

The Whistle

FREEDOM TO CARE

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Promoting public accountability - Protecting freedom of speech in the workplace

NHS WHISTLEBLOWER

Report into allegations by Ian Perkin about St George's Hospital Trust finds main allegation proven but blames the whistleblower.

This case has featured in Whistle 21 and 23.

Ian Perkin was suspended and later dismissed as Finance Director of St George's Hospital Trust on grounds of an inappropriate management style after drawing attention to irregularities, in particular to falsification of returns used by the Department of Health for performance management of hospitals. Subsequently an investigation was commissioned by David Sissling, the Chief Executive of Leicestershire, Northamptonshire and Rutland Strategic Health Authority, acting on behalf of the South West London Strategic Health Authority.

Baldly, two out of six allegations were proven. The report accepts Trust's line that the problems identified by the allegations were quickly resolved and stresses mitigating factors. It also blames Ian Perkin for part of the dysfunctional management relationships at the hospital. The investigation focused on two questions:

- Were patients harmed or otherwise disadvantaged?
- Was the taxpayer disadvantaged?

The consequence of this focus was that the report plays down in significance inaccuracies of performance management figures while it emphasises the costs of investigating allegations which could not be proved from available evidence.

As often happens in inquiries into serious allegations, the detail of the report shows much more than the conclusions about serious matters needing to be put right. All four of the unproven allegations led to recommendations in the report.

The main allegations related to performance management returns. Figures for both waiting lists and cancelled operations were under-reported.

During 2000, as a result of the introduction of a new system for booking appointments, some patients were inadvertently omitted from waiting list statistics. Reported waiting times did not change significantly while the true numbers of patients with long waits for appointments were increasing. When this effect was evaluated and brought to the attention of senior management, the figures showed a performance significantly worse than target, caused by the diversion of resources from seeing patients to training junior doctors.

After discussion with the Regional Office, the figures were returned on the old basis that was known to under-record waiting times while the under-recording was further investigated and an action plan was prepared to bring true waiting times within target. From the ambiguous evidence the report concludes that the deliberate under-recording only lasted one month.

The report finds that the allegation of conspiracy with the Regional Office to conceal the true figures was not proven. It also states that patients were not harmed or otherwise disadvantaged. While it is true that patients were not disadvantaged specifically by the deliberate under-recording while an action plan to shorten waiting times was being prepared, they were disadvantaged over the preceding months when waiting times were extending without the knowledge of senior managers.

In January 2005 the Court of Appeal ordered an appeal hearing against the decision that Ian Perkin was fairly dismissed. The hearing is due to be held in the High Court in July 2005.

THE DISTURBING CASE OF ARNOLD McCARDLE

The Whistle 24 featured the misuse of a diagnosis of mental illness made without a competent medical examination, when the General Medical Council used an improper diagnosis in legal arguments against Dr Rita Pal. Here's a more extreme case.

The late **Arnold McCardle** was compulsorily detained in the secure Carstairs State Hospital, was taken back there even after the Scottish Appeal Court ruled that his detention was unlawful, and died there even after he had written that he was in fear for his life.

Scotland Against Crooked Lawyers has compiled dossier of allegations against solicitors, advocates, sheriffs and judges. (The full details are at: <http://www.sacl.info/rogues.htm>).

The sheriff ordered, on 11 February 2002, that Mr McCardle be detained in the secure hospital (rather than proceed with his criminal trial). Ann Mallaby, a human rights worker who has been pursuing his case with the Scottish parliament and elsewhere, wrote:

"Andy was originally held on remand pending a criminal trial with a jury. The charges were trumped-up by Strathclyde police, on whom he was blowing the whistle for their involvement in drug dealing (recently proven). Andy was defamed in the newspapers, prejudicing the forthcoming trial. The trial never proceeded because the Sheriff illegally pronounced him insane and sent him to Carstairs. Psychiatrists labelled him delusional for making criminal allegations against Strathclyde police. Lawyers closed ranks and refused to act on his instructions, forcing him to represent himself. He made applications to the criminal appeal court (High Court of Justiciary); used the mental health complaints procedure; and applied to the ECHR."

On 5th December 2003 the Scottish Appeal Court ruled that his detention was unlawful (<http://www.sacl.info/judges3.jpg>). Nevertheless he was taken back to the hospital.

Shortly before his death he wrote a letter including the following statement:

"I have made it absolutely clear that I have held the steadfast belief that I was sent here in 2002 to be silenced, PERHAPS MURDERED, nothing that has taken place here since my arrival has given me cause to alter my beliefs."

He died on 26th December 2004. **Ann Mallaby** wrote shortly afterwards:

"Andy died at 6.00 pm, in the presence of Carstairs staff. The alleged cause of death was inhalation of gastric contents, clogging of the arteries and cardiac insufficiency. There was no reporting of the severe facial injuries suffered by Andy at the time of death. The Procurator Fiscal is unwilling to discuss the unreported injuries and the failure of Carstairs, the police and the pathologist to report them. He also refuses to provide us with a copy of the Post Mortem results. He has agreed to ask the Sheriff for permission for a FAI (Fatal Accident Inquiry). However, FAIs are regarded, by ENABLE, to be ineffective time and money-wasting procedures. We are pressing for a criminal investigation of Carstairs staff, undertaken by an outside police force. We are, in any case, conducting our own investigation.

"There is increasing evidence of abuse, sadism and torture of legitimate inmates of Carstairs Mental Hospital (as in other mental hospitals). Political prisoners are also being held in these institutions and the evidence suggests that there is a licence to kill. Indefinite detention under the Mental Health Act is a means of silencing whistleblowers. Many people now live in fear of police and the men in white coats.

"We feel that, not only have mental health laws been misused and need urgent review, but that the whole system has been corrupted and persecution of whistleblowers is widespread. The crux of the matter, I believe, is the government's failure to tackle corruption."

Subsequently Strathclyde CID officers have conducted an undercover investigation in Carstairs but their findings have not been made public. The Lord Advocate, Colin Boyd, has agreed, under pressure from Leeds human rights lawyer Tony Wilde, to hold a Fatal Accident Inquiry into the death of Arnold McCardle. This is due to take place on the next available date after September.

There are questions about this case that need to be answered. Meanwhile whistleblowers and society as a whole need to be aware that ways of shooting the messenger include misuse of mental health procedures.

FBI WHISTLEBLOWER

Sibel Edmonds, was dismissed as a translator at the US Federal Bureau of Investigation after revealing that colleagues were suppressing or mistranslating documents because of their own political connections in the countries from which the documents originated. (See *Whistle 24*.)

Enough information has now been published to show that the Inspector General's report on the FBI has endorsed Sibel Edmond's report.

Independent people have identified lax vetting of appointments as translators, including one with family connections to a known foreign spy.

Her lawsuit, however, continues to be heard in secret, on the spurious grounds of state security.

WAR, MONEY & WHISTLEBLOWERS

What has Blair got us into?

The role of trading companies undertaking military activities for profit has expanded recently and has become obvious in the Iraq war.

Military trading companies are not just arms manufacturers and mercenaries hired to replace one authoritarian government with another. They have been fundamental to US military operations up to and including the Iraq war.

On many occasions casualties in Iraq who have been described as civilians have turned out to be armed security guards with military experience, paid more than soldiers and accountable only to their employers.

Privatisation has also extended to logistical management. Huge contracts have been awarded without competition or scrutiny of costs or any incentives to efficiency or even competent management.

Most notorious is **Halliburton**, which is reportedly still paying US Vice-President Dick Cheney although he gave up his role as chief executive in the company when he assumed office. When he was previously in government he set up military contracts that were awarded to Halliburton and then joined the company.

A subsidiary of Halliburton was awarded cost-plus contracts in Iraq, after undertaking similar work in Kosovo. It appointed its own local sub-contractors, often without competitive tendering, and there are allegations of bribery in the award of sub-contracts.

Problems, apart from unnecessarily high costs, are wastage and unnecessary work, all of which increased the company's profits.

Unsuitable vehicles were used for transport. As a result goods were damaged in transit or lost to looters.

Unsuitable goods were supplied. For example a whole fleet of cars had to be written off after a few months' use in Iraq.

The generals were no more accountable for costs than their contractor. So they asked for unnecessary projects as monuments of their commands, and the contractor subcontracted the work at a profit.

All the whistleblowers on this issue are civilians. **Bunnatine Greenhouse** is in charge of awarding contracts for the US Army Corps of Engineers,

working in an area where her superiors and most of her colleagues are military officers. Under intense pressure she resisted the award of contracts without competition and the waiver of normal accountability under those contracts. When she was demoted for allegedly poor performance, she claimed protection under a 1989 law protecting whistle-blowing federal employees. We will need to watch progress in this case.

Former employees of the Halliburton subsidiary have also revealed how contracts have worked in practice.

Marie deYoung oversaw sub-contractors in Kosovo and then in Kuwait. She found that her colleagues were not leaving their hotels to monitor performance and were selecting sub-contractors at excessive prices. When questions were asked in Congress the sub-contracts were closed and the documentation kept secret.

James Warren and **David Wilson** were lorry drivers who found that they were expected to deliver goods that were easily looted or damaged over long distances on open lorries, and that their managers were not interested in providing containers or in ensuring that the lorries were adequately maintained.

WAS THE IRAQ WAR ILLEGAL?

As it is unlikely now that the question will be considered by a court with power to adjudicate, we may never have a definitive answer.

It appears that the question was more complex for the UK than for the US. The US President was given sufficient authority by Congress. The UK has accepted obligations under International Law, and the government and individuals acting under the government's authority can be prosecuted in the International Criminal Court.

At the time of the Iraq war **Elizabeth Wilmshurst** resigned from her post as deputy legal adviser to the Foreign Office, describing the war in her letter of resignation as a "crime of aggression". She seems to be the only legal officer to lose her job in connection with the Iraq war, and the only one to express publicly an opinion that the war was or might be illegal.

Immediately before the war a brief statement was issued to Parliament on behalf of Lord Goldsmith, the Attorney General, stating that war would be lawful because Iraq had kept weapons of mass destruction, contrary to the UN resolution that had suspended the earlier war against Iraq. This statement was described at the time as a summary of a longer opinion that would be kept confidential.

We now know that the intelligence supporting the confident assertion that Iraq had kept weapons of mass destruction was wrong, and there was plenty of

evidence at the time from the UN inspection team under **Hans Blix** that if there were any weapons of mass destruction they were elusive.

In the weeks leading up to the 2005 General Election, further information emerged. The armed forces had queried the legality of war and asked for a definitive legal opinion, which seems to have been one purpose of the statement to Parliament.

Elizabeth Wilmschurst's letter of resignation was published under the Freedom of Information Act in this period, initially with gaps, and then when the gaps prompted intelligent speculation in full.

Over the previous two years there had been requests for Lord Goldsmith's full legal opinion. In the week before the General Election an opinion written a few days of the supposed summary delivered to Parliament was published. It expressed doubts about the legality of war without an explicit new resolution from the UN. This opinion was not at the time seen either by the Cabinet or by the Chief of Defence Staff.

There are serious constitutional implications. The Prime Minister is too powerful, controlling patronage and information. Other people who should be scrutinising government decisions have not had sufficient information, whether they are ministers or back-bench members of Parliament.

People whose duty it was to give a professional opinion, whether it was about intelligence or about the legality of war, expressed professional opinions that suited government policy, and these were the only opinions from official sources published at the time.

Looking at their opinions with hindsight casts doubt either on their integrity or their judgment. There were contrary opinions at the time, including those of Elizabeth Wilmschurst on the legal issue and **David Kelly** on intelligence, but those opinions were kept away not only from the public but also from the Cabinet.

FACELESS ORGANISATIONS RUNNING YOUR LIFE?

To receive *The Whistle*, attend meetings, receive advice, meet like-minded people, learn to steer your way through the maze of unaccountable behaviour by organisations, and campaign for accountability JOIN US. We do not take money from corporations or government departments, but only from concerned citizens. So send a cheque for £21 for one year's membership, payable to 'Freedom to Care' (or £10 low income) or, better still, fill in a standing order form on our website and send to our West Molesey PO Box (See back page).

DANIEL ELLSBERG – STILL BLOWING THE WHISTLE

Daniel Ellsberg, the whistleblower from the Nixon scandals, has some thoughts on the Bush administration's policies.

This interview appeared on the excellent news website 'Truth-Out', which needs your support in getting to the real news: www.truthout.org

"I think our democracy is going to be tested to the breaking point by some very dark days ahead and before long. I do expect there to be another major terrorist event. Ports, the nuclear power plants and the chemical factories are extremely vulnerable to an attack. To a considerable extent, the war against terrorism has been a hoax because the president has not only spent so much money on the war in Iraq, but because the war in Iraq virtually subverts the war on terror. You cannot reduce the appeal and the strength of Al Qaeda while we occupy Iraq. You can only strengthen it, and strengthening it is what we've been doing steadily for the last couple of years. This is the worst public policy decision making, most antidemocratic and most inclined to be authoritarian, I would say, since the Nixon administration, but Nixon was confronting a Democratic House and Senate and a relatively liberal population in media 40 years ago. John Mitchell and John Connolly and Nixon himself had quite authoritarian instincts, but they weren't allowed to act on them, and to the extent that they did act on them -- it brought them down.

Virtually all the things Nixon did against me that were illegal to keep me from exposing his secret policy are now legal under the Patriot Act. Going into my doctor's office to get information to blackmail me with, wiretaps without warrants, overhearing me--all legal now. The CIA supplied the burglars in my doctor's office with disguises and with cameras and they did a psychological profile on me. That was illegal then, legal now.

I would have said that one thing that Nixon did against me was not yet legal and that was to bring a squad of a dozen Cuban-American assets of the CIA up from Miami to beat me up or kill me on May 3rd, 1973 on the steps of the Capitol. Right now there's at least one Special Forces team under control of the White House operating in this country to take 'extra legal actions'. Now, that sounds to me like a White House-controlled death squad. And that is what the White House sent against me. It's not clear whether the intention was to kill me then, the words were to 'incapacitate Daniel Ellsberg totally'. When I asked their prosecutor, 'does that mean to kill me?'. He said, 'The words were "to incapacitate you totally."' But he said, 'You have to understand these guys that were CIA assets never use the words "kill".'

I think that's the kind of thing we do have in our future, especially when there's another terrorist attack. In that case, I think we'll see enacted very quickly a new Patriot Act, which I'm sure has already been drafted which will make the first Patriot Act look like the Bill of Rights, and the Bill of Rights will be a historical memory."

FREEDOM OF INFORMATION IN UK AT LAST!

At long last, the Freedom of Information Act came into force in January 2005. It could well be helpful to whistleblowers.

FtC congratulates the Campaign for Freedom of Information, led by Maurice Frankel for many years. See: www.cfoi.org.uk for full information.

Some 100,000 public authorities are covered by the UK Freedom of Information Act. Government departments and agencies, local councils, NHS bodies, the police, armed forces, schools and universities, regulators, quangos, advisory bodies, publicly owned companies, the BBC and Channel 4 (except for journalistic and artistic materials) and even Parliament are all covered, though the courts and security services are excluded. Private contractors providing services on behalf of an authority can be brought under the Act in their own right. Future candidates might include Group 4 in relation to its prison contracts, Capita's running of the Criminal Records Bureau and PFI contractors. While Welsh and Northern Irish authorities are covered by the UK legislation, authorities in Scotland are subject to a separate, slightly tougher FOI Act, which comes into force at the same time.

The acts apply to information of any age, effectively abolishing the '30 year rule'. Your chances of getting old government files depend on whether the contents are exempt at the time of your request, not on how long they've been sitting in the National Archives.

The FOI Act applies to some 100,000 public authorities, including government departments, local councils, the NHS, individual GPs, the police, the Armed Forces, schools, colleges and universities, regulators, quangos, advisory committees and Parliament.

All written or e-mailed requests for information should be dealt with under the FOI Act. Requests for environmental information or the applicant's personal data are dealt with under parallel legislation. (Env Reg / DPA)

Authorities have up to 20 working days to respond.

Information can be withheld only where a specific exemption applies. In most cases even exempt information has to be released where the public interest in disclosure is equal to or outweighs the public interest in confidentiality.

If the information is refused the authority must say under which exemption, why the public interest favours confidentiality and tell applicants how to appeal.

Every authority should have its own complaints procedure allowing disputed decisions to be reconsidered at a more senior level.

The Information Commissioner can order disclosure. Failure to comply with an order would be treated as contempt of court.

If you want to see the entire 'Freedom of Information Act 2000' then see the official website: <http://www.hms.gov.uk/acts/acts2000/20000036.htm>.

THE SIMULTANEOUS POLICY

FtC Founder, Geoff Hunt, has become a Trustee of SIMPOL, which is a campaign for the subduing of international economic competition. You too can get your MP to sign up.

Full details are at: www.simpol.org

WHISTLEBLOWING ON ABUSE OF ELDERLY IN CARE

The Ann Craft Trust (ACT), which works to protect from sexual abuse adults and children with learning disabilities, is undertaking research on whistleblowing. Its preliminary report appears in the *ACT Bulletin* No. 50 of January this year, written by Rebecca Calcraft. Among the barriers to whistleblowing that have been identified are: uncertainty about what constitutes abuse, lack of clarity about standards, loyalty to colleagues, fear of repercussions and possible victimisation, and a lack of confidence that concerns will be taken seriously. See: www.anncrafttrust.org

UNACCOUNTABLE LOBBYISTS

EU proposals for regulations (Registration, Evaluation, Authorisation of Chemicals, REACH) to test thousands of chemicals produced by industries that are getting into everything from mothers' breast milk to the blood of polar bears, is being stymied by chemical industry lobbyists in Brussels. Progress towards a democratic EU political process and administration is being undermined by the rule of lobbyists – lobbocracy.

How much has industry invested in destroying the original REACH proposal over the last four years, directly and through trade associations, PR firms, contributions to think tanks and other various means? Certainly enough to have made their chemicals manufacturing a lot safer than they are, had they chosen the ethical path. They have by far outspent those who are defending environment and health protection.

Financial power, the REACH experience shows, enables corporations to exert an undue, excessive and illegitimate influence over EU policy-making. To get a clearer picture of how much industry has spent on obstructing REACH, the NGO *Corporate Europe Observatory* (CEO) wrote to 35 Brussels-based public affairs companies that are offering services to the chemical industry. The list of firms includes Hill and Knowlton, Edelman-Burson-Marsteller and the rest of the top-10 global PR giants. They were asked for "an overview of the clients for which your firm in the last 12 months has provided PA/PR services on the proposed EU system for REACH, the relevant budget and towards which EU institutions the efforts were directed." The request was first e-mailed, followed by a reminder by fax a week later.

A month later, only three out of the 35 firms had replied. Metzdorff & Associates responded that they had not conducted any work for any client on REACH, A.T. Kearney responded that the questions did not apply to the type of services they provide, whereas Single Market Ventures explained they are not a public relations or lobby firm, but only do analysis and research. None of the other firms bothered to reply.

The willingness of Brussels-based public affairs firms to provide transparency about who they are lobbying for is clearly non-existing. FtC agrees with CEO that there is a dire need for **lobbying disclosure legislation**, which would oblige firms to report on lobbying activities, including issues and aims, clients and budgets, meetings and correspondence with officials.

It would allow the general public access to key information needed to facilitate more effective public scrutiny of EU decision-making.

FEEL THE FEAR AND DO IT ANYWAY

Madge Bray

Chris Clode, National Coordinator, FtC, writes:

Freedom to Care activists, fielding calls from whistleblowers who have often been savagely dealt with by their bosses, their colleagues and even sometimes by those they once thought were close to them, know the pain these people are going through. In all cases, though, a stage will be reached where the priority will be healing over the continual search for a definitive victory of justice over abuse. Even whistleblowers who "win" seldom win all that they hope for and it has been done at such personal cost that the wounds may need help to heal. We met Madge by chance in Scotland. She has been helping abuse victims, including some of the Welsh victims known to FtC. What she has learnt has some wisdom for those who have reached the stage of healing. Madge Bray co-founded an organization called SACCS, for Abused children, based in Shrewsbury. She wrote "Poppies in the rubbish Heap - Sexual abuse -The child's voice" published by Jessica Kingsley. She now works with Frank Kane leading workshops which explore voice, sound and harmony. Frank Kane lives in Paris and his life path has been in the exploration of sound and vibration as a tool for change through the medium of Georgian Harmony Singing, described by UNESCO as "a masterpiece of the intangible heritage of humanity")

What would happen if I made a noise so loud that the walls shook? So deep that I could feel my legs trembling? So direct that no one in the room could pretend it wasn't there?

What if the sound I made was right for me, but not for other people and they chose to take offence?

What if it were too much for other people to handle and they ended up not liking me?

What happens if the noise I made transgresses every single social taboo known to humanity?

These can be some of the fears which arise in the decision to blow the whistle and speak out. Taking the risk and mobilising the power of our own authentic voices in the face of such fears often brings with it consequences which surprise us. For in taking the risk and speaking out, in taking the decision to "Feel the fear and do it anyway" we often discover that the consequences of speaking out are much kinder than we imagined. Few who

have experienced the liberation of being with one's truth would choose to go back to a state of "cover up" and the daily compromise of living outside one's integrity and a life of inner disharmony.

Group experiences of coming together in safety and trust, using our voices and discovering the clarity and purity of our own unique sound in the company of other whistleblowers prepares us to speak our truth whenever life calls us to do so.

THE PSYCHOLOGY OF INVESTIGATIVE JOURNALISM?

Book review: Richard Webster, 'The Secret of Bryn Estyn: The Making of a Modern Witch-hunt', Orwell Press, 2005.

Reviewed by **Chris Clode**

This book has been written about a whistleblower and all the consequences of her whistleblowing, the trials, investigations and tribunals that followed. The whistleblower was Alison Taylor and the events were in North Wales and the investigations of abuse of children in care that led years later to the Waterhouse Tribunal.

And "The Secret of Bryn Estyn" by Richard Webster is a big book, with all the appearance of having been exhaustively researched. But it is a book that takes a familiar stance in relation to whistleblowers. Webster, in his 600 pages, explores what he calls "the psychology of righteousness" in the person of Alison Taylor, the residential childcare manager whose whistleblowing and subsequent sacking led to the unravelling of links between her claims and the evidence that started with the imprisonment of Steven Norris, the paedophilic home manager, who had once worked at Bryn Estyn children's home.

Webster applies a scrutiny to Taylor's life to "prove" her pathology- a scrutiny that is not applied to those earning his natural sympathies, such as Gwen Hurst, the union officer who had also worked in Bryn Estyn and became the spokesperson for those denying abuse ever took place there. Webster brushes over the issue of Alison Taylor's confidential letters being opened by "colleagues" and minimises the out-of-court settlement she received from the Gwynedd County Council for her dismissal with "it is reasonably clear, this was a pragmatic compromise [by GCC] rather than a principled reversal of their original position." Of course.

His forensic examination of changes in details of Alison's evidence over the more than a decade she was seeking a hearing for it has no recognition of the process of being a whistleblower; from making sometimes crude and fragmentary initial statements in the heat of daily harassments by "colleagues" seeking her silence, the whistleblower, suspended or dismissed, then has the time and opportunity to develop a more systematic and detailed dossier, to which may be added details supplied by others who discover each other raising parallel concerns about the organisation.

Webster, however, dismisses whistleblowers as "those whose consciousness is dominated by feelings of righteousness appear to be psychologically incapable of weighing the moral significance of individual acts according to any calculus other than one derived from their own most passionate beliefs", before going on to discuss theories of "righteous deception."

As if all the passion and the anger of the whistleblower was not needed to confront the elaborated denials of colleagues fearful for their jobs; then backed up by the serried ranks of union officers fudging the issues while defending their members accused of the abuses; then the County Council legal departments and their bottomless pots of money to employ barristers to defend the Chief Officers, whose cover-ups have turned into conspiracies. In all this, Mr. Webster, whose is the pathology?

The backgrounds of the abused children now become key adult witnesses, are given the same forensic examination as Alison Taylor's (again, without a similarly harsh light being shone on the behaviour, for instance, of key individual members of the North Wales Police at the time and subsequently). With the (ex-) children's records of criminal offences and the clear evidence that, among all the hundreds of witnesses to the trials and the public enquiry, there were some liars, Webster sums up his position with "Some did respond favourably to the regime [in Bryn Estyn] that they found. But many remained almost compulsively given to making up stories about their lives."

The implication seems to be: like Bryn Estyn or be branded a liar if you complain about the place. Branding as a liar a child accusing an adult of abuse has a very long history. In an institution like Bryn Estyn, to maintain such an accusation against the collective disbelief of staff requires an exceptional determination and articulacy, seldom found in any children, much less the deprived and already abused children arriving on the doorsteps of children's homes. It is not so surprising that such children

mostly waited into their adulthood, without the expectation that anything would ever happen to their claims, only coming forward when they heard or read that ex-children were at last being listened to. The change of culture in the way such allegations were dealt with came in the trail of the evidence that children were easily intimidated into silence, or even denial of their original claims, when faced with the cross examinations of traditional legal due process. Similar changes have taken place to the way Police and Courts are required to deal with female rape victims.

But the most damning evidence against Webster's book is his complete failure to make use of the evidence provided by the **Andy Sutton** case. Within its 600 pages, nine years in the making, with apparently unlimited "forensic examination" of the evidence, including the ability to interview anyone remotely linked to events in North Wales, the author omits reference to it. The book was published in 2005. The full Public Interest Report by Andy Sutton has been on the Freedom to Care website for three years and Webster is aware of the case, because his own website included a critique of a BBC "File on Four" programme on which Sutton was interviewed last year. So why would he exclude it? He very swiftly terminated my own e-mail enquiries of him about this omission. Two key issues appear in Sutton's Report.

One is the possibility that key files were held back from the Waterhouse Enquiry by Flintshire County Council, who acted on behalf of all the North Wales Councils.

The other is that, after being sacked, Sutton was warned off pursuing his inquiries by the then head of the North Wales Fraud Squad with the injunction to "beware of the Brotherhood". Webster does address the question of Masonic involvement in the North Wales events, but settles the issue by accepting a Crown Prosecution Service statement that a long list of police names that it produced were not Freemasons. Given the secret loyalties of the Masons and their well known breadth of membership across all professions, including police and lawyers - and even the occasional investigative author, I have no doubt - how credible can such a denial ever be?

No, Mr. Webster, you will have to do better than this, however high the stacks of your tome are in Wrexham's branch of Waterstone's. You could have used some of the resources at your disposal to balance the equation and find out what evidence was denied to the public inquiry. But maybe that was outside your brief.

FREEDOM TO CARE is an independent, non-profit & entirely voluntary organisation. We are not lawyers. We accept no money from corporations or government departments. We are the UK's first whistleblower organisation, founded in 1991, and a company limited by guarantee (Reg. 2973440).

PATRONS are John Hendy, QC, Austin Mitchell, MP and Lord Livsey.

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 in the public interest.

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