The Whistle

FREEDOM TO CARE

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Promoting public accountability - Protecting freedom of speech in the workplace

UK News and Issues

MISMANAGED PROPERTY IN WEST LINDSEY - Judie A Regler MRICS

I am writing this article after a ten month period as a whistleblower.

Having gained a £27,000 per annum position with West Lindsey District Council in Lincolnshire I was so delighted until I began to discover so much mis-management of all their assets. I am a Chartered Surveyor and also suffer a mental disability. I am a 55 year old widow.

Having discovered tenants in buildings without either Lease or Licence, valuations only at 1999 instead of 2004 (this was 2006!) - after only the first week in office I went straight to the Chief Executive (who on the face of it was delighted that someone had had the "guts to speak out").

I had gone behind my Manager's back and the resolution was to be that the Auditors (who for the past five years had found nothing amiss – due to the non-existence of any procedures etc) were to return to the office and "discover" loss of the £100,000's of what I knew to be "council tax payers' moneys (my own moral duty?).

Examples of a 33 year "missed rent review" and so many other anomalies had begun to play on my mind. The auditors returned twice (without finding anything) and finally I was "told" I must divulge every incident I had uncovered. I was torn between my duty of care to Council tax payers, my Manager, my own morals and ethics, my duty of care as a Chartered Surveyor. My mental ill health (which I normally had managed to contain for over thirty years) began to deteriorate. I had to "come clean" with my Manager as I knew he would know where matters had been instigated (Me!) He began harassment and finally I had to go off sick.

A week later I learned that he had been suspended on "full pay" and after one month I was on sick pay of £10.01 per day! Human Resources were of no help and I realised that although I felt I had done the "right thing" matters had now escalated and even the Chief Executive would no longer support me. Human resources only sought to achieve my dismissal some four days before I would have served "one year's employment".

I had been "stitched up!" However I tried to fight by claiming "constructive dismissal" and eventually "wrongful and unfair dismissal".

There was a massive investigation by a "so-called" private investigator whose feedback was "used" to respond to my Grievance Procedure and Whistleblowing procedure and also my claim that my illness had been caused by the harassment etc. I was never allowed to see the Investigator's report – strangely? - only the interpretation of his Report by Human Resources and the Director of Resources. The Director of Resources also responded that as the Council were now aware of all the anomalies (as advised by myself) – they were now being addressed and therefore there would be only minimal losses – so that my claims under PIDA and Disability Discrimination (the only two aspects which may have saved me) were now discounted too. They even employed an outside firm of Chartered surveyors – the very ones who had failed to provide the statutory 2004 valuation to disprove everything I had revealed to the Auditors. I took this further and went to the District Auditors hoping some independent body would investigate further - I was told I would not be advised.

My mind was in turmoil and I then discovered a letter from the Chief Occupational Health Officer

(who had been approached prior to my engagement) wherein he stated I should have "specific training into some 27 aspects of my position" due to my disability - this had never happened either. Then a far bigger picture seemed to be revealing itself ...

I tried contacting the local newspapers and was told "heads have rolled" over a new Shopping complex. So I began to realise that my Manager's suspension was not only due to what I had divulged to the Chief Executive. I was not part of that project but did "warn" my Manager and others in Property Services that the Developer was well known to me from some 15 years ago and that he was not "reputable". I can only assume the rest?!

So, now over one year on - just how much corruption is at large – has my Manager now been "dismissed"? I am now on Incapacity Benefit still reeling from the pressure put on me, my own morals in trying to "set matters straight", the 7 x A4 lever arch files of emails, letters, etc. which I wrote in order to attempt to rectify matters.

The Council employed one of the top lawyers in England to defend them - I stood no chance as I could not even get "legal aid" - I went to Court – alone – and tried to "stand my ground" but could see that I could never win against "the establishment"

I had now lost over six months salary and had to settle for a pittance of a payout with a Cot3 form from ACAS to "shut up and go away".

However my many thanks to Freedom to Care as they were just so supportive.

If I could now go back and "begin to disclose matters" with hindsight and having gained so much knowledge it may be fairly "easy" but when in the midst of this farce I acknowledge: "I could not see the wood for the trees"

I would be more than happy to help anyone else in a similar situation because the frustration, the anxiety, the angst and the total unfairness of the "system" would only lead one to say: "Never become a whistleblower." But I am so glad I had the guts to be one!!

NORTH GLAMORGAN NHS TRUST

This case is a rare example of a whistleblower representing himself and winning a favourable judgment in the Court of Appeal against a large employer using expensive lawyers.

When Andrew Ezsias claimed unfair dismissal by North Glamorgan National Health Trust as he had made a protected disclosure under PIDA, the employer claimed that he was impossible to work with and applied for the claim to be struck out as it had no reasonable prospect of success. When the Employment Tribunal struck out the claim, the Employment Appeal Tribunal ruled that the claim should be heard in full. The employer appealed to the Court of Appeal, who made important decisions about the Employment Tribunal not prejudging disputed facts and in general ruling out the summary dismissal of whistleblowing claims. They also criticised making a second appeal on a point of law.

The employer used diversionary tactics that other NHS employers have used in whistleblowing cases. The claim that the real reason for the whistleblower's dismissal was that he was impossible to work with is similar to the claim made against Ian Perkin.

The legal tactics of getting the Employment Tribunal to reach a decision without a full hearing were rightly condemned on appeal.

Andrew Ezsias will speak at the **FtC** Annual Gathering on 6 October 2007.

UNIVERSITY HOSPITALS COVENTRY & WARWICKSHIRE

Dr Raj Kumar Mattu, who has been suspended since February 2002 for alleged bullying of junior staff, has been reinstated in August 2007.

Freedom to Care has campaigned for many years against the prolonged and unnecessary suspension of NHS staff, and the National Audit Office in 2003 criticised the NHS and in particular this hospital trust.

Although the Department of Health issued fresh guidance, Dr Mattu's suspension, which should never have started, went on far too long.

W MIDS AMBULANCE SERVICE

West Midlands Ambulance Service was formed by merging several ambulance services in 2006. The merger of Staffordshire Ambulance Service was delayed but took place in 2007.

An economy was made by closing control rooms and controlling larger areas from fewer centres. On 18 May 2006 control room staff were so overstretched that one emergency call **was** not answered at all for six minutes. After the BBC saw control room logs the suspension of three staff was announced on 31 July 2007. On 7 August 2007 the Ambulance Service admitted that the report was correct and reinstated two of the three suspended staff. The other whistleblower, Steve Jetley, publicly announced his resignation on 16 August 2007.

The explanation for the suspensions and impending disciplinary hearings is breach of the Data Protection Act. While it is likely that the control room logs supplied to the BBC would contain personal data in the form of names, addresses, etc. of patients, the focus of the reports has been on the promptness of response to calls and the geographical deployment of ambulances, all of which is outside the scope of the Data Protection Act.

See FtC website for our letter sent to the West Midlands Ambulance Service on 20 August 2007 asking for greater accountability through publication of anonymised logs and criticizing their retaliation against whistleblowers, and for their reply.

A MEDICAL STUDENT

A student's placement at a hospital was terminated after the academic supervisor passed on her concerns about patient care. As a result she was required to repeat a year and other action may be taken against her.

WHISTLEBLOWING ADVICE

The professional journal *Hospital Doctor* published in June 2007 an article from the viewpoints of potential whistleblowers and managers on whistleblowing about anything that might affect patient safety.

The emphasis of the article is on what should happen rather than on the pitfalls and retaliation experienced by several FtC members.

MANY NURSES ARE UNWILLING TO REPORT ABUSE OF THE ELDERLY

A survey of readers of *Nursing Standard* and *Nursing Older People* found that 58% of respondents would not report abuse of an older person.

Several of our members have suffered detriment for reporting such incidents. There need to be changes in training and in organizational culture.

A THIRD OF NHS FINANCE DIRECTORS BURY BAD NEWS

A survey by the Chartered Institute of Management Accountants found that a third of NHS finance directors reported different forecasts to their own boards and to strategic health authorities, telling the latter what they wanted to hear.

This is no surprise as the NHS has a history of "shooting the messenger".

ABUSE OF YOUNG DETAINEES

Young detainees at the Medomsley Detention Centre near Consett in County Durham were sexually abused from the 1970s. After many years spent preparing a case, Neville Husband was convicted of offences against five young people in 2003 and a further four young people in 2005. None of the people who were abused has yet been awarded any compensation. For further information see www.justice4survivors.org.

This case has common features with FtC child abuse cases on the website.

CHILD CARE WORKERS WIN
Yorkshire Post 14 August 2007

This case is important mainly because a local authority conceded a claim under PIDA without challenging it in an Employment Tribunal after the whistleblowers had drawn their concerns to the attention of the press. Section 43G imposes restrictive conditions before disclosures to the press are subject to the protection of the Act. It would appear that Wakefield Council's advisers were satisfied that these conditions were met and that the protection of the Act would apply.

Six care workers sacked for revealing mismanagement in children's homes to the Yorkshire Post have won a £1m settlement from Wakefield Council. The whistleblowers' victory represents a resounding vindication of their decision to speak out about a series of serious management failures in local authority homes which were damaging the lives of some of the most vulnerable children in the region. The six staff were sacked in February 2006, just a month after the *Yorkshire Post* had revealed how children in care were being treated by Wakefield Council.

The raft of failings included children as young as 12 being allowed to engage in sexual relationships; child sex offenders being inappropriately placed in homes with highly vulnerable other children; a care worker buying and smoking drugs with children in his care; woefully inadequate training; and failures in staff criminal record checks. Following their dismissal the residential care workers launched an employment tribunal case under PIDA.

The case was due to be heard in three weeks' time but Wakefield Council agreed an out-of-court settlement costing around £1m including legal costs.

At the time of the exposé Wakefield Council insisted it had acted appropriately and claimed the NSPCC had investigated the whistleblowers' concerns. That claim was shot down in August 2006 when an independent report revealed that the council had blocked the NSPCC from investigating.

"ORANGE" WHISTLEBLOWER

This case illustrates where weak management can lead to work colleagues causing a whistleblower to suffer detriment.

Gary Quinn, a whistleblower who lifted the lid on serious security failings by a mobile phone operator, has said he regretted coming forward. He lost his job

and was hounded out of his home by thugs after he exposed mismanagement at Orange, which has been found guilty by the Information Commissioner of breaching the Data Protection Act. Mr Quinn told police last November that call centre staff were allowed free access to customer records and bank details putting Orange's 14.5 million UK customers at risk of identity fraud. Employees were sharing passwords and login details among themselves, meaning there was no way to trace who was accessing private information.

WHISTLEBLOWERS NEED SUPPORT

Judie Regler's article shows that an employer has used information from a whistleblower but has not protected her from her manager and ended by discontinuing her employment on terms which were mean. Employers can be insufficiently supportive even when they do not aim to shoot the messenger.

When a medical student told her academic supervisor of concerns about patient care on a hospital placement, the supervisor passed on the concerns to the hospital but did not support the student, who was required to repeat the year when the placement was terminated. The supervisor should either have advised the student not to pursue her concerns or should have backed her in dealings with the hospital, the university and (if necessary) the General Medical Council.

The recent survey showing reluctance of nurses to report abuse of elderly people shows risks to the community from lack of necessary support.

DIVERSITY IN WHISTLEBLOWING

This article is based on a letter sent to the BBC on 27 July 2007 in response to a query about lack of accountability in indirect relationships between whistleblowers and their ultimate employers.

We expect an increasing number of whistleblowing cases where there is not a simple relationship between employer and employee. Examples are:

1. When an employer has contracted out "non core" activities, as in the case prompting the query; 2. When a responsible organisation (often in the public sector) contracts out some of its operations for a period, and the contractor may be dissolved at the end of the contract; 3. Agency workers; 4. Contracts with labour only companies that may be owned by their only employee; 5. Foster carers; 6. People starting their careers through a series of fixed term contracts with different legal employers, such as junior doctors; 7. Medical students; 8. Volunteer workers; 9. Service users.

An example of class 2 is an unpublished case where an NHS employer contracted out the management of a residential centre for people with learning difficulties. The contractor's values were oriented to business rather than public service and most of the ex-NHS staff eventually resigned or were dismissed. When the contract ended the contractor went out of business. Our member blew the whistle to the employer on abuses within the scope of the Public Interest Disclosure Act 1998 (PIDA) (including safety hazards from inadequate staffing), suffered detriment and was eventually dismissed. The Employment Tribunal (ET) was unsympathetic and appears to have been wary of passing a judgment that could be construed as critical of NHS privatisation. As the NHS is a step removed from the abusive employer, even with a sympathetic ET recourse against the NHS might be difficult.

An example with features of classes 3 and 4 is where a self-employed IT professional was working for the former Ministry of Agriculture, Fisheries and Food and the protection afforded by the PIDA was disputed, though compensation was eventually awarded. While now self employment of this nature is not allowed under tax rules, similar situations could arise with agency employees or with people who have formed companies to act as their employers. If the paymaster no longer wishes to continue the contract, the legal employer in practice cannot continue the employee's paid employment.

Foster carers (class 5) have no employment rights, and as they are registered by their employing authority, if they are deregistered for inappropriate reasons such as personality clash with social workers, may be debarred from their livelihood with all other authorities and from working with children generally.

Junior doctors on short term contracts (class 6) and medical students (class 7) are in similar positions. They are usually aiming for a full career with the NHS, but they have either limited or no employment rights. Medical schools have a strong influence on their future careers, and their influence on the General Medical Council is sometimes abused, such as by treating personal correspondence or issues not involving patients in which senior academics are personally involved as evidence of unfitness to practise. See the case of Dr Sushant Varma. We have subsequently been consulted by a medical student who was put back a year when the hospital with which she was placed terminated her placement after she mentioned to one of the university staff her concerns about patient care.

Volunteers (class 8) have no employment rights and no security, though dismissal of whistleblowing volunteers may be traumatic in depriving them of a fulfilling role. We have had at least two cases, relating to a social care volunteer and a member of a Patient and Public Involvement Forum.

Service users (class 9) in social care and NHS patients can be just as dependent as employees and

may be victimised if they complain. The NHS has a standard procedure for persistent and vexatious complainants which is misused by NHS organisations which are themselves the subject of complaints or are strongly influenced by people against whom complaints are made.

PIDA needs to be extended to cases of these kinds where it does not already apply (although the definition of "worker" in PIDA section 43K is wider than the general definition, and the scope of the definition has not been fully tested in ETs and courts).

Even in a straightforward situation involving an employer and a long-term employee the protection provided by the law is often inadequate.

1. Protection does not usually cover disclosure to third parties, especially the media. This is one reason why most of our cases continue to be confidential.

2. The law has loopholes. In particular employers often contrive or exploit excuses unrelated to whistleblowing to take disciplinary action against employees. See Ian Perkin's case. His case prompted a petition to prevent disciplinary action for "Some Other Sufficient Reason" (SOSR). SOSR is commonly used by employers, including: NHS on Raj Kumar Mattu and midwifery; social care on Pat Conneely; and the police. See the comment below.

3. The statutory exception to disclosure for a disclosure in "bad faith" is used too much in defence of ET cases and treated too sympathetically by ETs. In 1997 along with Whistleblowers Australia we proposed an amendment to the International Labour Organisation convention and we are parties to a recent proposal to the European Commission which among other things would take away that defence.

4. Even in a successful case at an ET against a large employer with a strong legal team, the ET may not award legal costs. Unless the whistleblower can take on a large employer without paying lawyers, this can make action in an ET punitively expensive. See the case of Andy Sutton, former chief internal auditor, against Flintshire Council.

There is a recent sign that the Court of Appeal recognises that some ET cases have been weighted against whistleblowers. See Andrew Ezsias's recent successful defence of an appeal against the decision of the Employment Appeal Tribunal rejecting the summary dismissal of a whistleblowing case.

A member has commented as follows:

1. Issues are even more complicated in those cases where employers (direct and indirect) or those who control or manage that person are really rogue or blatantly and exceedingly dishonest. Even where there is a straightforward relationship, that makes issues very difficult indeed as courts are very slow to believe individuals that an organisation is prepared to falsify, destroy or withhold documents. Very few judges would go along to force appropriate disclosures to overcome that difficulty and rather would say that they are able to infer from indirect signs. Regrettably that is not the case. Most judges are white, from the Oxford/Cambridge circle and never had that type of vulnerable working or other relationship which would give them any personal knowledge and understanding of such issues therefore very credulous and tend to stick to those facts which can be proven. In such cases usually very few things can be proven therefore their fall back position is to believe reputable organisations, like public bodies, act reputably.

4. SOSR is an exceedingly difficult question as employers use it as a blank cheque and courts put very few restrictions on these. My case fell into that as Ian's and highlights the extremely difficult position. The issue further complicated the ancient English common law rule – you cannot force an employer to employ somebody whom he does not want to employ. No statute says that but it is a law which the courts will closely observe.

5. In theory a medical student would be covered by the Act as well as self-employed working for and on instruction from another but even if he were to win such a case what would be the compensation for it? Courts 99% will not order re-employment so the common compensation would remain: money. How would you define loss for a medical student in monetary terms? Loss of a career opportunity? No lawyer would argue that and no court would accept it.

6. Disclosure to third parties theoretically is covered by 43G and 43H but the threshold was put much higher than in other cases as the original aim of the Act was (and is) to improve co-operation between employees and employers in order to help employers to improve and promote good governance. Neither the Act nor its original intention recognises that it is unlikely at the stage of whistleblowing that employers and employees would co-operate whilst the Act (and its promoter Public concerns at work) put emphasis on co-operation which in my view at that stage is unlikely. Courts regard whistleblowing as non-gentlemanly act from somebody who was not a team player. In their view that might, in certain few cases, be helpful but you have an uphill struggle to convince the court that your case is such.

7. It is further complicated that the Act is complex and designed in an increasing hurdle fashion of which whistleblowers are absolutely not aware. Therefore many times they would fall down at one or another step which was left out or not followed as strictly as the Act requires. Therefore courts would reject the claim as not in accordance with the Act.

DISMISSAL FOR "SOME OTHER SUBSTANTIAL REASON"

Ian Perkin asks members to sign the petition at the end of this article.

As a member of Freedom to Care could I draw your attention to the fact employees throughout the United Kingdom have had their employment security put at considerable risk, as a result of the legal decision given in Perkin v St. George's NHS Trust. In this case the employer dismissed the employee on the grounds of "Some Other Substantial Reason" (SOSR), by claiming that an otherwise competent employee who could not be criticised for his professional conduct had a "difficult" personality. The claim was that this "difficult" personality caused a "breakdown in working relationships, and thereby rendered the dismissal substantially fair, even though it was ruled that the employee had made a protected disclosure under PIDA and that the dismissal hearing conducted by the NHS had been found to be biased against the employee and procedurally unfair. Because of concerns about how this ruling can be used to intimidate potential "whistle-blowers" in the future, a petition has therefore been started on the 10 Downing Street calling for legislation that would remove the vague and easily abused "SOSR" basis for dismissal, while retaining the right to dismiss an employee on the grounds of gross misconduct. I know that the Whistle has covered my case in the past but I feel that this is an important issue for others even if it is too late for me and I should be very grateful if you could give some publicity to the petition which can be found at http://petitions.pm.gov.uk/sosrreform/

Ian Perkin will speak at the FtC Annual Gathering on 6 October 2007

MISUSE OF "MISCONDUCT"

We have many examples of employers finding examples of misconduct shortly after employees have blown the whistle.

There are many degrees of seriousness in misconduct. Probably in most instances where an allegation of misconduct could be made (which could be a single mistake or inappropriate use of language with minimal consequences) no disciplinary action is taken. The borderline between misconduct, serious misconduct and gross misconduct (which can result in summary dismissal) is ill defined and largely a matter of employer's discretion.

We should be suspicious of any suspension or disciplinary action taken against whistleblowers. This suspicion should increase if there are signs that the employer has sought out complaints against the whistleblower and not simply responded to spontaneous complaints.

UNUSUAL PROTECTION

Workers who blow the whistle are partly protected by PIDA, and there are plenty of examples of people who have claimed, not always successfully, the protection of that Act. Redress, where provided, may be through continuation of employment without detriment and/or financial compensation.

In some whistleblowing situations other kinds of protection are needed. An extreme example where whistleblowing protection was provided (perhaps controversially) was the recent immunity from prosecution for Virgin after unlawful collusion with British Airways over fuel cost surcharges. British Airways was fined £121.5 million in the UK (with further penalties in the US and elsewhere). Virgin escaped criminal penalties after making a commercial decision to blow the whistle over illegality to which it was a party. Under the leniency policy of the Office of Fair Trading, a company which has been involved in cartel conduct and is the first to give full details about it will qualify for immunity from penalties. This is the first example that has come to our attention of immunity for price-fixers, foreshadowed on our website archive in February 2000. Workers have much less protection.

One whole area of activity where whistleblowing seems to be unknown is in the exploitation of immigrants, which, in the bicentenary of the abolition of the slave trade by the UK parliament, has many of the features of slavery. Examples of exploitation are unsafe working practices such as the drowning of Chinese cockle pickers in the quicksand of Morecambe Bay, illegal employment such as prostitution, pay below the minimum wage, withholding of wages, illegal overcrowding and excessive charges for accommodation. Why are prosecutions so rare? Because the victims will not give evidence if they face destitution, deportation and possibly torture when they are returned to their countries of origin. Quite apart from broader questions of immigration policy, there is a case for immigrants (whether or not they are in the UK legally) being granted leave to stay in the UK, along with normal access to services such as the NHS and social security benefits, if they supply evidence of use in prosecuting employers and others for exploiting them

International Issues

EUROPEAN COMMISSION'S PROPOSALS ON WHISTLEBLOWING

On 31 March 2007 **FtC** responded to the European Commission's proposals on employment law in association with *Whistleblower-Netzwerk e.V.* of Germany and *Explisit* of Norway, seeking to promote whistleblowing across Europe (see our website).

Our proposals would remove some of the drawbacks of PIDA, in particular the successive hurdles when drawing attention to wrongdoing outside the employer's arrangements, and the requirement for "good faith" that has led to the perverse rejection of some whistleblowing claims.

The institutions of the European Union are a long way from providing full freedom of information. The European Commission consulted in April 2007 about a review of the rules on access to documents. The response in July 2007 from Guido Strack of *Whistleblower-Netzwerk e.V.* is on the FtC website.

EXTRADITION PROBLEMS

Journalist Anna Politkovskaya, who was opposed to the war in Chechnya, was murdered in Moscow in October 2006 (the Russian authorities made some arrests for the murder in August 2007).

In Britain, former Russian spy Alexander Litvinenko began to investigate the murder and was murdered in November 2006. He was poisoned with the radioactive isotope polonium-210 which induced a lingering death over some three weeks and spread contamination that could cause longer term effects on many other people. Probably the murderer left the UK before a crime was suspected.

The UK government claimed to have identified as the murderer a Russian citizen and sought his extradition from Russia. This was refused as Russian law prohibits the extradition of Russian citizens.

The UK government retaliated by expelling four Russian diplomats. The Russian government responded in kind, claiming that several Russian criminals were in Britain and should be extradited.

These diplomatic games do not improve accountability for the Litvinenko murder or for the other alleged crimes. They polarise national opinions, leaving the rest of the world indifferent.

Earlier diplomatic pressure on Libya to extradite the people alleged to have bombed the aircraft that crashed on Lockerbie in 1988 is a bad precedent. When two men were eventually tried at a Scottish court held in the Netherlands in 2000/1, one was acquitted and the Scottish Criminal Cases Review Commission has referred the case of the other back to the Appeal Court for a second time. It would appear that the UK government had taken strong action against the Libyan government on flimsy evidence.

FtC's approach when we cannot induce relevant authorities to action is sometimes to publish our evidence. The UK and Russian governments should recognize that they will not secure extraditions to get criminal trials, and to publish their evidence (if it will stand up to scrutiny) as a way of bringing the alleged criminals to account. If the people accused challenge the evidence, they will be able to sue for libel and bring the issues to trial.

WHISTLEBLOWING IN THE U.S.A.

A good source for reports of whistleblowing in the United States is http://narcosphere.narconews.com/, which is an interesting journalistic co-operative with more than three hundred co-publishers.

The US government is in denial about security risks. When Laura C. Jones in the White House mailroom in 2004 complained of a security breach after she tried unsuccessfully to send back for normal security checks packages for the president and other senior officials, she suffered detriment, for which she made an Equal Employment Opportunity discrimination complaint. The U.S. Office of Special Counsel dismissed her whistleblowing complaint

In the House of Death at least 12 people were murdered by Mexican drug traffickers. Renae Baros, a former investigative assistant for the El Paso, Texas, office of U.S. Immigration and Customs Enforcement (ICE), has filed a lawsuit alleging discrimination and integrity lapses by two ICE supervisors who played key roles in the House of Death case. She claims that one of those ICE supervisors falsified documents related to informant payments and demonstrated a callous indifference to the House of Death murder victims. She alleges that the other ICE supervisor failed to "timely report" information related to the House of Death case, engaged in violence in the workplace, misused a government vehicle and made "false statements" to government investigators. These two ICE supervisors helped to direct a U.S. government informant (Guillermo Ramirez Peyro) who assisted, and even participated, in the torture and murder of a dozen people at the House of Death in Juarez, Mexico, from August 2003 to January 2004.

"Truth is the first casualty of war." This statement, attributed to US Senator Hiram Warren Johnson in 1917, is illustrated by the misdeeds of intelligence services.

The *Truthout* website includes an account of a whistleblowing former member of US military intelligence, Adrienne Kinne, who has decided to write about her experiences. They include illegal investigations, uncritical reporting of deliberately falsified politically motivated intelligence, and targeting of bombing in Iraq on journalists of whose comments the intelligence services disapproved.

Another whistleblowing US ex-intelligence officer, Richard Barlow, was unfairly dismissed after he in 1989 helped uncover Pakistan's efforts to acquire nuclear weapons and complained of a cover-up by the administration and misleading of Congress.

According to The Associated Press, several whistleblowers have suffered detriment including ridicule, loss of employment, imprisonment and interrogation in a Baghdad compound for their decision to report corruption and fraud in Iraq, including overcharging and illegal arms sales.

UK examples include the misleading dossier used to justify the invasion of Iraq and the suppression of the bribery investigation relating to arms sales by British Aerospace to Saudi Arabia.

Environmental Issues

GLOBAL WARMING AND THE FUTURE OF HEALTHCARE

FtC's Geoff Hunt gave the Mary Seacole Memorial Lecture at the Royal College of Nursing Annual Congress at Harrogate on 18th April 2007.

He explained how global warming will bring about global changes in the distribution and incidence of disease. Malaria may move back into Europe. Tropical diseases such as West Nile Virus have already become common in new areas such as the USA, and even Canada. Cholera, TB and tick-borne disease are also spreading rapidly. These changes will put new pressures on healthcare systems and professionals everywhere.

THE LAST BLOW OF THE WHISTLE?

From Steve Connor, *The Independent* UK 19 June:

The Earth Today Stands in Imminent Peril and nothing short of a planetary rescue will save it from the environmental cataclysm of dangerous climate change. Those are not the words of eco-warriors but the considered opinion of a group of eminent scientists writing in a peer-reviewed scientific journal. Six scientists from some of the leading scientific institutions in the United States have issued what amounts to an unambiguous warning to the world: civilisation itself is threatened by global warming.

They also implicitly criticise the UN's Intergovernmental Panel on Climate Change (IPCC) for underestimating the scale of sea-level rises this century as a result of melting glaciers and polar ice sheets. Instead of sea levels rising by about 40 centimetres, as the IPCC predicts in one of its computer forecasts, the true rise might be as great as several metres by 2100. That is why, they say, planet Earth today is in "imminent peril".

Some of the world's leading climate researchers describe in detail why they believe that humanity can no longer afford to ignore the "gravest threat" of climate change. "Recent greenhouse gas emissions place the Earth perilously close to dramatic climate change that could run out of control, with great dangers for humans and other creatures," the scientists say. "Only intense efforts to curb man-made emissions of carbon dioxide and other greenhouse gases can keep the climate within or near the range of the past one million years,"

FREEDOM TO CARE is an independent, non-profit and entirely voluntary organisation. We are not lawyers. We accept no money from corporations or government departments. We are the UK's first whistleblower organisation (1991) and the only grassroots one. It is not a charity, but a non-profit company limited by guarantee (Reg. 2973440). Freedom to Care lobbies and campaigns for the greater public accountability of large organisations and supports conscientious employees who speak up in the public interest.

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