

## Open Letter to The Information Commissioner

This letter is a formal complaint regarding the Charity Commission response to both my Subject Access Request and their continuing and contradictory response to our Freedom of Information Request.

I attach copies of the relevant documentation with this letter.

I have been denied copies of all documentation in relation to the Charity Commissions investigation commencing August 5<sup>th</sup>, 2020 and continuing for nine months.

This was a subject access request. I asked for the search term, Eileen Chubb, and Compassion in Care. The Commission firstly chose to withhold **all** information in relation to Compassion in Care.

The Commission has withheld all information in relation to their investigation and internal emails. The Commission has withheld all correspondence with the complainant on the grounds that would identify the complainant when the Commission had previously confirmed to our lawyers, who the complainant was. Given that the rule of law requires any accused person to be provided with full details of what they are accused of and as we already know who the complainant is, releasing the correspondence between the complainant and the Charity Commission and redacting the complainants name would be entirely reasonable in the circumstances. We are entitled to see what evidence the complainant submitted in support of her claims.

The Commission have falsely stated that the information is legally privileged, when the information we requested was nine months **prior** to the Commission consulting their lawyers. Which only occurred after our evidenced concerns were reported in Private Eye and a police investigation had commenced into the Commission's staff for, Malfeasance in a Public Office.

Also under investigation is the Commissions actions in concealing a crime and attempting to pervert the course of justice.

We repeat, the information we have requested was from August 5<sup>th</sup>, 2020, for a period of 9 months, this is **not** legally privileged and our lawyers, Stoneking will confirm that they dealt with only, TM, the Commission's investigation officer and her line manager.

The Commission have continually, deliberately delayed providing this information.

The Commission have cited in their refusal to provide the **separate** FOI requested information, that a small part of it consisted of legally privileged information and that their main grounds for refusal was the information would exceed costs, which we have appealed as the cited 500 plus items could be halved, if the Commission deducted all the information we sent to them, from this total.

The Commissions reasons for refusal are untrue, inconsistent and amount to denying us information we are legally entitled to have.

For the record in their latest Information access response, dated 6/10/2021, the Charity Commission have yet again made another false statement, they state that I supposedly said, "**All their investigations are carried out with bias and incompetence**" What I actually said in my appeal was,

***” You rely on your regulatory function, the information we request would not impact on your regulatory functions regarding other investigations, unless you are stating all your investigations are carried out with the same level of bias and incompetence with which you handled our case”***

Clearly this was a question. This tendency to lie is evident throughout the Commissions handling of our case, this culture clearly extends to the information access team also.

We submit this complaint as we have been advised to put it on the record for later court proceedings. We ask that you order the Charity Commission to release this information without further delay.

Eileen Chubb