

6th of August 2020

To The Charity Commission ref TM/C-521993/RC

*The Submissions of Eileen Chubb, of the Charity Compassion in Care. This document has been prepared at short notice on August 6th 2020 and I reserve the right to submit further evidence at a later date if required.

Dear Mrs Madge,

I have been made aware by Mrs M Roffy that serious allegations have been made against this Charity. We assure you that we will fully cooperate with your investigation and are totally committed to ensuring you have all the evidence you need to make a fair assessment of the allegations.

I now address in detail my response to the allegations made and will submit independent and robust evidence to show beyond all reasonable doubt that these allegations were made with malicious intent and that the Charity Commission has been deliberately misled by Georgina Halford Hall CEO of the husband and wife run organisation WBUK (Whistleblowers UK) and their known associates. I also apologise that I could not write and submit this report yesterday but Wednesday is one of our helpline days.

As a charity we always apply the rule of law to **all** situations we deal with in our work, we therefore have treated this situation in the same way. We hope you will understand this approach is not just an ethical stance but is a routine part of the DNA of everything we do.

Rule of law, admissible evidence. Withholding admissible evidence would seriously prejudice the accused rights to a fair defence.

We ask for both a copy of the complainant's correspondence and for full copies of all their evidence bundles as soon as possible.

The Allegations

Please note* I now deal with the complainants' allegations in detail with the exception of the two administrative issues which will be dealt with in detail separately to these submissions by Mr Stephen Honour. However, we hold all the allegations to have been made with malicious intent and will be providing full supporting independent evidence to uphold this view in accordance with the rule of law.

Allegation One.

" Failing to act in furtherance of the charity's objectives by claiming to be a journalistic organisation"

Our response to allegation One.

Firstly, we have **never** claimed to be a journalistic organisation.

The mission statement of our Charity has always been the same, to break the links of Complacency, Denial, Ignorance and Silence in the chain of abuse and the listed classification of our activities as a charity on the Charity Commission website which states correctly,

What We Do,

The advancement of Health or the Saving of Lives. Disability.

Who We Help,

Elderly People, The General Public/mankind

How We Do Our Work,
Provide advocacy/Advice/Information. Sponsor or Undertake
Research

We assess all the work we do in accordance to this criteria.

For Example, the most recent piece of work on Monday is typical of our **research work**, We undertook two hours research on the Healthcare Regulator CQC website, and I wrote a piece on our website "Not So Sweet 16" Highlighting the fact that CQC had rated 16 care homes across the country as inadequate. Where dreadful conditions resulted in **elderly** people suffering and that 8 of these homes had been inspected between 5 and 11 months before the inspection reports were published thereby **denying the public** vital information if they were look for a care home for a loved one. As a result of this piece of work we made an FOI to CQC and will be following up on the results we get back.

<https://compassionincare.com/not-so-sweet-16>

The above is typical of our work on a daily basis, I cannot not understand how anyone could look at our website **content** and see the copious work we have published and conclude what Halford Hall WBUK and their associates have alleged. Given the contents of our website which the complainants are familiar with, the allegation could not be made in error but only with malicious intent.

We submit the following evidence in our defence of this allegation.

Tales of the Uninspected

<https://compassionincare.com/talesoftheuninspectedreports>

Hundreds of detailed reports on undercover **elderly** care home visits undertaken as **research**, acting on information of concerns received via the helpline among randomly chosen homes to ensure anonymity of the Whistleblowers concerned.

This work also continues to be an invaluable resource for members of the **public** looking for a care home for their **elderly** relative as a guide to what to look for on a visit. Maggy Roffy my fellow trustee has accompanied me on many of these visits and I believe this clearly demonstrates her commitment to this charity's work and my commitment to having trustees being fully involved on the front line. Every 7 to 10 days all 3 trustees were meeting and looking at recent work completed and plans for future work and events.(Except during Covid where phone contact replaced our normal routines)

Further Evidence submitted in response to Allegation one (Please note the below is just a **small** selection of typical website content)

Research conducted and details of prolonged poor **elderly** care published in a report on Melville House.

<https://compassionincare.com/melville-house>

Research conducted into poor care standards at Overton **Elderly** care Home.

<https://compassionincare.com/overton-house>

Work for the year trustees report, we believe our annual reports by far exceed the statutory requirements, I am unaware of any other charity who accounts for each day of work completed during the year as we do

<https://compassionincare.com/our-work-year-0>

Below, One of a series of reports on the substandard Safeguarding system, which we also used as one of many examples in the book "There Is No ME In Whistleblower" To evidence the failures to investigate the abuse and deaths of vulnerable people. This company also feature in one of the 70 plus Private Eye articles written about our work. (Available on request)

*Please note that we do **not** accept that the considerable media coverage of our work makes us a journalistic organisation as many charity's feature in the media and I do not understand why this would be a problem as it brings vital public donations, but most importantly raises **public** awareness. We consider the media coverage as a measure to judge that our work is of a quality to be noteworthy to the media and also as meeting the aim of serving the **public** via serving the **Public** interest.

<https://compassionincare.com/safeguarding-shambles-sussex-healthcare>

A report on our research of a hospital discharge of an **Elderly** patient into a care that was non-compliant with care standards. Whilst the discharge from hospital was broadcast on the BBC we **alone** followed up the story about the care home. We can see no problem with this kind of work being conducted by the charity.

<https://compassionincare.com/bbc-hospital-true-story>

Our comments published on the involvement of the Healthcare regulators CQC David Behan being exposed by the Times newspaper as being involved in failing to act on the rape of a **disabled** person, we question the suitability of giving a knighthood to this individual.

<https://compassionincare.com/our-response-scr-hillgreen-care-home-rapes-0>

We can provide hundreds more such typical items evidencing our daily work from our website, but do not want to overload you, but please note* we are happy to provide everything if needed with a full justification for publishing the work at the time. We are also aware we have only dealt with allegation one and have copious evidence to include in respect of all the other allegations.

Allegation Two

“Failing to act in the charity’s interests where it appears to be pursuing the personal interests of a trustee, as seen on the website called The Whistler (also referred to as the charity’s sister site)

My response to Allegation Two

The Whistler was Founded by myself and the Late Professor Gavin MacFadyen director of the Charity, The Centre for Investigative Journalism. Compassion in Care in its core work was receiving an increasing amount of calls from Whistleblowers from sectors other than care settings via our helpline. We founded the Whistler to ensure firstly these vulnerable Whistleblowers were as equally and identically supported as Whistleblowers contacting Compassion In Care. No Charity finance has ever been spent on the Whistler the initial funding for phone calls was provided by the CIJ until we had established a core network of Whistleblowers supporting each other. The whistler Website is paid for by Christine England our volunteer administrator out of her own finances and she is happy to provide all the evidence. We also include the research from Whistleblowers from other sectors in our extensive research on whistleblowing. We do not understand why the complainants given their WBUK role would object at all to the Whistler helping Whistleblowers that fell outside the remit of this Charity, if anything I would consider this an ethical and responsible thing to do. I do not accept that the Whistler is a personal interest anymore than I would accept Compassion in Care as a personal Interest.

I fail to see what is wrong in separating those Whistleblowers within the Charity’s remit to help from those who fall outside the Charity’s remit to help. Either way both organisations clearly serve the **public interest**.

Regarding the complainant’s reference to pursuing my personal interests, I do not understand what is being referred to, am I being accused of receiving some benefit from the whistler? I can ask the whistler to put up a notice on the website asking if

anyone has ever been asked for money could they come forward, indeed WBUK has previously made such an allegation about this Charity and we were happy to put such a statement on the Compassion in Care social media confirming We have **never** and would never ask helpline callers for money. Neither would the whistler I assure you.

As this appears to be the allegation, I would ask WBUK if they have ever asked an email contact (They Have no Phone) for money? And if they have this further proves the degree of malicious intent involved in these unfounded allegations.

Please see our report containing independent witness statements from individuals regarding WBUK attempting to charge Whistleblowers £100 an hour for any help given. These witnesses approached us; we have never made any attempt to approach people for evidence. This evidence shows the impact that the WBUK proposed law would have on Whistleblowers. We believe it is in within our remit to publish evidence given to this Charity that directly affects the future safety of the vulnerable elderly people we serve by affecting those who are their greatest protectors, Whistleblowers.

<https://compassionincare.com/misconduct-wbuk>

Extract from above report

“PART ONE

The Misconduct of WBUK

The Witness Statements and Evidence

Introduction by Eileen Chubb

Firstly, I would like to thank all those who have come forward to give us evidence about WBUK, these witnesses have shown extraordinary courage in bringing this evidence to public attention.

Because we have been overwhelmed with concerns about WBUK and the sheer volume of evidence involved; this report will be in two parts to allow all those wishing to contribute evidence the opportunity and time to do so.

This report details the evidence on WBUK and includes,

Signed witness statements from both whistle-blowers and potential volunteers who have come into contact with WBUK.

*The witness evidence commences on page 12.
These concerns fall under the following categories,*

Whistle-blowers who contacted WBUK for help but were never contacted back,

Volunteers who contacted WBUK offering to help as case workers who had serious concerns,

Whistle-blowers who contacted WBUK and whose details were passed to a law firm without their consent,

Whistle-blowers who were asked for money on the first call to WBUK,

Whistle-blowers who were asked to sign an agreement giving varying percentages of any legal award to WBUK in return for help that was never given. WBUK are not even licensed to provide such paid services.

Evidence that only those cases with monetary value are being cherry picked.

Whistle-blowers who were deliberately manipulated and exploited in their own whistle-blowing cases by Georgina Halford Hall in order to gain publicity for herself and WBUK with the intention of adding validity to her false claims of being a whistle-blower. Evidence that Georgina Halford Hall and WBUK are profit driven to the point of informing a Whistle-blower that there were fees to be paid if they needed support reporting child protection and abuse issues.

The above evidence led me to reasonably believe that I had a duty of care to report these issues regarding case management law to the relevant authorities, which I did refer to the BEIS department in error but who wrote and told me to refer the evidence to the FCA regulator which I did. This action brought about the circumstances that overlap to allegation 3 and 4.

The below report was sent to the ICO who had not been informed of all the crucial background history that led to the earlier malicious allegations by Georgina Halford Hall that I was exploiting Whistleblowers, no evidence in support of this perverse and completely malicious allegation was provided by Georgina Halford Hall and the ICO did not investigate this matter.

<https://compassionincare.com/wbuk-biggest-threat-whistle-blowers>

The ICO evidence: I believe this has already been provided to you by our administrator. Please let me know if you need further information regarding this individuals past history of malicious and vexatious allegations, because of the huge volume of evidence we have at our disposal knowing which examples and how much of it to submit is the dilemma.

Allegations 3 and 4

“Failing to comply with GDPR where the ICO found the charity did not appropriately respond to a SAR”

My Response.

I believe Maggy Roffy has dealt with this and the supporting evidence has been submitted by Christine England. It does look at first glance the ICO upheld this as something that needed addressing but when you look at the following evidence,

The investigating officers email confirming the ICO were not provided with Halford Halls response to my request asking her to confirm she was requesting confidential helpline information, as we held no other information apart from the public information on our website.

The background of the request and the nature of the charity work running a confidential charity helpline was not disclosed to the ICO which had it been would have put a different slant on the matter.

We were not informed of the complaint and had no opportunity to defend ourselves UPHELD by the ICO

That prior to responding to Halford Halls SAR I rang the ICO for advice and believed the advice was followed.

The only action The ICO has asked for has been or is being actioned, primarily that we write to Halford Hall Of WBUK and we explain again that we only hold third party whistleblower information in relation to her SAR and the importance of keeping whistleblower evidence confidential because even when removing the names; the content could identify. This we dealt with despite the unprecedented deluge of helpline calls we were dealing with due to the Covid Crisis.

“Reputational risk to the Charity where a trustee is at risk of litigation”

My Response.

What litigation threat? Your letter says the Charity should distance itself from its core campaign for Ednas Law which is detailed in my book, *There is no ME in Whistleblower*.

Please be aware **the only** litigation threat has come directly from WBUK whose CEO is now saying we are a litigation risk!

WBUK did threaten to sue and my response is below, we have not heard a word since nor have we received a copy of the letter itself or the evidence relied on, despite every reasonable effort to obtain this. **Please Note it is crucially important that you read the short letter below as it deals with so much of the malicious allegations in the most time effective way. * note the reference below to the Charity Commission.**

16th March 2020

To Coad Law.

Dear Mr Coad,

Today on return to work I was made aware by a third party of a letter addressed to me, from yourself dated 10th March 2020, which had been sent to my publisher, no such letter has been received by me directly by either post or email.

Firstly, you suggest we take legal advice, as a small Charity under unwarranted attack for the third time by your client, for exposing truthful information in the public interest, we do not have the means to access legal advice at this point and would need to crowd fund such assistance. Meanwhile I will respond to the points you raise.

Our stance based on the all the evidence, is that we have not committed any libel in telling the truth, acting on concerns

brought to our attention nor in our efforts to protect vulnerable people.

We were made aware of a letter made public by your client two days before we received this same letter dated 14th February by post. On being made aware that we were being accused of lying to MPs regarding the FCA investigating your client, we immediately published in full the Andrew Bailey Letter. This letter clearly states the comprehensive evidence we had submitted had been referred to the investigation unit. What I find of grave concern is that any individual could read this evidence and fail to investigate.

You refer to the 14th February letter in which Tom Lloyd refers to an extract of a letter from the FCA dated 17th January.

**Please note we have not been provided with a copy of this letter and request this is forwarded without delay as we have asked the Treasury Department how such an assurance could be given to your client and therefore a copy of this letter would be helpful in the circumstances. We only have your client's assertion that this letter even exists.*

However, the facts remain that we submitted comprehensive evidence from independent witnesses and victims of exploitation to the FCA and received a written response that the evidence had been referred to the investigation unit, trusting that a regulator will indeed investigate such serious concerns may be considered naive but certainly not libellous.

*I have already written to Andrew Bailey again, drawing his attention to the fact that this charity has been threatened by WBUK for reporting legitimate concerns in the public interest and asking how (Should the assertions of WBUK be true) that a decision as to the conduct of WBUK could be made without **any** investigation of the evidence we submitted? We await his response.*

I draw your attention to our published evidence which includes, A copy of the WBUK case management contract (From numerous sources)

Evidence from independent witnesses

Statements from victims

A legal verdict in which a judge questions the legality of a WBUK costs claim.

I also draw your attention to the two letters made public by Sir Norman Lamb MP resigning from The APPG on whistleblowing because of a lack of financial transparency by the secretariat, WBUK. Which had already caused serious harm to your client's reputation.

*Your threats to report this charity to The Charity Commission for bringing evidence of serious concerns to the prescribed regulators attention is staggering, report us on the day we **fail** to take such action.*

*As to the threats that we should withdraw my book from circulation due to the FCA investigation reference, I note that the chapter "Complicit in Compliance" is **not** challenged at all by your clients and the acceptance of the facts exposed therein puts your client's reputation beyond defence.*

Finally, in response to your three requests, We will not be writing to all MPs as your clients request amounts to asking us to deliberately mis-lead MPs and at a time when your client is pushing for their own dubious law change.

We will not be tweeting a retraction as that would amount to misleading our followers and the public.

We will not be withdrawing my book. [There is no ME in Whistleblower](#) There is nothing libellous in my book, it just inconveniently contradicts your client's evidence to parliament and exposes your clients compromised financial agenda on these separate issues. As for the FCA quote I have already dealt with this in full.

This letter is being sent via email and post

I look forward to receiving the requested document unredacted

Yours Sincerely

Eileen Chubb

I rest my case on allegation 4, the complainants dubious tactics to remove my book from public access continues from that time to this and the lie that we are a litigation risk and the charity should distance itself from this book is a further malicious, underhand, dishonest attempt to remove the only evidence that stands in the way of the WBUK entire agenda

and the tactics to mislead yourself into believing this book is a risk to the charity, when the risk is to the individual making the malicious allegations.

6. The founders of this charity are partners and I presume that you have been provided with evidence to show this alleged conflict of interest. I can assure you that no such conflict of interests exists.

If being partner is the conflict of interest why are the 500 plus family charitable trusts allowed to operate? of course there is no conflict, one of the most effective charitable organisations in the world "The Bill and Melissa Gates Foundation" could be accused of the same based on the criteria they are husband and wife.

Given the many years of hardship and commitment myself and Stephen Honour have endured to build this Charity into one of the most effective and conflict of interest free in the UK, it is highly distressing to be accused of this.

Finally, number 7. I am accused of advertising my books on the website, all the proceeds from these books are donated in full to Compassion in Care, Halford Hall knows this but has still made the allegation. Apart from other books on the subject matter of whistleblowing and elderly abuse being listed all royalties or profits from my books help the income of the charity, I do not understand why anyone would object to their sale unless they were maliciously attempting to remove all opposition or evidence that stands in the way of their agenda.

I have been a member of a union all my working life, the field I now work in as a writer is only covered by the union the NUJ who have been extremely supportive during the repeated malicious attacks made on me for being a suspected Journalist as if this was a crime. I became a journalist by virtue of the researching and publishing work I do; I will not apologise for this as it is an asset to the charity.

Many charity's: indeed, the Charity Commission itself has a press office, usually such offices are staffed by qualified

journalists, this does not make them a journalistic organisation it is merely a system many effective organisations need in the modern world.

I am proud of the work we do; I have never done anything wrong in my life despite the attempts by my employer to destroy 7 Whistleblowers for reporting the abuse and torture of Vulnerable people which was fully upheld by the authorities. I have always acted with dignity and compassion.

The attacks on us by WBUK and the false and malicious allegations made to yourselves must be liable for criminal prosecution and we are forwarding all the evidence to the police as we have suffered sustained, unfounded and malicious threats for long enough, we must protect both ourselves and the charity that helps thousands of people from any further harm.

There is much more evidence, but I will submit further as needed and consider this sufficient to show the Charity Commission is being deliberately misled by Georgina Halford Hall who has a long history of making malicious and completely untruthful accusations and displaying dysfunctional behaviour.

Please do not hesitate to contact me and please bear in mind the helpline calls are a priority if you could call outside the helpline hours it would be appreciated,

Yours Sincerely

Eileen Chubb

