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SECTION COLLOQUIUM 2019



THE MODERN ACTUARY - CHALLENGE • INFLUENCE • LEAD
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WHISTLE BLOWING A DILEMMA?

ROLAND VAN DEN BRINK

IAA COLLOQUIUM 2019 IN CAPE TOWN



YES





TAKE AWAYS

WHISTLE BLOWING IS RELEVANT FOR ALL PROFESSIONS

WHISTLE BLOWERS NEED PROTECTION

IN MOST COUNTRIES POSITION IS UNCLEAR

INTERNATIONAL AGREEMENT URGENTLY NEEDED



WHO ARE THEY?

- WHISTLE-BLOWERS ARE USUALLY EMPLOYEES OR MEMBERS OF THE GROUP
- AFTER BLOWING THE WHISTLE, THEIR LIVES ARE NEVER THE SAME



A BRAVE ACTUARY

- SARAH, AT THE TIME THE CHIEF MEDICARE ACTUARY, FILED A WHISTLEBLOWER LAWSUIT IN 2018
- SHE FOUND THAT THE COMPANY WAS BILLING THE FEDERAL GOVERNMENT SIGNIFICANTLY HIGHER PRICES FOR SENIORS' DRUGS THAN WAS APPROPRIATE
- HER ATTORNEY TOLD THE DISPATCH THAT THE DECISION TO SEND HER HOME IS "RETALIATORY AND INAPPROPRIATE"



ANOTHER BRAVE ACTUARY

- CATHY A. BLEW THE WHISTLE ON RELEASE OF RESERVES AND LARGE DIVIDEND PAYOUT (JUNE 2018)
- CATHY AS APPOINTED ACTUARY LOST HER JOB IN AUGUST 2018
- **THE REGULATOR WENT SILENT**
- **THEREFOR**, HER COURT CASE IS DIFFICULT



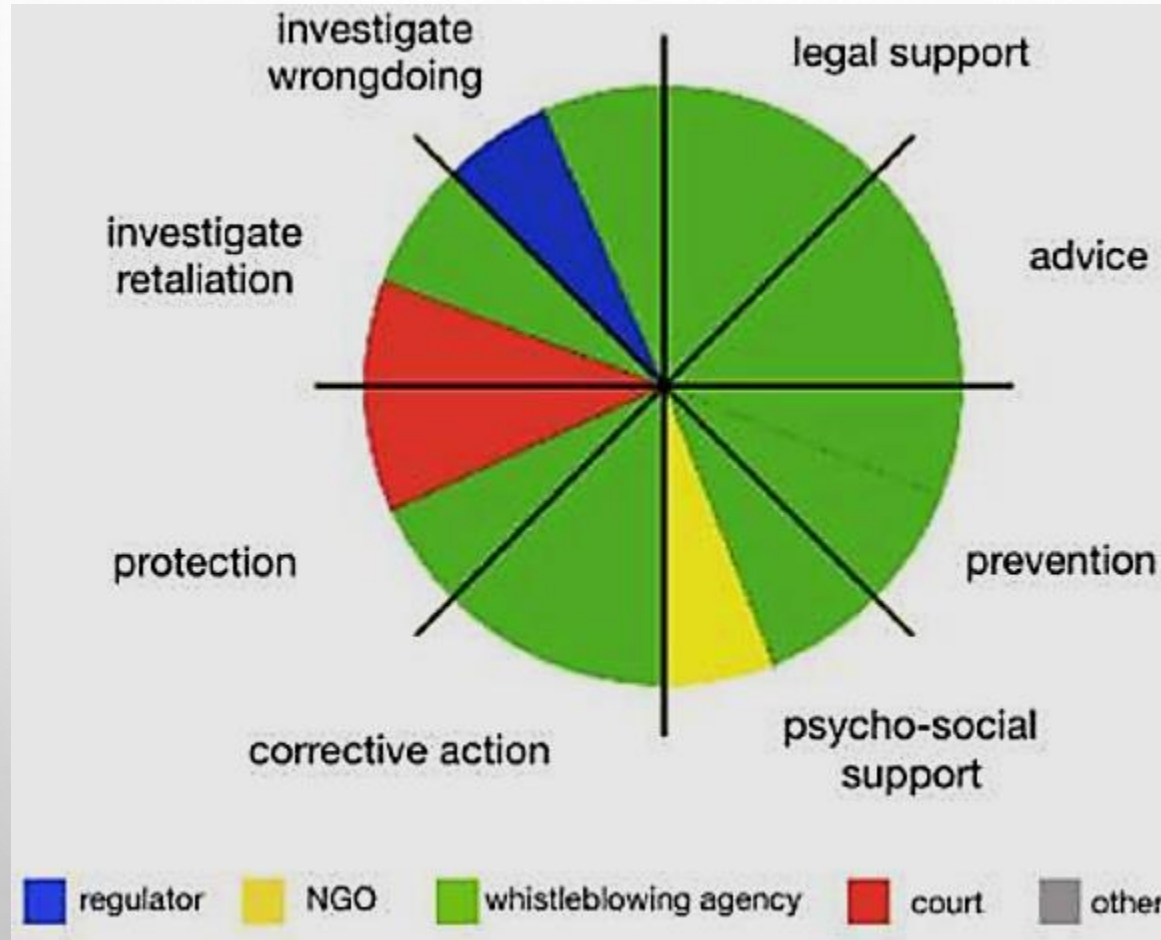
DUTCH EXAMPLE

- PENSION FUND BOSSES SELLING PROPERTY AT BELOW MARKET-RATES
- TO DATE, THIS IS THE LARGEST CORRUPTION AFFAIR EVER TO HIT THE DUTCH REAL ESTATE WORLD
- IN THE END, **FIFTY** PERSONS WERE ACCUSED OF FRAUD, BRIBERY, AND FORGERY



- PROFESSOR PETER VAN DER VELDEN
- WHISTLEBLOWERS IN THE NETHERLANDS
- EXHIBITED SIGNIFICANTLY HIGHER INCIDENTS OF MENTAL HEALTH PROBLEMS, INCLUDING DEPRESSION AND ANXIETY

THE SOLUTION WE SHOULD ASK FOR





DUTCH WHISTLEBLOWERS ACT

- EFFECTIVE 1 JULY 2016
- COMPANIES ARE OBLIGED TO ESTABLISH A WHISTLEBLOWING POLICY
 - NOTIFICATION
 - DESCRIPTION OF SUSPICION AND MISCONDUCT
 - LEGAL PROTECTION



EU-WIDE WHISTLEBLOWING DIRECTIVE

- ON 23 APRIL 2018, THE EUROPEAN COMMISSION PUBLISHED A PROPOSAL FOR AN EU-WIDE WHISTLEBLOWING DIRECTIVE
- WHISTLEBLOWER PROTECTION IS CURRENTLY COVERED IN A FRAGMENTED MANNER
 - AT THE MOMENT, ONLY 10 EU COUNTRIES HAVE A COMPREHENSIVE LAW PROTECTING WHISTLEBLOWERS



ARE YOU BRAVE?

- I HAVE A DREAM
- THAT EVERY ACTUARY AT THE CONGRESS
- WOULD JELL “REGULATOR, WHERE ARE YOU?”
- AND THAT THE IAA & SECTION TAKES A BOLD STANCE
- TO ADVOCATE PROTECTION FOR ACTUARIES WORLDWIDE

WHISTLE BLOWING: A DILEMMA?



QUESTIONS?