

A Protective Legislation for Whistle-Blowers to Thwart White-Collar Crimes: A Comparative Analysis of Sri Lanka and United Kingdom

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White collar crimes in the context of commercial law primarily carry the structures of money laundering, capital market malpractices, terrorist financing and falsification of financial statements. As these crimes pose a grave menace upon the economy of a country, Sri Lanka which is currently undergoing a massive economic crisis needs to pave its attention to prevent these crimes of privilege by safeguarding the employees who are willing to disclose but are hesitant to blow the whistle owing to the dread of retribution by their top management. In order to determine the efficacy of the law and to examine the concerns with its regulatory oversight, this article showcases the author's research findings from the assessment of the pertinent legal provisions made in relation to the security of whistle-blowers in the United Kingdom by additionally serving the purpose of comparing the British law with that of Sri Lanka to ultimately make recommendations based on the relevant provisions and to adopt them into the Sri Lankan legal system. The library research approach was applied to accomplish this objective, and the qualitative data that were retrieved from statutes, case laws, books, and journal articles proved how inadequate the statutory protections for whistle-blowers in Sri Lanka are. For the fulfilment of analytical objectives, the methodology of International Comparative Research was adopted by citing UK case laws and statutes, ILO treaties, and UN conventions. Finally, the article is concluded with the principal recommendation of implementing an independent legislation on Whistle-blowers Protection modelled after the UK's Public Interest Disclosure Act 1998 by discussing certain additional recommendations to uplift the established standards laid under the provisions of Public Interest Disclosure Act.

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