

To Parliamentary Commissioner for standards

25th November 2019

Dear Ms Stone,

In response to your letter dated November 20th in which you outline your concerns regarding my report, **The Misconduct of WBUK.**

Before I deal with your concerns, I think it would be helpful to outline those issues you have raised **no** concerns about.

. The illegal and unethical actions of the secretariat of the APPG on Whistleblowing,

. That a whistle-blower was asked for money in return for support in reporting child abuse to the authorities,

. That other Whistle-blowers were not contacted back at all as there was no profit to be made from their cases, which resulted in abuse of vulnerable adults continuing whilst the whistle-blowers waited for a response from WBUK,

. That some Whistle-blowers can be so vulnerable they are at risk of self-harm, have been left completely unsupported due to their not having the funds to obtain help from WBUK; who have been masquerading as a whistle-blower support organisation,

. That WBUK been given credibility and a high profile by being appointed a secretariat of an APPG resulting in WBUK being placed in a position of trust that has allowed them to exploit that trust.

The one issue you are raising concerns about

That I have incorrectly stated in my report,

"I have also sent detailed concerns to the Parliamentary Standards Commissioner without action being taken on the grounds that the rules on transparency only apply to which portcullis emblem an APPG uses"

You state that this paragraph is misleading, I do not agree and draw your attention to the following extracts from the rules on APPGs in relation to the issue of transparency,

"26. APPGs who wish to use the crowned portcullis must use the bespoke APPG portcullis emblem, which is available from printservices@parliament.uk (020 7219 6208). Unregistered groups must not use the crowned portcullis in any form.

Record keeping

27. Each group must keep the following records.

- a. lists of active members (both parliamentary and external);¹⁶*
- b. dates of meetings, both past and future;*
- c. minutes of past formal¹⁷ meetings (which should record both attendance and decisions);*
- d. any reports or other publications issued;*
- e. income and expenditure statements (if required: see paragraphs 28 and 29 below).*

This information must be retained on the group's website (or retained so that it can be provided on request¹⁸) for at least five years. There is no obligation to retain the records after that point unless an external body such as HMRC requires it.

"Maintaining transparency

21. Groups must be transparent about their nature, membership and funding. In particular, they must avoid presenting themselves in a way which could lead

to confusion with Select Committees. They must make full disclosures of any support received for their publications. An APPG must:

- a. use the group's full registered name, including the term 'All-Party Parliamentary Group', in all its communications. This helps distinguish registered groups from unregistered groups and from other bodies such as select committees;
- b. publish details of its formal¹⁰ meetings in advance, on the All-Party Notices, along with the names of any external speakers and details of a parliamentary contact;
- c. publish on its website (or provide on request¹¹) the following information:
 - i. a list of active¹² members (both parliamentary and external);
 - ii. dates of meetings, both past and future;
 - iii. minutes of past formal¹³ meetings (which should record both attendance and decisions);

13 A formal meeting

any reports or other publications issued;

- v. income and expenditure statements (if required: see paragraphs 28 and 29 below).

This information must be retained on the group's website (or retained so that it can be provided on request) for at least five years. There is no obligation to retain the records after that point unless an external body such as HMRC requires it.

Information to be shown on reports and other publications

22. If a report or other publication has been compiled or funded by any external individual or organisation, this should be made clear on the front cover (or equivalent¹⁴) through wording such as: "This Report was researched by xxx and funded by xxx." The requirements in paragraphs 23 to 24 below do not however apply to income and expenditure statements.

23. All APPG reports and publications should also bear the following disclaimer on the front cover (or equivalent¹⁵):

"This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All-Party Parliamentary Groups are informal groups of Members of both Houses with a common interest in particular issues. The views expressed in this report are those of the group."

24. A group's website and its social media feed (if any) must give the contact details for the group's chair, and secretariat and/or public enquiry point (if it has one). All such websites and media feeds must carry a disclaimer as follows:

“This is not an official website [or feed] of the House of Commons or the House of Lords. It has not been approved by either House or its committees. All-Party Parliamentary Groups are informal groups of Members of both Houses with a common interest in particular issues. The views expressed in these webpages are those of the group.”

Sources of funding

25. An APPG must identify sources of external funding on its headed paper; or must include on it a link to the Register or to a website where those sources are listed.

Portcullis emblem

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This information must be retained on the group’s website (or retained so that it can be provided on request¹⁸) for at least five years. There is no obligation to retain the records after that point unless an external body such as HMRC requires it.”

My Letter to you dated 30th July 2019

Extract

“My concerns about the APPG on Whistleblowing are set out below.

These concerns mainly fall under the heading of “Transparency”

*On Page 40 of the APPG report, WBUK have listed themselves as a proposed proscribed person. The system being put forward would **directly benefit** the secretariat of this APPG. It would also directly benefit all the supporters of this*

proposed system such as the compliance and legal industries, Protect PCAW, Navex Global, Constantine Cannon Etc.

The code of conduct for MPs states that secretaries, family members and aides must declare any interests which they may benefit from as a result of an MPs work. I submit this must also include the secretariats of APPGs”

Extract

“**Please Note:** We have at no time given evidence to this group and the fact their report refers to Compassion in Care as a proposed Proscribed person is highly offensive as we would never endorse flawed whistle-blower protection in order to gain status or financial reward because it would clearly be wrong and neither would we ever act as secretariat to any such group.

This APPG has issued misleading press statements which were widely reported along the lines of “*after hearing evidence from whistle-blowers MPs publish a new report today calling for, **an office for the whistle-blower.***” The clear inference being that the proposals were reached as a result of the evidence heard.”

Extract

“WBUK is masquerading as a support organisation for whistle-blowers but clearly is not anything of the sort. Its funding sources have one common factor, the compliance and legal industries profitability which would be guaranteed by the “**office for the whistle-blower**” system, a system WBUK has long promoted. The conclusions reached in the APPG report are completely misleading.”

“Perversely the protection of those who act in the public interest are completely lost in this scramble to serve self-interests namely the interests of WBUK and those who fund WBUK. It could not be further from the essence of “Public Interest” We never forgot those whose lives depend on whistle-blowers because we deal with their suffering day in and day out.”

Extract

“ To pretend that this APPG has been set up to hear evidence and consult a wide range of individuals and organisations in order to reach conclusions is inherently dishonest when that conclusion is only ever going to be the agenda of WBUK and its funders.

If this same situation were applied to a court, where a judge said “I will only hear evidence that I agree with because I have already decided my verdict”

then there would be public outcry because that of course would be Misconduct in a Public Office.

If you can conclude that any of this is not wrong and is within the rules, then it is high time those rules were changed because what **is** happening is as wrong as it's possible to get.

Public confidence in Parliament has been seriously damaged by this APPG and its associates. Please ensure a proper investigation addressing each of these points because I will take this as far as I have to for the sake of the genuine whistle-blowers failed every day and for those with no voice whose suffering is held in contempt by this APPG and its dubious associates.”

Your Reply on 1st of August asked which of the rules had been breached and enclosed a copy of the rules.

I responded to your letter on August 12th

Extract

“The Rule

“Groups must be transparent about their nature, membership and funding”

The APPG has **not** been transparent about its nature for the following reasons,

WBUK is a sham organisation see my original letter of complaint.

Whilst this APPG has declared funding from Constantine Cannon, what is not known to the public is the agenda of Constantine Cannon, who have long advocated for a US “Office for the Whistle-blower” system.

The APPG has stated it is consulting on measures for whistle-blower protection but there is clear evidence that those measures were always going to be “The Office for the Whistle-blower” This is misleading as the nature of this APPG is to promote the agenda of WBUK and the legal and compliance industry whilst promoting the appearance of a consulting whistle-blowers views.

Stephen Kerr MP and WBUK have always been pro bounty hunting and office for the whistle-blower, see my original letter of complaint.

The Appointment of WBUK as secretariat in order to promote a system that will bring massive profits directly to the benefit of both WBUK, Constantine

Cannon, and the Compliance industry represented by Navex Global and (Protect PCAW) is not being transparent about the nature of a group.

Furthermore, the system being advocated by this group for the personal gain of those with vested interests, will not protect whistle-blowers at all and the public are being misled by the groups statement of purpose.

The Oxford English Dictionary

“Transparent, of a disguise pretext etc) easily seen through. Of a motive quality etc) easily discerned: evident; obvious.

I am aware that the Rules on APPGs and transparency tend to focus on the issue that a group is clearly defined as not being a Select Committee. However, the public and indeed the media see a parliamentary logo and see Parliament. Therefore, the motives and actions of both groups should be beyond reproach.

Whilst many APPGs can work ethically and transparently there is clearly room for hidden agendas to influence policy and law, which is wrong.

When certain law or policies will bring massive profits directly to certain individuals and organisations then those individuals and organisations should not be appointed secretariats of APPGs.

Simply declaring funding of the secretariat role whilst not declaring the potential profits that a policy or law will bring to those concerned is not transparent.”

You replied to me on September 24th stating that you saw no reason to investigate, you did not dispute my conclusion that the rules on APPG transparency “Tend to focus on the issue that a group is clearly defined as not being a select committee”

I submit that it was reasonable for me to reach the conclusions that I did and which I brought to your attention in the above letter, if my conclusions were in error then you should have challenged that at the time of receiving my letter which you did not do.

I note that Sir Norman Lamb MP resigned from this APPG on the grounds that WBUK were not transparent, Did Norman Lambs understanding of transparency fall under your Rules?

The issues I raised with you were valid, Compassion in Care exposes the suffering and abuse that is inflicted on vulnerable and defenceless people by both the perpetrators or any organisation or law that aides and abets such abuse. This was our sole motive in raising concerns about WBUK, those concerns have been proven beyond doubt to be valid and if this now causes you any embarrassment then I make no apologies because the only harm in this situation has been done to countless whistle-blowers and those whose lives depend on whistle-blowers speaking out.

Eileen Chubb