Africa
PTSD	Post-Traumatic Stress Disorder
RSA	Republic of South Africa
SAHRC	South African Human Rights Commission

SAPS	South African Police Service
SARS	South African Revenue Service
UFS	University of the Free State
UJ	University of Johannesburg
UKZN	University of KwaZulu-Natal
US	United States

List of Figures[1]

Figure 4.1:	Comparative Protections Across Countries (South Africa, United States United Kingdom, European Union, Nigeria, Kenya).	**14**
Figure 5.1:	The Relationship Between Supply (Willingness of Whistleblowers) and Demand (Societal and Institutional Need)	**19**
Figure 6.1:	Illustrative Proxy Graph – Whistleblower Cases in South Africa	**26**
Table 6.2:	Proxy National figures of whistleblower cases in South Africa.	**27**

1 All Figures were created by Steven Jakie Matome (2025) using R-studios software. Data was adapted from source data from Corruption Watch (2014-2014)

1. Introduction [2]

Whistleblowing serves as an essential beacon of accountability, transparency, and ethical governance in societies around the world. In South Africa, a country deeply impacted by corruption scandals and governance challenges, whistleblowing embodies both a powerful instrument for reform and a reflection of systemic vulnerabilities within the political and institutional landscape.

This literature review forms part of a broader research and advocacy initiative aimed at strengthening whistleblower protection in South Africa. It is produced within the context of the Protecting and Promoting Whistleblowing in South Africa (PPW) project, a multi-year initiative implemented by the Democracy Works Foundation (DWF) in partnership with The Whistleblower House, with co-funding from the European Union. The project combines direct, holistic support to whistleblowers with evidence-based research and policy engagement to strengthen the legal, institutional, and social environment for whistleblowing.[2] The review contributes to the project's knowledge-building objectives by situating South Africa's whistleblowing ecosystem within existing scholarship, policy debates, and comparative practice.

Despite progressive legal frameworks and growing recognition of the importance of protecting whistleblowers, the lived experience for many individuals who expose wrongdoing remains fraught with risk, uncertainty, and isolation. A significant divide exists between the supply of individuals willing and able to blow the whistle and the demand generated by societal and institutional imperatives for transparency and accountability.

The literature review draws on selected academic research, legislative critiques, civil society reports, and international best practices to explore the tension. Building on seminal analyses by Johnson and colleagues, Radulovic, Mushwana, and others, the review seeks to deepen the understanding of South Africa's whistleblowing ecosystem, map and explore its components, constraints, and proffer recommendations for a more effective architecture.

The review proceeds from the hypothesis that South Africa's whistleblowing ecosystem is structurally misaligned, resulting in high societal demands for disclosures in response to the high prevalence of corruption due to factors such as endemic corruption juxtaposed against a constrained supply of whistleblowers. The supply of whistleblowers is systematically constrained by inadequate legal protections, weak institutional responses, socio-economic vulnerability, and entrenched power asymmetries. This misalignment not only suppresses disclosures but actively produces harm to whistleblowers, thereby undermining democratic accountability and anti-corruption efforts.

---

2 The Protecting and Promoting Whistleblowing in South Africa (PPW) project is implemented by the Democracy Works Foundation (DWF) in partnership with Whistleblower House, with co-funding from the European Union under its Human Rights and Democracy programme. The project integrates direct support to whistleblowers with research, advocacy, and policy reform initiatives aimed at strengthening whistleblower protection in South Africa.

2. Method and Limitations

A desk-based qualitative research approach was adopted for this review, drawing on a combination of academic and grey literature sources comprising legislation, case law, policy documents, and institutional reports relevant to the thematic focus of the accompanying research outputs. Sources were identified through targeted searches of academic databases, legal repositories, and the websites of relevant government departments, statutory bodies, international organisations, print media, and civil society institutions.

The review is intended to provide a contextual and analytical foundation for the reports it supports, including both the broader empirical analysis and the more focused consideration of legal and policy reform. It is designed to support applied research and advocacy objectives aligned with initiatives such as the PPW project's focus on evidence-based reform, without compromising the independence of the academic sources analysed.

Given the applied and reform-oriented nature of the research, grey literature, including research reports, policy briefs, submissions, and guidance documents were deliberately included. In areas where peer-reviewed scholarship is limited or slow to reflect evolving practice, such sources provide important insights into institutional responses, implementation challenges, and emerging reform debates. Grey sources were assessed with reference to the authority of the issuing institution, the transparency of their methodology where available, and their consistency with other sources consulted.

Certain limitations should be acknowledged. This review does not purport to be a systematic or exhaustive survey of all available literature but rather prioritises relevance and applicability to the objectives of the research outputs it informs. The availability and depth of sources vary across thematic areas, with some aspects relying more heavily on policy and institutional materials than on academic scholarship. In addition, while comparative and international sources are drawn upon where appropriate, their relevance is necessarily shaped by differences in legal frameworks and institutional contexts. The literature review should therefore be read as a structured and context-setting analysis that informs, rather than substitutes for, the detailed findings and recommendations contained in the reports.

Within this methodological framework, and mindful of the limitations noted, the concluding section draws together the literature to identify the principal themes and gaps that inform the analysis and potential directions for legal and policy reform in the reports that follow.

3. Conceptualising Whistleblowing and the Ecosystem in South Africa

Scholars have approached whistleblowing through multiple theoretical lenses, including ethical, institutional, and social identity perspectives, particularly in work by Johnson et al., Radulovic, and Uys and Radulovic. Ethical theory, particularly deontological and consequentialist traditions, frames whistleblowing as either a moral duty to truth and justice or as an act to minimise harm and maximise societal good. From a Kantian perspective, whistleblowing is an expression of moral duty irrespective of personal cost, while utilitarian reasoning highlights the broader societal benefits of disclosures.

Institutional theory situates whistleblowing within organisational cultures, emphasising how norms, structures, and incentives shape disclosure. South African organisations, often influenced by hierarchical and collectivist dynamics, may implicitly discourage whistleblowing by framing it as betrayal rather than civic responsibility. Social identity theory also plays a role, highlighting how belonging to specific groups (workplace, community, political affiliation) creates loyalty conflicts that deter individuals from exposing misconduct.

Comparative scholarship indicates that South Africa's whistleblowing challenges are not unique but align with broader trends in transitional democracies. In such contexts, whistleblowing emerges as a mechanism to consolidate democratic accountability but is constrained by entrenched patronage networks, weak institutions, and cultural ambivalence towards dissent. Situating South Africa within this global comparative frame highlights both opportunities for reform and the need for context-sensitive approaches.

Whistleblowing is defined as the act of reporting illegal, unethical, or harmful conduct witnessed within an organisation by individuals who may be employees, contractors, or associated parties. The South African definition of persons who make protected disclosures is arguably narrower than global standards. The reports can be lodged internally to management or compliance officers, or externally to regulators, media, and civil society (Johnson et al., 2022).

South Africa's whistleblowing ecosystem consists of interrelated components that must function collectively to promote safe and effective disclosure. At its core, the ecosystem contains legislative instruments like the Protected Disclosures Act, 26 of 2000, as amended (PDA), which outlines legal protections for whistleblowers. The institutional arrangements for protection include bodies such as the Public Protector South Africa (PPSA), the South African Human Rights Commission (SAHRC), and various regulatory authorities that receive and investigate disclosures. Furthermore, civil society organisations, media outlets, and advocacy groups typically function as amplifiers for whistleblower voices and critical agents in driving policy reforms. All these elements are embedded within a societal context shaped by historical legacies, political realities, and cultural norms.

Organisational culture plays a pivotal role, influencing whether employees perceive whistleblowing positively or negatively, which in turn affects their willingness to report (Barker & Dawood, 2019). Uys and Radulovic's (2023) rich historical analysis frames whistleblowing in South Africa as deeply intertwined with both the resistance to apartheid, where truth-telling often came at great personal cost, and with democratic governance efforts. This context highlights that while whistleblowing today is legally recognised, cultural stigma and institutional risks persist, often deterring individuals from coming forward.

The ecosystem, though vibrant in parts, remains fragile and vulnerable, creating a paradox between the clear societal need (demand) for whistleblowers and the persistent challenges they face in doing so. While the theoretical approaches offer valuable explanatory frameworks, the literature is notably weaker in addressing how these theories operate in contexts of extreme power asymmetry and weak institutional protection, such as South Africa. As a result, moral agency is often over-emphasised at the expense of structural constraint, obscuring the systemic adverse risks that impact whistleblowers.

4. The Legislative and Institutional Framework

The legislative architecture supporting whistleblowers in South Africa centres on the PDA (as amended in 2017) to extend its reach and clarify certain protections. The PDA offers legal safeguards for employees and contractors who make "protected disclosures" about illegal or unethical conduct and prohibits their victimisation by employers (Corruption Watch, Whistleblower's Handbook, 2025). Specifically, the law mandates confidentiality of the whistleblower's identity and protects against unfair labour practices such as dismissal or suspension due to whistleblowing.

However, multiple critiques highlight the PDA's shortcomings. Radulovic (2023) argues that the legislation remains fragmented, with coverage limited primarily to formal employees and contractors, excluding volunteers and members of the public who may possess important disclosures. The PDA also lacks clear mechanisms for ensuring whistleblower anonymity and falls short in protecting disclosures made to the media or civil society. Johnson et al. (2022) note that the duty to adhere to procedural formalities and internal escalation channels often dissuades would-be whistleblowers, especially where organisational cultures are unsupportive.

A further source of legislative misalignment arises from section 34 of the Prevention and Combatting of Corrupt Activities Act 12 of 2004 (PRECCA), which imposes a *mandatory* duty on persons in positions of authority to report specified corruption-related offences to the Directorate for Priority Crime Investigation, without affording any corresponding protection to the reporting individual. This compulsory reporting obligation sits uneasily alongside the PDA, which frames disclosure as permissive rather than obligatory and routes reports through a wider range of institutions,

thereby creating legal uncertainty for whistleblowers who hold positions of authority. In practice, PRECCA prioritises enforcement and criminal reporting over whistleblower safety, reinforcing the broader systemic pattern in which the state extracts disclosures while failing to provide coherent, enforceable protection against retaliation.

Other related legislation, such as the Companies Act of 2008, introduces certain obligations for directors and officers regarding governance and disclosure, but does not effectively extend protections to other employees or the broader whistleblowing community (Cassim, 2024). In fact, Cassim critiques the Companies Act for being largely ineffectual for whistleblower protection beyond senior management, calling for comprehensive reforms to broaden the protective scope and enforcement.

The Labour Relations Act, 66 of 1995 (LRA), and the Criminal Procedure Act (CPA) also provide complementary but often inconsistent protections. While labour laws provide for redress against unfair dismissals associated with whistleblowing, the processes are lengthy, costly, and often inadequate in the face of organisational resistance. The CPA applies when disclosures involve criminal conduct, but it frequently favours witness protection measures and is not a whistleblower-specific law, thus providing limited utility as a protective measure.

The PPSA, SAHRC, and Financial Intelligence Centre (FIC) are bodies tasked with strengthening accountability, protecting rights, and safeguarding the integrity of the financial system and possess constitutional and statutory mandates enshrining their independence. They are also tasked by virtue of the PDA to respond to whistleblower complaints. However, these bodies operate within their distinct constitutional and statutory mandates, which are not specifically designed to function as a centralised whistleblower authority. As a result, the framework created through the PDA can create practical gaps because protection is limited to persons in employment or worker relationships; procedural standards and capacity differ across the bodies; and disclosures may be referred between institutions with varying timeframes and procedures.

These bodies are, additionally, frequently constrained by limited resources and institutional design features that were not originally calibrated for comprehensive whistleblower protection functions. (SAHRC, 2024; Calitz, 2023). While these institutions continue to contribute to accountability and rights protection, the current fragmentation reflects broader legislative and systemic constraints rather than a unified whistleblower protection regime, serving as a deterrent to supply and effective, timely protection.

The SAHRC, within its rights promotion, awareness, and protection efforts, has held summits on whistleblowing, supported litigation for the protection of a vulnerable whistleblower, and developed accessible resources like its *Frequently Asked Questions on Whistleblowers* document (2024), which empowers citizens with knowledge, while simultaneously acknowledging practical hurdles

whistleblowers face in the form of delays. While the protection of whistleblowers is within the remit of bodies like the SAHRC by virtue of the reporting of complaints to such bodies envisaged in the PDA, the contestation around the limits of their power to provide actual remedial action for whistleblowers is yet to be decided through the court[3].

Civil society organisations have increasingly stepped in to address the practical and human gaps left by formal legislative and institutional frameworks. The Whistleblower House, a civil society organisation dedicated to protecting whistleblowers, provides a *Guidebook for Whistleblowers* (2025) that highlights the complexities individuals encounter when navigating this legal and institutional maze. In their experience practical guidance and emotional support that extends beyond legal protections is missing, increasing whistleblower vulnerability.

Despite the existing frameworks, Johnson et al. (2022), Radulovic (2023), and Calitz (2023) converge on the point that South Africa's current legislative and institutional protections are insufficient and require urgent, coordinated reform to maximise their effectiveness in protecting and empowering whistleblowers.

4.1 National and International Anti-Corruption Frameworks and Policy Role

South Africa's policy response to endemic corruption includes the National Anti-Corruption Strategy 2020-2030 (NACS) and the establishment of associated bodies like the National Anti-Corruption Advisory Council (NACAC). These policy interventions aspire to enhance transparency, integrity, and accountability, with the acknowledgement of the need for strengthened whistleblower protections as a key driver to achieve necessary reforms. They articulate commitments to legislative reforms, institutional strengthening, and public awareness.

The strategy highlights the importance of institutional capacity-building but reveals implementation gaps that diminish practical effectiveness. The NACAC advises on policy coherence and cross-agency coordination but has limited in enforcement powers. Civil society critiques highlight that without systemic change and political will, policy ambitions will remain aspirational.

Internationally, the growing call for an International Anti-Corruption Court (IACC) aims to facilitate transnational prosecution of corruption cases, enhancing accountability and protection for whistleblowers operating in complex, cross-border cases. South Africa's engagement with such initiatives could supplement domestic efforts toward focused protection for whistleblowers.

3 The remedial powers of the SAHRC were central to litigation raised in the hearing before the Constitutional Court of South Africa in SAHRC v Agro Data CC and Another, CCT 264/24, heard on 25 November 2025. Judgement is yet to be handed down.

4.2 Lessons from Comparative Jurisdictions

Globally, several jurisdictions offer models that South Africa could adapt. The United States' *Whistleblower Protection Act* (1989) and subsequent Dodd-Frank reforms introduced strong protections, including financial incentives for disclosures relating to corporate fraud.[4] The United Kingdom's *Public Interest Disclosure Act (PIDA)* of 1998 provides expansive definitions of protected disclosures and has influenced Commonwealth countries, though it too faces critiques for limited enforcement. The European Union's Whistleblower Directive (2019) mandates member states to establish secure internal and external reporting channels, while also requiring strong measures against retaliation.[5]

Closer to Africa, Nigeria's *Whistleblower Policy* (2016) offers financial rewards for individuals who expose corruption, leading to significant asset recoveries. However, critics highlight weak follow-up protections in cases against retaliation. Kenya's *Anti-Corruption and Economic Crimes Act* 3 of 2003 introduces progressive whistleblower protection provisions, though implementation remains uneven (National Whistleblower Center, 2021; Xono, 2022; LHL Law, 2021).

In addition to national legislative models, regional African instruments provide an important normative framework. The African Union Convention on Preventing and Combating Corruption (2003) expressly requires States Parties to adopt legislative and other measures to protect informants and witnesses in corruption cases, including protection against retaliation and victimisation (Article 5(6)). Similarly, the SADC Protocol Against Corruption (2001) obliges member states to ensure appropriate protection for persons who report acts of corruption in good faith, thereby embedding whistleblower protection within regional anti-corruption commitments.

The comparative analysis reveals that while several jurisdictions have adopted stronger protections that provide opportune areas for reform in South Africa, legislative reforms in themselves are not a panacea. Effectiveness depends less on legislative breadth than on enforcement capacity, political will, and the availability of independent support mechanisms, areas where South Africa remains deficient.

---

4 University of Johannesburg, n.d.b. *The protection of whistleblowers in South Africa and United States of America*. Available at: https://uj content.uj.ac.za/esploro/outputs/graduate/The-protection-of-whistleblowers-in-South/9955402107691 (Accessed: 15 February 2026).

5 Helen Suzman Foundation (HSF), 2018. *Whistle-blower protection: does South Africa match up? Part II*. Available at: https://hsf.org.za/publications/hsf-briefs/whistle-blower-protection-does-south-africa-match-up-part-ii (Accessed: 15 February 2026).

Xono, 2022. Whistleblowing regulatory guide: compliance in UK, EU & South Africa. Available at: https://www.xono.online/blog/whistleblowing-regulatory-guide-uk-eu-south-africa.html (Accessed: 15 February 2026); and, LHL Law, 2021. Protected disclosures: an international perspective – safeguarding the public interest. Available at: https://lhllaw.co.za/2021/04/30/protected-disclosures-an-international-perspective-safeguarding-the-public-interest/ (Accessed: 15 February 2026).

Regional examples demonstrate that while the region is moving towards stronger protections, reforms are inconsistent, and implementation faces diverse challenges.[6] Figure 4.1 below compares the level of whistleblower protections across selected countries in the global north to those in Africa[7]. A conservative level of protection between African states and those in the global north is evident, with South Africa demonstrating the least protections for whistleblowers.

Figure 4.1: *Comparative Protections Across Countries (South Africa vs USA, UK, EU, Nigeria, Kenya*

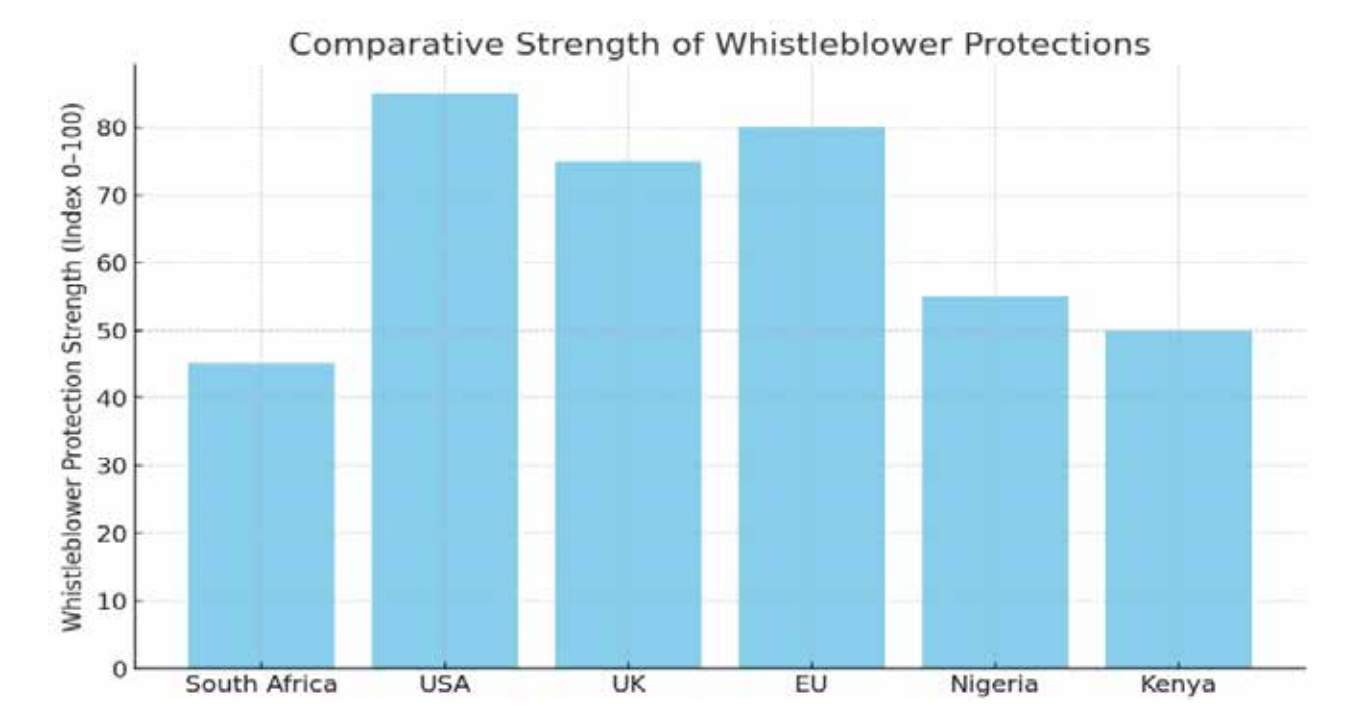


Figure 4 presents a comparative index of whistleblower protection strength across several regions, including South Africa, the United States, the United Kingdom, the European Union, Nigeria, and Kenya. Multiple legal and institutional factors are summarised into a single comparative measure to provide a visual comparison of how supportive different systems are toward whistleblowers. The chart suggests that stronger legal frameworks tend to exist in some regions, while others face gaps in enforcement or safeguards, providing context for why reporting levels may differ across countries.

A consideration of the comparative protections suggests that the protections adopted in several jurisdictions could prove feasible for South African reforms. The information suggests that South

6 National Whistleblower Center, 2021. *Whistleblower laws around the world*. Available at: https://www.whistleblowers.org/whistleblower- laws- around-the-world/ (Accessed: 15 February 2026). And, University of Johannesburg, N.B.A. *A comparative analysis of the legislative frame work governing whistleblower protection*. Available at: https://ujcontent.uj.ac.za/esploro/outputs/graduate/A-comparative-analysis-of-the-legislative/9956001907691 (Accessed: 15 February 2026).

7 International Bar Association, Government Accountability Project: Are whistleblowing laws working? A global study of whistleblower protection litigation, 2021. Accessible at: Are-Whistleblowing-laws-working-REPORT.pdf

Africa's whistleblower protection framework is comparatively underdeveloped relative to those in the global North and, lags in key respects behind emerging African reform efforts. The PDA would benefit from expansion to cover all persons (not only employees and contractors), through the creation of an independent whistleblower agency, and by embedding mandatory reporting systems within organisations. Harmonising South African law with international best practices could have the additional advantage of facilitating cross-border cooperation in corruption cases, deepening whistleblower confidence to support detection and deterrence of globalised financial crime offences.

5. The Supply and Demand Sides of Whistleblowing

This section examines the whistleblowing ecosystem through a supply and demand lens. On the supply side, it interrogates the factors that enable or constrain individuals' willingness and ability to disclose wrongdoing. On the demand side, it analyses the extent to which societal, institutional, and technological actors rely on, respond to, and sustain whistleblowing as a mechanism of accountability. Read together, these dynamics reveal that while the demand for disclosures is high, the enabling conditions required to sustain supply remain weak and fragmented.

5.1 Supply Side: Factors and Barriers that Deter Disclosure

The supply side of whistleblowing concerns the availability of individuals who are both willing and able to disclose wrongdoing despite the risks involved. International research consistently shows that whistleblowing decisions are shaped by a combination of psychological, organisational, and contextual factors (Chen, 2021). These include ethical orientation, perceived seriousness of wrongdoing, trust in reporting channels, expectations of retaliation, and beliefs about whether disclosure will lead to meaningful action.

In the South African context, these factors operate within an environment marked by high levels of corruption and deep institutional mistrust. Johnson et al. (2022) observe that many South African whistleblowers are motivated by strong ethical commitments and a sense of civic duty. However, this intrinsic motivation is frequently undermined by organisational cultures that normalise silence and punish dissent. Barker and Dawood (2019) conceptualise this tension as a conflict between loyalty to the organisation and loyalty to the public good, noting that whistleblowers are often socially framed as traitors rather than ethical actors.

Fear of retaliation emerges as one of the most significant supply constraints. Radulovic (2023) documents patterns of occupational retaliation, reputational damage, economic exclusion, and threats to physical safety faced by whistleblowers. For some whistleblowers, particularly those in senior or accounting roles, disclosure is experienced not as a protected choice but as a coercive

obligation accompanied by heightened personal and professional risk, reinforcing fear rather than confidence in reporting systems. Bjørkelo and Matthiesen (2023) further demonstrate that retaliation has long-term psychological and social consequences, extending well beyond the workplace and often persisting after formal disputes are concluded. Similarly, internal organisational reporting systems often lack independence and credibility, further discouraging disclosure (Ethics Institute, 2020) and heightening real or perceived risks of retaliation.

Economic vulnerability intensifies these risks faced by whistleblowers. In a labour market characterised by high unemployment, inequality and poverty, whistleblowers who lose employment face severe barriers to re-employment and financial recovery. The absence of financial buffers, legal aid, and structured reintegration pathways means that disclosure can result in prolonged socio-economic marginalisation (Corruption Watch, 2025; Whistleblower House, 2025). These conditions substantially suppress supply, particularly among lower-income workers and those in insecure employment.

Recent civil society initiatives combining legal, psychosocial, and financial support for whistleblowers illustrate emerging responses to these gaps, though their reach remains limited relative to the scale of need. Civil society organisations such as Corruption Watch, the Open Democracy Advice Centre, and Whistleblower House play a critical intermediary role by providing advice, advocacy, and limited support. However, their reach and the extent of support they can provide is constrained by resource limitations and weak integration with formal state protection mechanisms (Johnson et al., 2022).

Taken together, these factors demonstrate that whistleblowing supply in South Africa is not constrained by a lack of ethical motivation, but by predictable and systemic risks. In the absence of improved and credible protection, financial security, and institutional follow-through, willingness to disclose is suppressed, reinforcing silence despite awareness of wrongdoing.

5.1.1 Psychological and Socio-Economic Dimensions

Beyond institutional barriers, whistleblowing imposes profound psychological costs. Empirical studies liken the experience to occupational trauma, with whistleblowers frequently reporting anxiety, depression, social isolation, and symptoms consistent with post-traumatic stress disorder. In South Africa, these harms are amplified by socio-economic vulnerability, where job loss cascades into housing insecurity, healthcare exclusion, and long-term professional marginalisation.

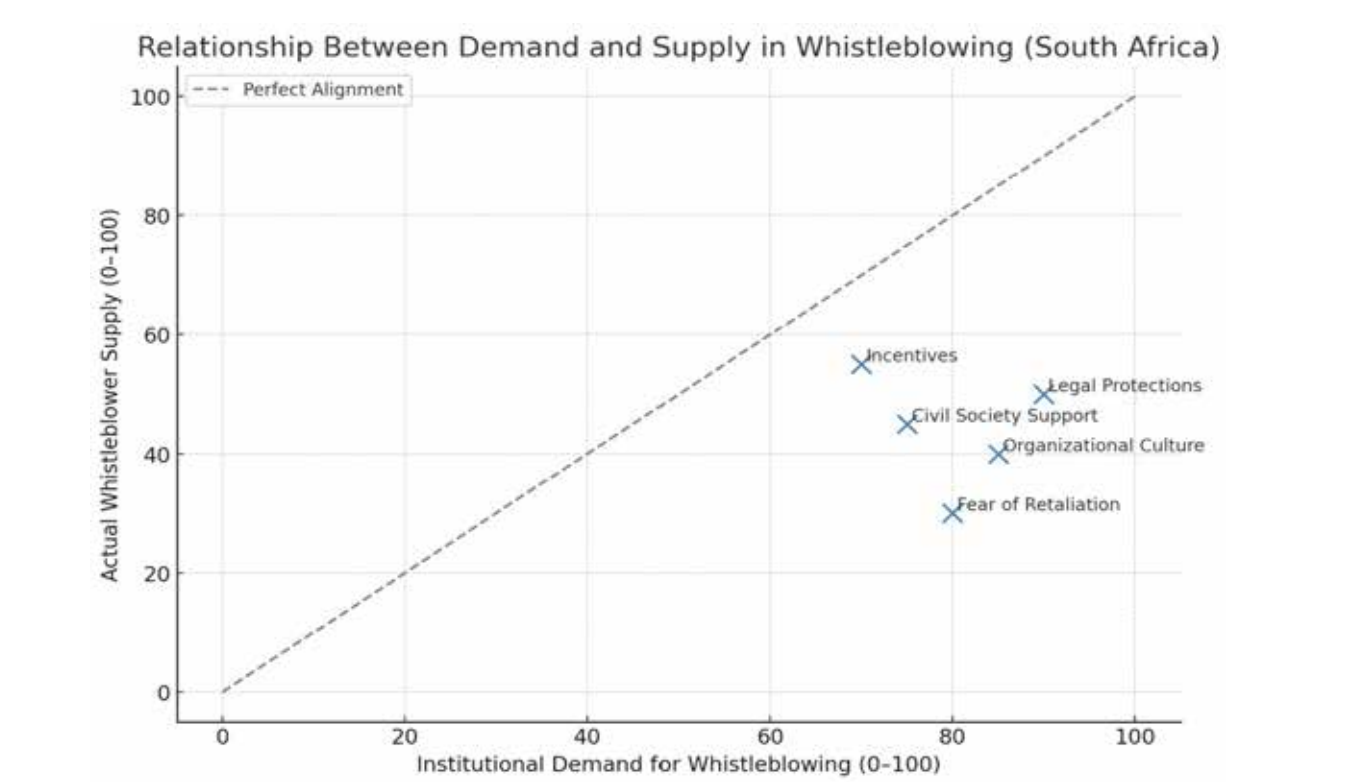
Intersectional vulnerabilities further constrain supply. Gendered workplace norms can intensify retaliation against women whistleblowers, who are more likely to be dismissed as “disruptive” or “disgruntled” (Gender Links, 2021). Care responsibilities and income dependency compound

these risks. Persons with disabilities suffer compounded risks as retaliation exacerbates existing inequalities, high unemployment, and socio-economic exclusion. Similarly, early-career professionals face disproportionate consequences, as exclusion from professional networks can permanently foreclose career pathways.

These psychological and socio-economic dimensions confirm that whistleblowing is not merely an ethical action, but a decision informed by known and perceived risk. Supply constraints are therefore deeply embedded in South Africa's labour market, social protection gaps, and gendered and disability power relations, reinforcing the systemic imbalance between disclosure demand and whistleblower safety.

The comparative relationship between the actual supply of whistleblowers and institutional claims of demand for whistleblowing in South Africa is shown in Figure 5.1 below.

Figure 5.1: *The relationship between supply (willingness of whistleblowers) and demand (societal/institutional need)*



The dashed diagonal line represents perfect alignment, where demand and supply are equal. Therefore, Figure 5.1 highlights that although institutions officially support whistleblowing, the actual response from individuals is lower. Systemic gaps between policy intentions and tangible outcomes may explain why formal intention does not translate into a meaningful supply of whistleblowers.

5.2 Demand Side: Societal and Institutional Needs and Responses

On the demand side, whistleblowing is indispensable to detecting corruption and unlawful conduct that evades conventional oversight mechanisms. State institutions, regulators, civil society, and the media depend heavily on insider disclosures to expose complex and concealed wrongdoing (Calitz, 2023). This reliance has intensified in response to persistent governance failures and high-profile corruption scandals.

However, institutional responses to disclosures are often hesitant, delayed, or politically constrained. While demand for information is high, the absence of swift investigations, prosecutions, and visible accountability creates a feedback loop in which whistleblowers bear risk without corresponding institutional action. This undermines trust and further suppresses supply.

Civil society and investigative media play a critical role in sustaining demand by amplifying disclosures and mobilising public pressure. Yet these actors operate in legally and ethically precarious spaces, particularly where source protection is uncertain or where disclosures intersect with powerful political interests (Mail & Guardian, 2021).

Public sentiment, shaped by the proceedings in the Zondo Commission and Transparency International (Transparency International, 2021) surveys, reflects strong expectations of accountability. However, repeated failures to protect whistleblowers or prosecute perpetrators erode confidence in the whistleblowing system itself.

Demand for whistleblowing in South Africa is therefore intense but met with an inadequate response. Institutions rely on disclosures while failing to institutionalise protection, producing a system that consumes whistleblower information without sustaining whistleblowers themselves.

5.2.1 Technology, Digital Platforms, and Media

The digital era introduces new opportunities for supply but also poses risks for whistleblowing. Digital technologies have expanded the channels through which demand for whistleblowing is expressed. Online reporting platforms, social media, and investigative journalism accelerate exposure and public engagement. However, digital visibility also heightens risk, particularly in contexts of weak cybersecurity, retaliation, and pervasive surveillance.

Secure digital reporting platforms, such as encrypted hotlines and blockchain-based systems, are being piloted globally to safeguard anonymity. In South Africa, civil society groups like Corruption Watch have begun experimenting with online reporting tools to strengthen supply, though limited internet access in rural areas constrains their reach.

Cybersecurity is a contemporary critical concern, as breaches can expose whistleblowers' identities, significantly increasing the risk of harm. The increasing use of surveillance technologies by both state and private actors heightens this vulnerability. Ensuring that whistleblowing platforms are both accessible and technologically secure is therefore paramount.

Artificial intelligence (AI) and data analytics hold potential for enhancing and supporting institutional demand for disclosures. Algorithms can flag irregular financial transactions or procurement anomalies, complementing whistleblower reports with systemic oversight. However, scholars caution that overreliance on AI may reduce the perceived value of human disclosures and shift focus away from protecting individuals.

The media's role also evolves in this context, as digital platforms amplify whistleblower stories, triggering robust national debates within hours. Yet this immediacy is not without risks of the premature exposure of whistleblowers' identities, misinformation, followed by defamation suits. Ethical frameworks for journalists covering whistleblower stories remain underdeveloped in South Africa, underscoring the need for collaboration to create robust protection protocols and safeguard sources.

Technology undoubtedly amplifies demand and supply, but it does not resolve structural protection deficits. Without secure systems and enforceable safeguards, digital whistleblowing may increase exposure without increasing safety. While artificial intelligence and data analytics offer tools to supplement detection, they do not replace the need for human disclosures and may inadvertently obscure the moral and protective obligations owed to whistleblowers.

5.3 Mapping Demand Side Stakeholders and Alignment

The demand-side ecosystem includes state oversight bodies, policy institutions, civil society, media, and the private sector. While these actors nominally share accountability goals, coordination remains uneven, and enforcement authority in oversight bodies is inconsistent.

- **State Institutions:** PPSA, SAHRC, FIC Centre, National Prosecuting Authority (NPA), and the Auditor-General of South Africa (AG). These entities investigate disclosures, raise awareness, and uphold accountability, but are not all empowered to provide optimal redress.
- **Policy and Advisory Bodies:** NACS 2020-2030 outlines strategic priorities for fighting corruption, including strengthening whistleblowing. The NACAC advises on policy but lacks enforcement powers.
- **Civil Society:** NGOs such as Corruption Watch, Open Democracy Advice Centre, and Whistleblower House provide support, conduct advocacy, and monitor institutional responses.

- **Media:** Investigative journalism platforms like the Mail & Guardian and News24 amplify whistleblower cases and engage public opinion.
- **Private Sector:** Companies and sectoral associations responsible for internal compliance and ethics programs.

While these actors share a commitment to accountability, their alignment varies. This uneven alignment supports the core thesis that demand for whistleblowing is persistent and wide, but that supply is fraught with individually borne, weakly protected and subject to structurally complex, discouraging systems. While the NACS 2020-2030[8] provides a comprehensive anti-corruption framework emphasising whistleblower protection, it faces challenges in implementation. NACAC's advisory role may potentially lead to synchronised efforts but the adoption of its recommendations ultimately depends on political will.[9]

6. Alignment and Misalignment in the Whistleblowing Ecosystem

Broadly, there is consensus on the value of whistleblowing in combatting corruption and supporting good governance. The formal South African ecosystem comprising legislation such as the PDA and the Companies Act establishes a foundation albeit with varied levels of implementation, causing civil society and some private sector actors to fill the lacunas in implementation to strengthen support and supply. (Corruption Watch, 2023; Business Leadership South Africa, 2020). The compulsory reporting duty imposed by section 34 of the PRECCA illustrates a core misalignment within the ecosystem where the state mandates disclosure in the public interest but fails to align that obligation with coherent, enforceable protection or institutional support for those who comply.

Yet, as Radulovic (2023) and Johnson et al. (2022) emphasise, there is a substantial misalignment between formal legislative intent and practical protections. The legal framework remains fragmented, enforcement is weak, and protections are insufficiently comprehensive. Organisational and social cultures may oppose whistleblowing, stigmatising whistleblowers, and discouraging reporting. Retaliation is common, and support infrastructure is underdeveloped or inaccessible, while incentives for whistleblowing remain absent or inadequate. These factors deepen misalignment and gravely constrain supply despite robust demand.

6.1 Power Relations and the State's Role in Whistleblower Support

Whistleblowing dynamics are deeply influenced by power asymmetries between employers and employees, within the socio-economic and political system. The state's ambivalence or reluctance

8 https://anticorruption.gov.za/reports

9 An expanded resource list of stakeholders in the Whistleblower ecosystem, developed by Democracy Works Foundation, is accessible from: insert weblink

to protect whistleblowers reflects entrenched interests aligned with corrupt networks (Radulovic, 2023). Where political will is lacking, whistleblowers face further marginalisation. Corruption Watch reports several instances where whistleblower protections were contested, exposing the complexities of breaking the cycle of impunity rooted in power structures. For example, whistleblower Athol Williams, a former senior partner at Bain & Company, who testified at the Zondo Commission about the role of the firm in state capture, was forced into exile in the United Kingdom for want of adequate support and protection despite legal protections[10]. His experience illustrates how individual whistleblower protections, despite their existence, are often contested or ineffective when powerful interests are at stake, highlighting the systemic barriers to accountability when the ecosystem is weak.

6.2 Case Studies in South Africa

The lived experiences of whistleblowers drawn from media and civil society in South Africa illuminate systemic misalignments (Mail and Guardian, 2021 and other national media reports; Platform to Protect Whistleblowers in Africa (PPLAAF), 2025). The cases, although not typically reflected in literature reviews, are included here (in the absence of clear datasets) to provide context (Corruption Watch, 2025, 'SA whistleblowers face retaliation and murder') to the visual representation in Figure 6.1 below.

- **Babita Deokaran Gauteng Health Department (PPE Tenders):** The case of whistleblower Babita Deokaran, a senior official at the Gauteng Department of Health, elicited national outrage following her murder in 2021. She blew the whistle on procurement fraud amounting to over R332 million. While 6 perpetrators received life sentences for her murder, public pressure for disclosure of the person/s who ordered the hit remains unanswered. Her case is commonly regarded as the trigger which catalysed national calls for legal reforms and stronger protections for whistleblowers.[11]
- **Bianca Goodson (Trillian Capital, State Capture):** Goodson revealed corruption linked to state capture yet faced career derailment and personal threats despite her critical role[12].
- **Mosilo Mothepu (Trillian):** Endured reputational damage and years of litigation, highlighting how whistleblowing often results in prolonged personal cost rather than institutional reform[13].

---

10 News24 online: https://www.news24.com/southafrica/news/whistleblower-athol-williams-im-in-danger-and-i-dont-know-where-it-will-come-from-20220108 (accessed on 25 August 2025).

11 Why Babita Deokaran was killed: Calls for protection of whistleblowers at documentary premiere | News24 special investigation online: https://specialprojects.news24.com/silenced/index.html

12 https://scindeks.ceon.rs/Article.aspx?artid=0354-88722303062R&utm_source=chatgpt.com

13 State-Owned Enterprises Paid Trillian Financial Advisory without Signed Contracts - Parliament of South Africa

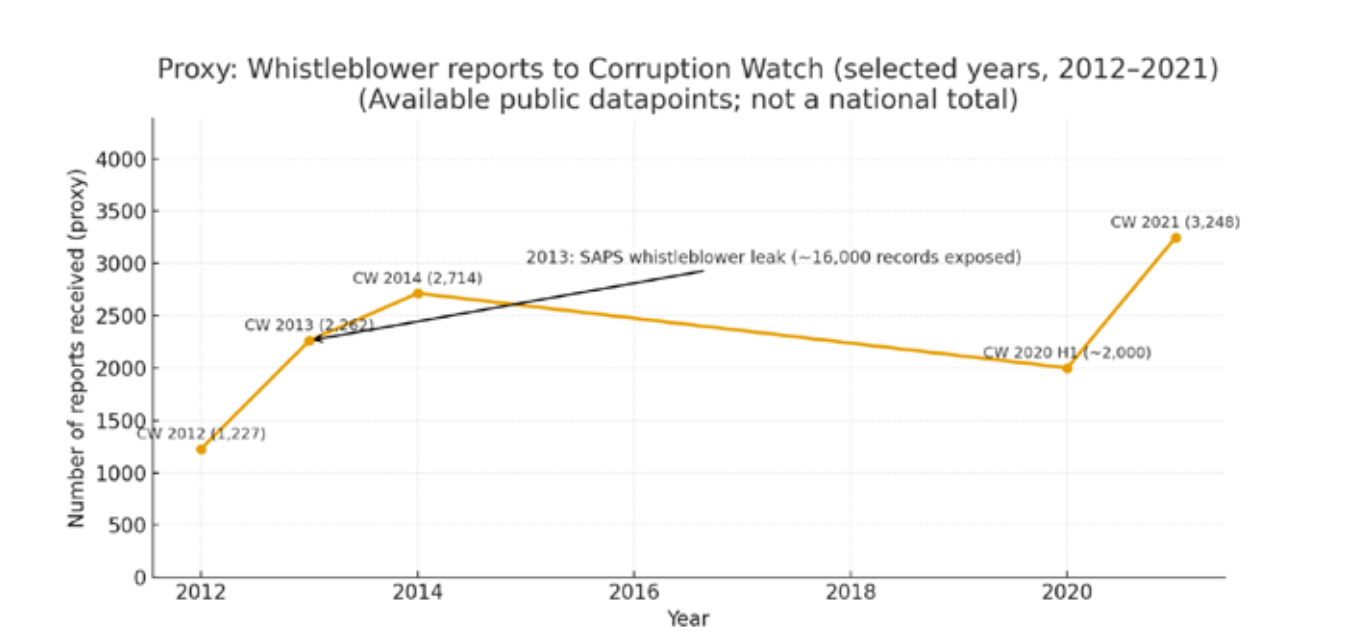
- **Eskom whistleblowers** exposed procurement irregularities involving politically connected companies. Their disclosures helped spark investigations, but many whistleblowers in the group experienced retaliation and marginalisation[14].
- **SARS "rogue unit"** disclosures show how whistleblowing can be weaponised in political battles, emphasising the need for impartial investigative bodies[15].
- **Steinhoff scandal** revealed massive corporate fraud, where internal alarms were ignored until collapse, costing investors billions and demonstrating the dangers of disregarding whistleblowers[16].

These cases illustrate a recurring pattern where whistleblowers who act in the public interest endure the most consequences when institutions fail to respond consistently and effectively. The gap between societal demand for transparency and the actual protection afforded to whistleblowers seen through recent cases, clearly remains wide.

6.3 Consolidation of total whistleblower cases in South Africa

The absence of a consolidated national dataset of whistleblower cases in South Africa is itself an indicator of institutional fragmentation within South Africa's whistleblowing ecosystem. Figure 6.1 shows the change in whistleblower activity in South Africa between 2012 and 2021 using Corruption Watch reports against public data.

Figure 6.1: Illustrative Proxy Graph-Whistleblower Cases in South Africa



14 Eskom's ongoing collaboration with law enforcement leads to six arrests for procurement fraud - Eskom

15 Rogue unit played by its own rules

16 South Africa regulator levies record fine for individual against former Steinhoff chief

NOTE: *No public national dataset that lists the number of whistleblower cases in South Africa was available for any given year between 2008 and 2024. Data for Figure 6-1 and Table 6-2 are indicative of the fragmented nature of reports. In the current scenario, various organisations (government hotlines, the Special Investigating Unit, Corruption Watch, SAPS portals, etc.) publish partial counts for the reports they receive, together with information from scholarly work, media reports of high-profile cases, a proxy graph has been generated. Table 6.2 records the year-on-year South African cases according to source (Corruption Watch, 2022; Corruption Watch, Annual Report 2024; Platform to Protect Whistleblowers in Africa, 2025; Special Investigating Unit (n.d.); Public Protector South Africa, n.d.).*

The upward trend between 2012 and 2014 suggests growing public willingness or ability to report corruption, while the decline by 2020 may reflect reduced trust, reporting barriers, or institutional changes. The annotated 2013 leak of an estimated 16 000 SAPS records highlights how major public events also influence reporting patterns and awareness. Overall, the graph illustrates that whistleblowing is dynamic and sensitive to social and institutional contexts, making time series analysis useful for identifying shifts in accountability behaviour.

Table 6.2: *Proxy National Figures of Whistleblower Cases in South Africa*

Year	Figure (what it measures)	Source / Note
2008 – 2011	No national consolidated public statistic totals found	Multiple agencies publish separate logs, no single published national series. (corruptionwatch.org.za)
2009	Moss Phakoe (whistleblower) killed — documented case of lethal harm	PPLAAF / NGO reporting. (PPLAAF)
2012	~1,227 reports to Corruption Watch (first year of CW reporting)	CW / analyses. (ETH Zurich Files)
2013	~2,262 (CW / media summary for 2013) + 2013 SAPS leak (~16,000 records exposed, dating back to 2005)	CW / News24; Wired coverage of SAPS leak. (News24, WIRED)
2014	2,714 reports to CW (annual report)	CW AR2014. (corruptionwatch.org.za)
2015 – 2019	Partial CW / agency counts exist in annual reports (varies year by year)	See CW annual reports & SIU/PSC reports (links available). (corruptionwatch.org.za, siu.org.za)
2020	~2,000 reports to CW (first half of 2020; COVID spike)	CW AR2020. (corruptionwatch.org.za)
2021	3,248 reports to CW (2021)	CW/ secondary analyses. (scholar.ufs.ac.za)
2022 – 2024	CW & other agency annual reports published — numbers available in those reports but not aggregated nationally here	CW has ARs 2022–2024 available on their site. (corruptionwatch.org.za)

6.4 Disclosures Versus Prosecution: Power Dynamics and Systemic Mismatches

The mismatch between the relative volume of whistleblower disclosures and the low rate of prosecution of corrupt actors or protections for whistleblowers, observed across public and private sectors, is well documented. The known cases of successful prosecution are even fewer, with little or no data on other categories of breaches disclosed by whistleblowers. Typically, most media investigations report on whistleblowers who suffer reprisals in cases that implicate powerful actors who evade accountability.

For example, a whistleblower who exposed procurement irregularities at a major state-owned enterprise faced victimisation, while investigations languished (News24 article). Such cases illustrate the asymmetry of power between whistleblowers, typically vulnerable employees, and elite actors protected by political and economic networks. Even in cases where the whistleblower is a person of authority, the misalignment is underscored by the absence of evidence that section 34 of the PACCAA has been meaningfully enforced or has translated into consistent prosecution outcomes, reinforcing perceptions that disclosure obligations are imposed without corresponding institutional accountability.

Apart from the general challenges that beset prosecution, resulting in delays and unsuccessful outcomes, individual whistleblowers must frequently face the impact of powerful resistance and retaliation at personal levels for protracted periods of time. This discrepancy reflects deep-rooted patronage systems and institutional weaknesses where accountability mechanisms through misalignment are largely impeded, discouraging supply, increasing demand, but entrenching impunity.

7. Recommendations for Strengthening the Ecosystem

The literature converges on the need for a multi-dimensional reform agenda which addresses legal and institutional scope and capacity, socio-cultural norms and holistic support for whistleblowers. The reforms should be mutually reinforcing, specific and actionable, thereby avoiding a narrow structural reform approach which would do little to meaningfully strengthen supply and deter unlawful activity.

7.1 Legislative and Policy Reform

South Africa should prioritise the enactment of comprehensive whistleblower protection legislation that consolidates and strengthens existing fragmented protections. While amendments to the PDA have extended coverage, the literature consistently identifies enduring gaps that continue to

expose whistleblowers to retaliation and harm. Ready areas for reform would include expanded definitions, confidentiality guarantees, formal recognition of anonymous reporting, reverse burden of proof in retaliation cases, and criminal sanctions for victimisation (OECD, 2023; Radulovic, 2023; Corruption Watch, 2023, *Submissions on proposed reforms*). The Whistleblower Protection Bill under consideration represents a key opportunity for such reforms to be integrated.

South Africa's reform trajectory must also be understood within the context of its regional obligations. As a State Party to the African Union Convention on Preventing and Combating Corruption and a member of the Southern African Development Community (SADC), South Africa has undertaken commitments to protect persons who report corruption in good faith. Aligning domestic whistleblower reform with these regional instruments would reinforce both constitutional accountability imperatives and Africa-wide anti-corruption standards.

Strong, clear, and comprehensive whistleblower legislation is foundational. However, legal reform must be coupled with resourcing and capacity-building for enforcement agencies and judicial bodies to translate laws into meaningful protections (Radulovic, 2023) in practice. Without credible enforcement, strengthened laws risk reproducing the current gap between supply and demand, and formal rights and lived experience.

7.2 Institutional Strengthening and Organisational Reform

A recurring recommendation across the literature is the establishment of a single, independent whistleblower protection authority. Such an entity would centralise intake, protection, investigation, support services, monitor, manage and publish data, and policy coordination functions currently dispersed across multiple institutions. The current dispersal of responsibilities across multiple institutions contributes to confusion, delay, and inconsistent outcomes for whistleblowers.

Crucially, this body must be politically independent, adequately resourced, and subject to strong accountability safeguards (Johnson et al., 2022; Whistleblower House, 2025). International experience demonstrates that whistleblower agencies fail where they are structurally subordinated to executive or political interests. Independence, transparency, and public trust are therefore foundational design requirements rather than optional features.

At the organisational level, both public and private institutions should be required to implement trusted, regularly audited whistleblowing mechanisms, supported by leadership commitments to non-retaliation alongside organisation-wide ethics training to help restore trust and reduce stigma (The Ethics Institute, 2020; Calitz, 2023). Internal systems that exist only to manage risk or shield senior management actively undermine whistleblowing and must be reformed.

Arguments for the creation of a dedicated whistleblowing agency, which will consolidate functions, provide a trusted point of contact, and coordinate support services, are persuasive. Political independence and sustainable funding are vital (Johnson et al., 2022). Furthermore, support through multi-sectoral legal, financial, and psychosocial funds will mitigate against chilling individual cost barriers. Such oversight mechanisms are crucial to prevent abuse and ensure sustainability (Open Democracy Advice Centre, 2022).

In developing economies like South Africa, arguments against the proliferation of regulatory bodies could strongly be countered by the cost of corruption, unlawful conduct, independent quasi-judicial bodies, and impacts to whistleblowers. These efforts would advance efforts to better align the existing ecosystem.

7.3 Support Structures and Incentivisation

Establishing a legally backed and financially independent fund to provide dedicated resources like legal aid, psychosocial counselling, and economic relief to whistleblowers subjected to retaliation is critical (Open Democracy Advice Centre, 2022; Corruption Watch, 2023) for a sustainable, holistic ecosystem. Financial and reputational incentives, carefully crafted and monitored, could improve reporting rates and harness whistleblowers' full potential for governance reform (Mushwana, 2025).

The features proffered above are not unique and have begun to feature in comparative frameworks reflected earlier in this review. Their adoption will vastly enhance the whistleblowing ecosystem, increase confidence in it, heighten public trust, and assure its sustainability. Additionally, a commitment to holistic reforms that place individual whistleblowers at the centre of considerations is likely to lessen impunity.

7.4 Socio-Cultural and Public Awareness Initiatives

Sustained awareness and education initiatives tailored to South African cultural and socio-economic specificities can reshape perceptions, framing whistleblowing as an act of courage and civic responsibility rather than betrayal (Johnson et al., 2022; Corruption Watch, 2023, *Whistleblower's handbook*). Attention to gender and intersectionality is essential to ensure inclusive and trauma-informed support services (Gender Links, 2021).

The consensus that sustained public education and cultural change initiatives are essential responses to address misalignment, deterrence, and confidence-building is key to the success of an optimal ecosystem. Awareness agendas should pay particular attention to vulnerabilities from a gendered, racialised, disabilities and class-based lens for relevance and inclusivity. Embedding whistleblower education within professional training, public service induction, and tertiary education can contribute to longer-term norm change, normalising ethical disclosure and uptake.

7.5 Multi-Stakeholder Collaboration

Strong partnerships between government, civil society, media, and private sector contribute to a cohesive and resilient whistleblowing environment, minimising duplication and amplifying impact (Corruption Watch, 2023; Open Secrets, 2021).

Integrated project-based models that link direct whistleblower support with research, advocacy, and policy engagement demonstrate the potential value of coordinated multi-actor approaches in addressing fragmentation within the ecosystem.

Research and monitoring should remain ongoing to refine approaches and policies as the ecosystem evolves (Chen, 2021). Carefully designed financial and reputational incentives increase disclosure rates but carry risks of exploitation, requiring strict procedural safeguards (Mushwana, 2025).

An all-of-society approach is central to effective enforcement, protection, transparency, and good governance. However, the current fragmentation of roles, weak data integration, and limited monitoring capacity significantly constrain coordinated action. Ongoing research, monitoring, and public reporting are essential to ensure that reforms remain responsive to emerging risks, including digital surveillance, transnational corruption, and political interference. Without continuous evaluation, even well-designed reforms risk erosion over time. The current fragmentation, poor information management and monitoring, evidenced by the absence of clear statistical case information as one example, provide serious impediments to research, planning and reporting necessary for a strong, resilient ecosystem.

7.6 Expanding Global Best Practices for South Africa

International best practice suggests a multi-layered approach to protection for whistleblowers.

The OECD (2023) recommends embedding whistleblower protection into broader anti-corruption and corporate governance frameworks, ensuring alignment with procurement reforms, political finance regulation, and public service accountability. The US Office of Special Counsel is a central independent whistleblower authority, while the EU Ombudsman system is equipped with investigative, protective, and educational mandates. Whistleblower protection funds, already piloted in Europe, offer financial relief during litigation and unemployment.

Global networks such as Transparency International and the Government Accountability Project underscore the importance of transnational solidarity, particularly where whistleblowers expose cross-border corruption or illicit financial flows. South Africa's integration into these networks would not only strengthen domestic frameworks but also enhance its efforts and credibility in international governance and anti-corruption efforts.

Globally, different jurisdictions and regional bodies have moved to embrace reforms in recognition of the critical value of disclosure. Their efforts reflect a clear recognition of the need to strengthen supply by deepening practical protections for whistleblowers, heightening awareness, encouraging a culture shift, and resourcing the ecosystem. As South Africa moves toward reducing misalignment and strengthening the current ecosystem, several opportunities for reform may be viable, from the range of reforms in place globally and in the region, to opportunities for public-private compacts.

8. Conclusion

The literature review demonstrates that South Africa's whistleblowing ecosystem is characterised by a persistent structural imbalance between high societal and institutional demand for accountability and a constrained supply of adequately protected whistleblowers. The ecosystem's fragility arises from legislative insufficiencies, institutional weaknesses, socio-cultural stigmas, economic vulnerabilities, and power asymmetries.

Key findings stress the need for comprehensive legal reform aligned with international standards, the establishment of an independent and empowered central agency, robust whistleblower support systems, and culturally attuned public education. The inherent risks associated with these reforms, including possible political resistance and misuse of incentives, must be acknowledged and managed to maintain integrity.

By addressing these ecosystem challenges in an integrated manner that is technically feasible and socially grounded, South Africa can foster a whistleblowing culture that protects those who speak truth to power and strengthens democratic governance. Insights from Johnson et al. (2022), Radulovic (2023), OECD (2023), Mushwana (2025), alongside South African civil society and institutional reports, collectively emphasise a holistic approach as essential for unlocking whistleblowing's transformative potential in advancing democracy and fighting corruption in South Africa's challenging context.

9. References

African Union (2003) *African Union Convention on Preventing and Combating Corruption*. Maputo: African Union.

Barker, C. & Dawood, S. (2019) 'Whistle blowing in the organisation: wrongdoer or do-gooder?', *Journal of Business Ethics*, 155(1), pp. 1–14. https://doi.org/10.1007/s10551-017-3508-8

Bjørkelo, B. & Matthiesen, S.B. (2023) 'Preventing and dealing with retaliation against whistleblowers', *International Journal of Human Resource Management*, 34(5), pp. 915–934. https://doi.org/10.1080/09585192.2021.1875494

Business Leadership South Africa (2020) *Whistleblowing survey*. Johannesburg: Business Leadership South Africa.

Calitz, K. (2023) 'The plight of South African whistle-blowers: searching for effective protection', *South African Journal of Economic and Management Sciences*, 26(1), pp. 1–10. Available at: http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532023000400007 (Accessed: 15 February 2026).

Calland, R. (2019) *Whistleblowing law reform in South Africa*. Johannesburg: Open Society Foundation for South Africa.

Calland, R. (2021) 'Legal gaps in whistleblower protection', *South African Journal of Human Rights*, 37(3), pp. 456–472.

Cassim, R. (2024) 'A critical analysis of the corporate whistleblowing provisions of the South African Companies Act', *Journal of Corporate Governance*, 24(2), pp. 189–205.

Chen, X. (2021) 'A summary of research on the influencing factors of employees' willingness to whistleblowing', *Employee Relations*, 43(6), pp. 1387–1404. https://doi.org/10.1108/ER-02-2020-0068

Cliff Dekker Hofmeyr (2025) 'A new look at the proposed whistleblower protections in South Africa', *Dispute Resolution Alert*, 11 June. Available at: https://www.cliffedekkerhofmeyr.com (Accessed: 15 February 2026).

Companies Act 71 of 2008. Republic of South Africa.

Corruption Watch (2022) '36 200+ whistle-blowers at centre of CW's 10-year journey'. Available at: https://www.corruptionwatch.org.za (Accessed: 15 February 2026).

Corruption Watch (2023) *Submissions on proposed reforms for the whistle-blower protection regime in South Africa*. Johannesburg: Corruption Watch.

Corruption Watch (2023) *The whistleblower's handbook*. Johannesburg: Corruption Watch.

Corruption Watch (2025) 'SA whistleblowers face retaliation and murder: their stories over five decades'. Available at: https://www.corruptionwatch.org.za (Accessed: 15 February 2026).

Corruption Watch (2025) *Annual report 2024*. Johannesburg: Corruption Watch.

Ethics Institute of South Africa (2020) *Ethics and whistleblowing survey*. Pretoria: Ethics Institute of South Africa.

Gender Links (2021) *Gendered dimensions of whistleblowing*. Johannesburg: Gender Links.

Gordon Institute of Business Science (2020) *South African whistleblowers*. Johannesburg: University of Pretoria.

Johnson, U., Mtshali, M., Rathaha, R.T., Magqirana, A. & Ramlachan, P. (2022) *Whistleblowing in South Africa: A vulnerable watchdog*. Johannesburg: University of Johannesburg Press.

Just Share (2022) *Whistleblower protection in South Africa: where to from here?* Johannesburg: Just Share.

Labour Relations Act 66 of 1995. Republic of South Africa.

Lewis, D. (2011) 'Whistleblowing in South Africa: a review of the landscape', *African Journal of Public Affairs*, 4(2), pp. 1–16.

LHL Law (2021) 'Protected disclosures: an international perspective – safeguarding the public interest'. Available at: https://lhllaw.co.za (Accessed: 15 February 2026).

Mail & Guardian (2021) 'The role of media in whistleblowing'. Available at: https://mg.co.za (Accessed: 15 February 2026).

Mavundla, T.A. (2024) 'Improving legislative protection for whistleblowers of corruption in South Africa', *Journal of African Law*, 68(1), pp. 56–78. https://doi.org/10.1017/S0021855323000419

Momentum Group (2024) *Whistleblowing policy (RSA)*. Available at: https://www.momentum.co.za (Accessed: 15 February 2026).

Mushwana, G.F. (2025) 'Incentivising whistleblowing to combat corruption and improve governance: a South African perspective', *Governance Review South Africa*, 9(1), pp. 33–49.

National Whistleblower Center (2021) *Whistleblower laws around the world*. Available at: https://www.whistleblowers.org (Accessed: 15 February 2026).

OECD (2023) *Committing to effective whistleblower protection*. Paris: OECD Publishing.

Open Democracy Advice Centre (2019) *Heroes under fire*. Cape Town: Open Democracy Advice Centre.

Open Democracy Advice Centre (2022) *Proposal for a whistleblower support fund*. Cape Town: Open Democracy Advice Centre.

Open Secrets (2021) *Supporting whistleblowers in South Africa*. Cape Town: Open Secrets.

Parliament of South Africa (2023) *Whistleblower Protection Bill*. Pretoria: Parliament of the Republic of South Africa.

Platform to Protect Whistleblowers in Africa (2025) *South Africa country page*. Available at: https://www.pplaaf.org (Accessed: 15 February 2026).

Prevention and Combatting of Corrupt Activities Act 12 of 2004. Republic of South Africa.

Protected Disclosures Act 26 of 2000. Republic of South Africa.

Public Protector South Africa (n.d.) *Protected disclosures / whistle-blower protection reports*. Available at: https://www.pprotect.org (Accessed: 15 February 2026).

Radulovic, U. (2023) *The predicament of the unprotected: Why lacklustre legislation fails South African whistleblowers*. Durban: University of KwaZulu-Natal Press.

South African Human Rights Commission (2024) *Frequently asked questions on whistleblowers*. Johannesburg: SAHRC.

Southern African Development Community (2001) *Protocol Against Corruption*. Blantyre: SADC.

Special Investigating Unit (n.d.) *Investigation reports*. Available at: https://www.siu.org.za (Accessed: 15 February 2026).

Transparency International (2020) *Incentives for whistleblowers*. Berlin: Transparency International.

Transparency International (2021) *Global corruption barometer: Africa*. Berlin: Transparency International.

Transparency International (2022) *Attitudes towards whistleblowers*. Berlin: Transparency International.

University of the Free State (2024) *Whistleblowing, incentives and design: Considerations for a South African programme*. Bloemfontein: University of the Free State.

Uys, T. & Radulovic, U. (2023) *Truth to power: A historical overview of whistleblowing in South Africa*. Durban: University of KwaZulu-Natal Press.

Whistleblower House (2025) *A guidebook for whistleblowers*. Johannesburg: Whistleblower House.

Whistleblowers South Africa (2022) '18% of South Africans have blown the whistle'. Available at: https://www.whistleblowers.org.za (Accessed: 15 February 2026).

Xono (2022) *Whistleblowing regulatory guide: compliance in UK, EU and South Africa*. Available at: https://www.xono.online (Accessed: 15 February 2026).

Protecting And Promoting Whistleblowing In South Africa

E: info@democracyworksfoundation.org

W: www.democracyworksfoundation.org

FOLLOW @DEMOCRACYWF ON SOCIAL MEDIA:

Disclaimer: The Protecting and Promoting Whistleblowing in South Africa project is co-funded with the financial support of the European Union. Its outputs and convenings are the sole responsibility of DWF and do not necessarily reflect the views of the European Union.