



COMPASSION IN CARE

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22nd March 2017

Mrs Theresa May
 Prime Minister
 10 Downing Street
 Westminster
 London SW1A 2AA

Dear Mrs May,

We write to bring to your attention the following:

Today whistle-blowers representing **all** sectors, supported by the families of those abused in **all** care settings, gather outside the London offices of the CQC and the National Guardian

- To call for **real** whistle-blower protection in all sectors which can **only** be provided by [Edna's Law](#)ⁱ.
- To ask **why** the head of the Care Quality Commission (CQC) and former head of CSCI, David Behan is being knighted for his services when countless people have suffered and died and ***continue to suffer and die on his watch***. This abysmal track record should result in accountability **not** rewards.

We have raised repeated concerns regarding the complete **ineffectiveness** of Robert Francis QC's "Freedom To Speak Up" inquiry on whistle-blowing in the NHS and his subsequent recommendations such as Guardians and the Fit & Proper Person Test.

Our concerns have been **proven** to be well founded – please see [Paula Vasco-Knight](#)ⁱⁱ and [open letter from whistleblower Clare Sardar](#)ⁱⁱⁱ, [Jon Andrewes](#)^{iv}, and [David Behan’s response to Dr Minh Alexander](#)^v.

We object to the CQC **repeatedly** failing to act on concerns and now they are using six charities as “Partners” to gather information, meaning that sensitive information from whistle-blowers may be shared between a greater number of individuals and organisations and is therefore less secure.

These charities are not Proscribed Regulators under the Public Interest Disclosure Act so this could disadvantage a whistle-blower’s legal case. CQC do not seem even to have considered this and it raises serious questions about their commitment to, and understanding of whistle-blowers.

We object to CQC disclosing the identity of a growing number of whistle-blowers to their employer, on which we will publish a report later this year.

We object to the National Guardian because whistle-blowers in **ALL** sectors need **protection** and **action**, not another pointless role at great expense to the public purse, which has to date matched the CQC for incompetence and negligence.

We object to the attitude of the CQC that every life lost and every hour spent in suffering is of no account as long as **more** empty promises are given that the CQC **really** will improve each time the suffering is exposed.

This week, the Department of Health has published proposals to outlaw blacklisting of NHS Staff by adding an amendment to PIDA. ([See our evidence on blacklisting.](#))^{vi} PIDA is a law which has already been completely discredited from the very first case down through subsequent cases from all sectors.

It would be impossible for a whistle-blower to prove blacklisting in the **same** legal system, using the **same** law which is hostile to whistle-blowers and where it is almost impossible to prove the actual whistle-blowing in the first place. PIDA is hostile to the **public interest**.

The core issue is that whistle-blowers should not need to seek other jobs because they should not be forced out of work for raising concerns. Secondly the loss of trust cannot be so easily remedied, particularly when the wrongdoers remain in senior posts which is usually the case. Edna’s Law would deal with all of these matters effectively.

Having run Compassion In Care’s helpline for nearly two decades listening to whistle-blowers, and from personal experience too, I repeat the opinion I gave

when Robert Francis's inquiry report was published: [a fundamental lack of understanding of whistle-blowing is glaringly evident in his recommendations](#)^{vii}.

When the next big scandal hits the headlines and people ask "*How could this happen?*" they need look no further than Robert Francis.

Our comprehensive report on Edna's Law will be published in the coming months. Edna's Law protects ALL whistle-blowers from ALL sectors.

The letter delivered [to David Cameron on 11.03.15](#)^{viii} gives details on Edna's Law principles and the evidence that supports our campaign.

I note news reports that you "***hate injustice***" and so I ask you to consider the gravest injustice suffered everyday by whistle-blowers who have been failed by this country for doing the right thing.

We ask you to note that we are campaigning for **ALL** whistle-blowers and ask that this matter is **not again** referred to the Health Department or any other Department to play "[pass the parcel](#)"^{ix} with it, as we have seen every version of every policy since 2000, **all** of which have failed to deal with this. **What we need now is action and someone to take responsibility for whistleblowing in all sectors.** Too many politicians seem to believe whistle-blowing only happens in the NHS, and even then only "senior nurses and doctors" ([as did my own MP Mr Jo Johnson](#)^x) which shows how little understanding there is of this subject.

We are asking you as Prime Minister to support Edna's Law to protect whistle-blowers in all sectors – and therefore to protect the public.

I look forward to hearing from you.

Yours sincerely

Eileen Chubb
Bupa 7 Whistle-blower
Founder & Director of Compassion In Care
Co-Founder & Director of The Whistler

Copies to:

Care Quality Commission 151 Buckingham Palace Road London SW1W 9SZ
 Dr Henrietta Hughes c/o CQC

Please see overleaf for references

References

ⁱ Edna's Law petition

www.change.org/p/protect-the-protectors-with-edna-s-law-need-one-law-for-all-whistleblowers

ⁱⁱ Paula Vasco-Knight jailed

<http://www.plymouthherald.co.uk/hospital-boss-pleads-guilty-to-fraud-in-trial-shock-turnaround/story-30089383-detail/story.html>

ⁱⁱⁱ Open letter from Clare Sardari

<https://sharmilachowdhury.com/2016/05/11/open-letter-from-whistleblower-re-paula-vasco-knight/>

^{iv} Guardian Jon Andrewes jailed

<https://minhalexander.com/2017/03/07/freedom-to-speak-up-guardian-jailed/>

^v David Behan letter to Dr Alexander <https://minhalexander.com/2017/03/12/national-guardian-behan-replys/>

^{vi} Breaking The Silence Part 1 <http://www.compassionincare.com/node/9>

^{vii} The Robert Francis Joke Book https://youtu.be/8rlpXVRZN_A

^{viii} Letter to David Cameron 11.03.15 https://www.youtube.com/watch?v=LMPEzWq_e8Y&feature=youtu.be

^{ix} "It's Not My Department" <http://www.compassionincare.com/node/178>

^x Letter to Jo Johnson <https://www.youtube.com/watch?v=yRsBdQCb5BA>