

# The Whistle

**FREEDOM TO CARE**

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**Promoting public accountability - Protecting freedom of speech in the workplace**

## **Was the Waterhouse Tribunal into Child Abuse denied key evidence?**

Sian Griffiths was seconded from Wrexham to Flintshire to work on the documentation to be provided to the Waterhouse Inquiry and was under the supervision of Andrew Loveridge, County Solicitor for Flintshire and acting on behalf of the Successor Authorities at the Tribunal. Chris Clode of FtC is on written record as having earlier raised concerns with John Jevons, Clwyd Director of Social Services, when Griffiths was appointed to run the "Bryn Estyn Office", where she was responsible for preparing files for the Police on allegedly abusive staff, some of whom she had been involved in appointing in her earlier role as Departmental Staffing Officer.

She was unqualified and had under her supervision 1.5 (one and half) other administrative staff. However, she had her post evaluated at M5 Grade, a senior management grade that should involve significant supervisory and budget responsibilities; Chris Clode himself was evaluated from M4 to M5 in 1996, when he was managing approximately 80 staff and a budget of £2 million. In addition, it turns out that she was being paid over her last two years (working for Flintshire) approximately 5 hours overtime a day. This led to her pay for her last two years - on which her pension was calculated - to be £104,000. It is extremely rare for a Manager at this level to be granted any overtime and the documentation on which these overtime claims were based has been seen and is evidentially doubtful. We believe she retired sick in November 1999.

Additionally, Christine Roberts, who was the UNISON Secretary for Flintshire, has made a statement about a conversation she had with Howard Marshall, the UNISON full-time officer. He told Christine that Sian Griffiths had told him

that if she did not get the final settlement she wanted from Flintshire, she would disclose about the documentation she held back from Waterhouse on the instructions of Andrew Loveridge.

Janet and Chris Clode of FtC have also been visited by D.I. Roberts, Head of North Wales Fraud Squad, at his request, where he made it clear that he does not expect to pursue further inquiries into the Griffiths case and is satisfied at the manner and nature of the payments made. This has also been confirmed by a journalist who has contacted the North Wales Police. A number of journalists - both local and national - are aware of the story, but are awaiting the outcome of the current Andy Sutton Tribunal, where the Sian Griffiths case was part of the evidence given by Chris Roberts, but Loveridge refused to answer questions on it.

We also understand that concerns about the payments to Sian Griffiths have been taken by Liberal-Democrat councillors to Derek Griffin, Chief Executive for Wrexham, because the costs were met across the unitary authorities which had made up Clwyd.

The implications of this story question the validity of the £13 million Waterhouse Inquiry and its conclusions, as well as implying that those victims who expected their real concerns to be heard, have probably been silenced by the withdrawal of files containing their evidence.

*[See page 7 for more on Andy Sutton tribunal]*

### **FtC's Rugby Meeting**

At a meeting of FtC's Core Group in Rugby on Saturday 4<sup>th</sup> May 2002 Chris Clode was unanimously appointed to the role of National Coordinator. Founder Geoff Hunt continues duties as 'The Whistle' and website editor and as policy adviser. Please note that the Wrexham address (page 8) will now be the main FtC address, although the current Surrey one will also be kept.

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## Consultation on Social Services Draft Code

*FtC's Letter to Lynne Berry, Chief Executive, GSCC, dated 26/3/2002.*

“Freedom to Care has consulted its members who work in social care and we wish to make the following observations.

1. We understand from reading ‘Community Care’ (10-16 January, 2002) that while the Code for workers will be compulsory for “anyone wanting to register with any social care council” and therefore to work in social care, for employers “there is no legal requirement” for them to sign up to the Code of Practice. We do not believe it is feasible to have the Code compulsory for workers, while for the employers it is voluntary. For instance, this leaves workers with the obligation to challenge “dangerous, abusive, discriminatory and exploitative behaviour and using established processes and procedures to report it”. But it leaves it purely a voluntary matter for employers to “Provide procedures which encourage and enable staff to report unsafe, incompetent or abusive behaviour”. Therefore, it is **not compulsory for the employers** to provide the conditions in which workers can follow the code. The list of points in the Employers' Draft Code would seem to be criteria that any social care employer must meet, many of them legal requirements; therefore, Freedom to Care believes that: **signing an undertaking to adhere to the Employers' Code of Practice should be a condition of Registration for any social care employer, in order to be allowed to practice in the social care field.**

2. We believe that both Codes should specify that employers provide and workers adhere to a Public Interest Disclosure (or “Whistleblowing”) Policy, and that adherence to that policy should be a duty on all. While the Codes do not

provide for detail on such matters, we believe that the minimum terms for such a policy should be that it specifies **outside and independent routes for whistleblowers** to take, following the exhaustion of internal procedures and that the Policy should specify reasonable time-scales, within the terms of avoiding unreasonable delay, as upheld in the Court System.

3. We also believe that should an employer take retributive action against an employee who has made a public interest disclosure in good faith, and that that retribution is independently proven to the level of evidence of the balance of probabilities (i.e., in a subsequent Employment Tribunal or Personal Injury Hearing), that the **employer's behaviour** in this be taken into account in deciding whether the employer should retain their registration as a social care provider, or other sanctions be considered by the General Social Care Council.

Given the requirement for Social Services Departments to have whistleblowing procedures and policies, we remain extremely concerned about the number of cases still being referred to us at FtC, where workers are being harassed and sacked or otherwise driven from their jobs, following raising clear and evidenced concerns about abuse and harm in their workplaces, whether deliberate harm or by omission. Many of these cases have involved the whistleblowing procedures being pre-empted by resort to other matters, subsequently raised by managers likely to be embarrassed by the concerns raised by their staff. We believe that the incorporation of the above powers into the remit of the GSCC and, therefore into the regime of those responsible for inspection and registration, will enhance the protection of staff who seek to adhere to their Code, in the face of malpractice within their organisation.”

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## **SOME RECENT CASES** **IN WHICH FtC HAS** **BEEN INVOLVED**

*Your membership makes it possible for FtC to continue to assist conscientious, public-spirited employees and professionals. You are the conscience of big organisations – please stay with us!*

### **SCHOOL NURSE**

BUNNY PINNINGTON, the school nurse in South Wales who in 1997 was told to delay the resuscitation of a child in her care with serious disabilities, and was harassed out of her job when she refused the instruction, has at last been given the date for a five-day Employment Tribunal Hearing in July. Bunny and her husband have battled on for this, with FtC's support, despite the fact that her union the RCN have ceased to support her.

### **CHILD PROTECTION WORKER**

"S" is a child protection social worker in East Anglia who protested when a child was placed with a foster carer under investigation for abuse. She was driven from her job, went to Employment Tribunal and won a large out of court settlement from her ex-employers, who then immediately sent her name to the DoH List of people unsafe to work with children. This effectively blocked any chance of employment for her. The authority also maliciously informed the Council where she lives with her son that she was listed and had a child living with her - implying that there should be a Child Protection investigation of "S" herself! With FtC support, she appealed to the DoH and now, after 15 months she has been taken off the DoH List and has a job working with children in another authority.

### **I.T. SPECIALIST**

"A" is an Information Technology specialist with the Ministry of Agriculture, Fisheries & Food (now Department of Environment, Food & Rural Affairs - DEFRA). He was involved in setting up new information systems to trace animals prior to last year's Foot & Mouth Disease outbreak. The section he worked in was, he says, dysfunctional with a bullying culture and "A", a contract worker, was driven out. With FtC support he has pursued legal advice, has outstanding litigation against his former employers and last week succeeded in getting a question asked in the House of Commons about post traumatic stress in DEFRA.

(website: <http://www.defra.gov.uk/footandmouth>)

### **CHILDCARE WORKER**

"P" is a residential childcare worker in the Midlands who blew the whistle over an inappropriate relationship between a volunteer and one of the girls in care. "P" was suspended when counter allegations were made against her - which have now been dropped. FtC had to contact the Council's Child Protection Coordinator when serious concerns about sexual health problems were brought to our notice. "P" is now back at work, but has lost a large amount of pay that she is still pursuing from the Council. As a result, her Managers have been told to have no meetings with her - and she has even been unable to meet them to discuss issues about the children she is now working with!

### **CHILD ABUSE WHISTLEBLOWER**

"W" blew the whistle on child abusers. Following the sacking of Charles Faber, a senior officer in a South Wales authority who was sacked for filming evidence that children were being abused by paedophiles, "W" came forward with evidence of a network of abusers in the professional, business and political elite of South Wales. The Police are taking his statements seriously and FtC supported him in a meeting with the Welsh Commissioner for Children; FtC has found both the Police Sex Offenders' Unit and the Commissioner very supportive of our advocacy for "W". One of the key subjects of the allegations has now been suspended.

### **SOCIAL SERVICES MANAGER**

"C" was a Social Services Manager in a North Wales authority, and was sacked for "insubordination" to a Senior Manager, who had a history of mental illness. Finally, she has been reinstated, but is expected to work to the same line manager. She is seeking a solution, but the Authority will not allow her to retire with the stress they have caused her. She is appealing and requesting the opinion of an independent occupational health physician.

### **HEALTH & SAFETY IN CONSTRUCTION**

FtC was contacted by a construction engineer "X" who was being pressured by a manager to 'sign off' a new building as safe when it was known that the building had not met requirements. There was financial pressure to open the building. "X" refused to sign it off but felt bullied by the manager who was trying to turn other staff against him. He was also afraid of losing his job and said he had children to support. "X" was advised to stay calm, not to fall out with the manager, but to argue his case solely on the basis of the welfare of the future users of the building and with full

knowledge of the regulations and with support from his professional body. He was also advised to consult the Health & Safety Executive.

### MENTAL HEALTH SERVICES MANAGER

FtC has been supporting "V", a Mental Health Services Manager in London. She was recruited to sort out the problems in a residential unit where there had been a history of staff bullying and conflict. When she began to be subjected to bullying and a refusal to follow her instructions, her own Senior Managers would not support her when asked. "V" herself became ill and was hospitalised. Her parents heard of FtC through local press coverage of our Midlands work and we have been supporting her and her family since.

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## Another suspension at Coventry Hospitals

### *Sheila Porter-Williams*

The last issue of *The Whistle* included a report on the suspension of two consultants at University Hospitals Coventry and Warwickshire NHS Trust. One of the two consultants suspended at that time was **Alban Barros D'Sa** who had raised concerns about a colleague's high mortality rate among patients for colorectal surgery. The ostensible reason for the suspension was that he was alleged to have put improper pressure on a junior colleague to get information for his investigation, and an internal enquiry decided that a reprimand was sufficient sanction for that offence. The suspension continued for many months longer. Eventually the Court of Appeal upheld the High Court's judgment that seeking the help of a Member of Parliament in trying to get reinstatement was not a valid reason for continuing the suspension, and Mr D'Sa was reinstated.

Shortly afterwards the Commission for Health Improvement (CHI) inspected the Trust and produced a comprehensive report of its failings, which led to the Secretary of State giving the Trust a "no stars" rating and put the management on six months' notice to effect a significant improvement. Among the failings requiring action were the following:

1. High patient mortality rates (the problem Mr D'Sa had highlighted for one of his colleagues).
2. The need for a just management culture (while the report did not name names, it is likely that Mr D'Sa's suspension was among the incidents prompting this recommendation).
3. The need to stop placing five beds in bays in high-dependency units designed and equipped for four.

The third point was highlighted during the inspection by another consultant, **Raj Kumar Mattu**. In February 2002 Dr Mattu was suspended on similar grounds to Mr D'Sa, for alleged bullying of junior staff. This is a remarkable coincidence.

My experience as a patient, and as the daughter of a patient, is that it is endemic in the culture of hospitals for consultants to use contemptuous or dismissive language to or about patients and subordinates. This is not acceptable, but, except for extreme examples (and there are horror stories of consultants with impunity ordering junior doctors and nurses to perform treatments expected to kill patients) or persistent offenders, the solution needs to be to change attitudes, not to use formal disciplinary processes. When I complained in 1997 about a consultant's contemptuous refusal of surgery to my mother in one of the hospitals run by the same Trust, there was no question of disciplinary action against the consultant responsible.

### Why suspensions?

The Trust does not explain its reasoning. It looks as though, whenever any employee highlights wrongdoing in the Trust's hospitals, the Trust collects statements from anybody who has been involved in the investigation. Then if any statement reveals any evidence of any misconduct on the part of the whistleblower, even if the person making the statement has not made a complaint, this is used as ammunition to suspend the whistleblower.

In theory suspension of an employee suspected of wrongdoing is a **neutral** act to enable an orderly investigation. In fact it is used as an act of oppression and intimidation. There are so many examples of unnecessary and prolonged suspensions in the NHS that **the powers of management to suspend staff must now be curtailed**. There should be an absolute limit on a suspension of three months. But within a much shorter period (say two weeks) there should be a requirement to satisfy an independent body such as a Magistrates' Court that continued suspension is appropriate. The employer would need to prove that the alleged offence if proved would reasonably justify dismissal and that there is sufficient evidence about the individual who is suspended to pursue further enquiries that could not satisfactorily be pursued with that person actively in post. [Submitted to 'The Whistle', 3rd March 2002]

Go to the **FREEDOM TO CARE** [web site](http://www.freedomtocare.org) for over 250 pages of guidance, news, cases, links on public accountability and whistleblowing:

**<http://www.freedomtocare.org>**

## SHERRON WATKINS - ENRON WHISTLEBLOWER

In the summer last year, Enron Vice-president for corporate development, **Sherron Watkins**, concluded there was something corrupt going on. Many people knew, but only Watkins had the courage to blow the whistle. A couple of letters that she wrote to Chairman Kenneth Lay exposed top officials who had been hiding a mountain of debt. She started a chain reaction of events that brought down the company and its auditors **Andersen**. Watkins' letters, along with thousands of other documents, are now in the hands of U.S. congressional and criminal investigators who are probing how Enron, its auditors at Andersen and many other supporting actors allowed the **USA's seventh largest company** to go bankrupt in December 2001. In one letter Watkins wrote: "I am incredibly nervous that we will implode in a wave of accounting scandals... I have heard one manager-level employee from the principal investments group say, 'I know it would be devastating to all of us, but I wish we would get caught. We're such a crooked company.'" We now know, thanks to

Watkins, that Enron hid billions of dollars in debts and operating losses inside private partnerships and intricate accounting schemes that were intended to maintain confidence in the company and support its inflated stock price. Meanwhile, executives at Andersen, the accounting giant that enabled Enron's every move, were concerned about the arrangement but saw the chance to double their fees if they just turned a blind eye.

Enron avoided paying federal income tax for four out of the last five years and instead received millions of dollars in federal-tax refunds. Now U.S. politicians have been hurrying to send back expensive gifts from Enron. And legislators of both parties have been scrambling to give back hundreds of thousands of dollars in campaign contributions from Enron employees. Isn't it amazing what one person with honesty and courage can do – think what a few thousand could do!

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## JAPAN: PROFESSOR BLOWS WHISTLE ON GOVERNMENT A.I.D.S. OFFICIAL

"Spending taxpayers money to cover the medical costs of treating AIDS patients is like throwing money away", said Dr. Akira Nakajima, a retired professor. He was speaking to the press in 1997 as chairman of an advisory panel established by Japan's Ministry of Health and Welfare as a result of an incident involving hemophiliacs who had been infected with HIV by ministry-approved contaminated blood products. Dr. Nakajima continued: "In Thailand, they pour their resources into prevention and let those who are already infected die." Dr. Nakajima made his statement on 15<sup>th</sup> July 1997, and it was reported on the 16<sup>th</sup> July in a number of national newspapers. Victims of HIV/AIDS and their lawyers were outraged by Nakajima's insensitivity, and they complained to the press,

demanding that he resign from the panel. The following day, all Japanese newspapers carried the story of the chairman's controversial statements. Under the pressure of unfavourable publicity, Nakajima retracted his statement. Nevertheless, he was dismissed from the panel by the Ministry of Health and Welfare, which gave as the reason his gross misunderstanding of the situation and his insensitivity toward victims of HIV infection. **Professor Matsuda**, of Community & International Nursing at the University of Shizuoka, Japan, then decided to blow the whistle in the press – he was not satisfied that the true situation had been made known to the public. He knew that the Thai government spent 75% of its AIDS budget on the care of HIV/AIDS victims and only 25% of it on the prevention of HIV/AIDS.

## More on Corporate Social Responsibility

Robert McGregor

*This is the second in an ongoing series of short articles on corporate social responsibility (See 'The Whistle', Dec. 2000).*

**“CSR is a process by which companies manage their relationships with a variety of stakeholders who can have a real influence on their licence to operate.” (1)**

The emphasis continues to be on stakeholder **management**, rather than stakeholder accountability. Moreover (at least from the above quoted perspective) companies need only engage with (or rather ‘manage’) those stakeholders who have a ‘real influence’ on their economic prospects – i.e. the well resourced and well organised. But what about those who are being adversely affected by a company’s operations, but who are unable to have ‘real influence’? Well, if their concerns aren’t being actively protected by some (competent) regulatory authority or if they aren’t being effectively championed by some NGO, then they’re on their own.

Both stakeholder management and stakeholder accountability are concerned with the relationships between companies and stakeholders. The difference is that ‘stakeholder management’ treats stakeholders as economic and/or risk factors – i.e. primarily in terms of what benefit or risk they represent, whereas ‘stakeholder accountability’ treats stakeholders as constituents with rights to information.

The vast majority of companies (and indeed of organisations generally) are strongly averse to the idea of being accountable – it necessarily implies a diminution of sovereignty – a sharing of power.

**CSR is about “how a company manages its business processes to generate shareholder value through minimising its impact on the environment and having a positive impact on society”.(2)**

Primacy is given to shareholders – the emphasis is on shareholder value and how this can be enhanced rather than on relationships with other stakeholders acting as a constraint on the pursuit of shareholder value.

That said, it’s a far more enlightened approach than that implied by the avowed purpose of an SRI (socially responsible investment) methodology called “Innovest Eco Value” which is to identify industry leaders “so that investors can exploit the risk mitigation and investment opportunities inherent in the substantial but

largely unrecognised differentials in eco-efficiency.”

At the other end of the SRI spectrum are shareholder activists, such as the ‘Interfaith Centre on Corporate Responsibility’ which, amongst other things, files socially responsible resolutions at companies’ AGMs (e.g. that directors’ pay should be linked to the company’s social and environmental performance) and funds, such as the Universities Superannuation Fund, which engage on CSR issues with the companies in which they invest.

However, the mainstream approach by the investment community to CSR is orientated to risk management, as exemplified in guidelines issued towards the end of last year by the Association of British Insurers.

**“CSR is about integrating the issues of the workplace, human rights, the community and the marketplace into core business practices.”(3)**

Conceptually, it is easy enough to think in terms of integrating economic prosperity, environmental responsibility and social justice – in a phrase: sustainable development. However, it is much more difficult to achieve this happy symbiosis in practice. The challenge is how to make CSR an integral part of corporate strategic planning and routine operational performance. One initiative which is attempting to meet that challenge is the SIGMA Project. (4)

And, finally a quick mention of a recently published CSR report: the ‘Unocal Social Responsibility Report 2000 – 2001’. It contains a values statement, but no targets and very little on stakeholder perceptions or anything that can be measured or verified. Grandiosely (and rather sinisterly) it talks about “enhancing civil society by promoting social and economic progress.” Companies like developing things: a product a service or, if you invite them to do so, a whole society.

1. European Commission Green Paper: ‘Promoting a European framework for Corporate Social Responsibility’:
2. Deloitte’s 2002 SRI Survey
3. Corporate Social Responsibility – The European Business Campaign - <http://www.csreurope.org/CSRCampaign/what.htm>
4. [www.projectsigma.co.uk](http://www.projectsigma.co.uk)

## BRISTOL REPORT SAYS LAW INEFFECTIVE

The Kennedy inquiry into high mortality in children's heart surgery at the Bristol Royal Infirmary (see last issue) says in its July 2001 report that the Public Interest Disclosure Act (for protecting whistleblowers) would **not** have helped the whistleblowing doctor **Steven Bolsin**. Naturally, the Health Minister was persuaded to state that this is incorrect. Who really knows? What is clear is that the PIDA is very weak, and even if it were stronger it would not necessarily engender trust or help professionals and managers to take on a wider conception of their social responsibilities.

## WHISTLEBLOWER

### ANDY SUTTON

#### - *FtC'S TRIBUNAL report*

**Andy Sutton** is alleging that he was unfairly dismissed from his post as Head of Flintshire County's Internal Audit Section because he tried to investigate a number of serious allegations of corruption. Additionally, he is bringing thirty eight (yes, 38) protected disclosures under the "Whistleblowing Act" (Public Interest Disclosure Act). These allegations included the making of an illegal golden handshake to a manager who had retired, which involved fabricated documentation; suspicious land and property deals and massive salary and overtime payments to an administrative worker servicing the Waterhouse Inquiry into Child Sexual Abuse. Many of the cases could have criminal implications – of which The North Wales Police have also been informed. Sutton claims that essential documents and information were deliberately withheld from him making it impossible for him to do his job.

Most extraordinary was the issue of the overpayments to the administrator to the Waterhouse Tribunal into child abuse in North Wales. Flintshire tried its utmost to prevent Chris Roberts, former Flintshire UNISON Secretary, giving her evidence. While the Tribunal restricted some details from her statement, she was allowed to appear. Roberts described a conversation between UNISON and the administrator who "said if she didn't get the severance package she wanted then she would start making allegations about what she and [County Legal Head] Andrew Loveridge had done with regards to the Waterhouse Inquiry." Roberts said she had been "paralysed by the enormity" of what she had been told about this and that she now believed that there had been corruption by Flintshire that affected the outcome of the £13 million Inquiry.

Given the administrator's role in providing files to the Police and Waterhouse from the North Wales councils, **the question is being asked whether evidence was held back, potentially altering the Waterhouse conclusions** - and whether this is what was in the part of Robert's statement that was held back by the Shrewsbury Tribunal. Loveridge faced questions on this and refused to answer them. Before the Hearing, FtC were visited themselves by the Head of the Fraud Squad in North Wales to make it clear that he did not expect this case to be investigated further!

Those at the Tribunal have also heard of papers that might embarrass senior officers and councillors being removed from files, disciplinary hearings on those investigated by Sutton for malpractice, being held when he was away on holiday, so his evidence could be ignored. When he tried to circumvent senior officers by writing directly to elected members to alert them to the difficulties he was experiencing, he met with hostility, threats and abuse by Chief Officers and leading Councillors. Also, Andy has been physically threatened outside work by people who are total strangers to him. He will be calling witnesses to this.

Flintshire council has introduced incomplete documents late, in an attempt to clear doubts about work done in the home of Council Leader Aldridge's house by Council workmen - this was despite an earlier promise by Flintshire's legal representatives that all documents had been provided before the Hearing commenced.

Central to all the allegations has been the role of County Solicitor and Monitoring Officer, Andrew Loveridge. In seeking a barrister's opinion on one case involving grave, possibly criminal fabrication of documentation by two Flintshire Directors, he cited that "the reporting of [the Directors] in such circumstances to be a considerable embarrassment compounded by the fact that unfortunately Local Government elections are to take place in May [1999]." Loveridge then conducted what Sutton called a "disgraceful" re-writing of the opinion for councillors' consumption, leading him to ask, "Were councillors being duped?" One of the Directors was subsequently promoted without the appointing Panel of councillors being made aware that she had been one of the suspended twosome!

Perhaps most notable has been the questions thrown up over the role of the North Wales Police, in particular their Fraud Squad. No charges followed the barrister's finding that documents had been fabricated, indeed it appears that D.I. Roberts decided not to interview any of the people named in this case, as the Internal

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Audit Report on it "was so good." When the Policc wrote back to Flintshire about the matter, Sutton was denied access to the letter. It was also D.I. Roberts who warned Andy Sutton to "beware of the brotherhood", when discussing with him a property scandal involving Chief Officers.

Sutton ended his 25 hours on the stand with the Flintshire barrister having failed to smear Andy's motives for insisting that he be given documentation on allegations of malpractice and corruption implicating top Flintshire officers and councillors. Sutton described how he came under pressure from Chief Executive McGreevy to drop investigations into fraud and falsification of documents. Sutton said, "We can't forget about the past, especially when there is the possibility there has been criminality or cover up." McGreevy later retreated under cross-examination to claiming that documents not produced for Sutton had been "lost". The Tribunal Panel itself intervened to cross-examine McGreevy on this. Councillors opposed to Flintshire's large Labour majority gave evidence that they had warned Sutton to "watch his back". Andy's wife, Helen, broke down in tears as she spoke of her shock at a Police warning to "beware of the brotherhood", meaning the Freemasons.

Another witness described how a property officer had been forced from his job after trying to recover debts from a commercial tenant, who seemed to be favoured and protected by senior Flintshire officers. He said, "There was a climate in the council that whistle blowers would be dealt with." Andy had the first 3 weeks of his Employment Tribunal in March. The Hearing is to resume on May 20<sup>th</sup>.

## WHISTLEBLOWING NURSE WINS

**John Kay**, a nurse disciplined after blowing the whistle on poor elderly care at his Northumbrian hospital, won his industrial tribunal in late November 2001. The tribunal decided that Mr Kay's writing to the local newspaper with his concerns was legitimate under the circumstances.

The tribunal said the issues he raised were of "serious public concern". Mr Kay said: "It's a victory for democratic speech and public service workers to speak out about important issues."

## FtC ENDORSES TOBIN TAX CAMPAIGN

An FtC representative attended the Tobin Tax Day on Wednesday 13th March in London. This is a War on Want campaign for a tax on currency speculation. The tax would for the first time help make speculators publicly accountable and generate huge sums to address world problems. The French government has now adopted such a tax, implementation pending other European nations' endorsement. On the day a seminar took place at the offices of the Princess Diana Memorial Fund. Speakers included Baroness Shirley Williams; Larry Elliot, Economics Editor of the *Guardian* and leading economist, Rodney Schmidt. Delegates then went to the Treasury to hand in the 'Tobin Tax Declaration' signed by over 40 organisations including Freedom to Care, Oxfam, Christian Aid and UNISON. An Early Day Motion based strongly on the wording of the declaration has so far been signed by over 100 MPs.

## **FREEDOM TO CARE**

.. is an independent, non-profit & entirely voluntary organisation. We are not lawyers. We are the UK's first whistleblower organisation, founded in 1991. We are a company limited by guarantee (**Reg. 2973440**).

**PATRONS** are John Hendy QC, Allan Levy QC and Austin Mitchell MP.

**FOUNDER** is Prof. Geoffrey Hunt.

**WHAT WE DO** We lobby and campaign for greater public accountability of large organisations and support conscientious employees who speak up.

**STRUCTURE** *Board of Directors:* Harold Hillman, Geoff Hunt, Tim Field, Lawrence Smyth; *Company Secretary:* Rob McGregor; *National Coordinator:* Chris Clode; *Treasurer:* Chris Thomas; *Membership Secretary:* Anne Burge.

**WEB SITE:** <http://www.freedomtocare.org>

**MEMBERSHIP:** £21 p.a. (£10 for those on low income); £35 group affiliation.

**ADDRESS:** PO Box 78, Wrexham, LL11 6ZD,

United Kingdom. Tel/Fax/voicemail:

+44 (0)20 8224 1022 [info@freedomtocare.org](mailto:info@freedomtocare.org)