

To Andrew Baily FCA  
21<sup>st</sup> Feb 2020

Dear Mr Baily,

On receiving your letter dated 18<sup>th</sup> December 2019, in which you state,

*“I can confirm that your correspondence has been passed to our Unauthorised Business Department which is part of the FCA’s Enforcement and Market Oversight Division. UBD’s remit is to investigate”*

Putting my experience of regulators generally aside, I kept an open mind and waited for the investigator to contact me for the victims and witness’s contact details, which clearly, they would need to inform the outcome of their investigation. I heard nothing but assumed I would be contacted in due course.

I then received a threatening letter from WBUK dated 14<sup>th</sup> Feb 2020 which stated they had received a letter from the FCA and quoted,

*“We (The FCA) confirm that the firm Whistleblowers UK is not and never has been under investigation by the FCA’s Unauthorised Business Department for any unlawful activity”*

I am sure that you will agree that this is a very concerning development for the following reasons,

Firstly, I quote from your Website guidelines regarding information that cannot be shared,

***“If we can’t say that we are investigating someone, we also can’t say we are not! We can’t say, no comment to one request but confirm we are not investigating someone in reply to another. So, we think that, No Comment, or, We can neither confirm nor deny whether we are investigating a particular firm or individual- is the right answer in both cases”***

**Given your guidance I must ask if WBUK are the exception to the rule and if so, why are they given such preferential treatment and is the FCA capable of investigating fairly?**

**We submitted clear evidence to you that WBUK were running an unlicensed and substandard case management business, that evidence included an extract from a legal verdict in which the judge highlighted the breach of “*The Compensation Act*” Given these facts I am sure you will agree that a “*No Investigation*” Outcome, If this were true, could only be viewed as negligent. I draw your attention again to the evidence,**

### **[The Misconduct of WBUK](#)**

**I expect the following,**

**A full and diligent Investigation into the original unlawful activity, Confirmation that either WBUK were sent such a letter in breach of your own guidelines and action taken or a denial that such a letter exists.**

**Why WBUK have been put forward to sit on a panel to choose your replacement?**

**I also draw to your attention the fact that we have been threatened and slandered by WBUK as a result of raising legitimate concerns with you and this is completely unacceptable because it raises the question whether whistle-blowers giving you information would face the same risk?**

**I look forward to hearing from you,**

**Yours Sincerely**

**Eileen Chubb**

