



20 Chamberlain Street,
Wells, BA5 2PF.
3rd October 2026.

The Rt. Hon. Andy Burnham MP,
Prime Minister's Office
10 Downing Street
London
SW1A 2AA

Dear Prime Minister,

I am writing to you on behalf of Whistleblowers UK to thank you for your Government's ongoing commitment to securing the enactment of the Public Office (Accountability) Bill, which will go a long way towards ensuring that a scandal like Hillsborough will not happen again.

I write "a long way towards" for the reason, however, that the enforcement of the duty of candour cannot be effective if the issues about which there is a duty to be candid are never exposed to public scrutiny in the first place. As the Hillsborough families, in their years of struggle for the truth, became personally aware, wrongdoing festers in the darkness and injustice thrives in ignorance.

The problem is, simply, that many scandals come to light only as a result of ordinary people blowing the whistle on the wrongdoing which they see. Experience suggests that the law as presently stated in Part IVA of the Employment Rights Act 1996, is largely ineffective in giving proper protection to all who might think about blowing the whistle. This is for a number of reasons.

The first is that it does not apply to persons who are not workers or employees: if a non-executive director of a company discovers money laundering by that company, if a self-employed contractor identifies wrongdoing in a public body to which he is providing his services, if a parent sees abuse by a teacher at a school, none of these have any protection under the existing law. Second, even when the whistleblower does have protection, it is often illusory, for the law treats the issue as an employment dispute, which has to be tried before an employment tribunal. The law is highly technical and complex and no legal aid is available. As a result, lay whistleblowers are often condemned to represent themselves against well-funded employers who can afford large (and expensive) legal teams. In consequence, of the cases which go to a Hearing, 99% fail.

Quite apart from these formidable impediments, any litigation is highly stressful, compounded by the circumstance that the current backlog in the Employment Tribunal averages 3 years. All of this places many whistleblowers under intolerable pressures which can sometimes become just too much to bear: you may have read in the press about the prominent financial services whistleblower, Simon Andriesz, whose death was announced only days after his case had become one of the 99% which failed.

The icing on the cake is that, although the Employment Tribunal has power to report wrongdoing to the appropriate authority, there is no evidence of this ever happening.

The result is that there is a broken system which does not give any protection at all to whistleblowers who are not workers or employees, which patently fails those whom it does cover, and seldom, if ever, leads to regulatory or enforcement action against wrongdoers. It is slow, complex, expensive, ultimately ineffective and almost never addresses the wrongdoing which lies at the root.

When whistleblowers speak up, it ought not to be with the expectation that they will lose their jobs or be forced into a legal process which they simply cannot afford or understand, and which so often fails to address the underlying wrongdoing.

Therefore, it requires a special kind of heroism to blow the whistle – and very few people are, or want to be, heroes: they simply seek justice.

It is this unfitness for purpose of the present whistleblowing regime which will prevent Hillsborough Law from achieving its potential. If people are deterred from coming forward to blow the whistle, there will not be that knowledge of wrongdoing which is the precursor to there being a duty of candour.

There is, however, a way in which the Hillsborough Law can be enabled to achieve its full potential and, indeed, wrongdoing will be addressed not only in the public sector, where the duty of candour applies, but also in the private sector. The needful reform to which I refer is the setting up of an Office of the Whistleblower.

I know that you have, in the past, expressed support for such an Office. In particular, in 2015, you had discussions with our CEO Georgina Halford-Hall, on the subject of whistleblowing in the financial services sector, and, later, as Mayor of Manchester you participated in our research, stating firmly your commitment and support for our proposals if you were ever to return to Westminster.

Since this time, you have repeatedly come out in support of whistleblowers who have bravely spoken out, particularly in respect of the grooming gangs.

The imminent passing, with the support of you and your government of the Public Office (Accountability) Bill opens up an opportunity to take further measures to restore faith in our institutions and seriously tackle the underlying evils which blight our society and which, if not tackled, could prevent the Hillsborough Law from realising its full potential. That may all be achieved by supporting and empowering whistleblowers to expose wrongdoing without their having to be heroes, to do so in the confidence that they are heard and that the wrongdoing which they expose will be dealt with.

As you may be aware, there have been several attempts over the last several Parliamentary Sessions, to progress Private Members Bills to set up an Office of the Whistleblower, each of which got as far as an unopposed committee stage, falling by reason of running out of Parliamentary time. The lesson is (as it was with Hillsborough Law) that for this kind of reform to succeed, it needs either Government support or a Government Bill.

For your Government to take the initiative in promoting such a reform would not only be a good in itself, would not only complete the reforms initiated in the Public Office (Accountability) Bill, but would assist you to realise your vision of rewiring the state. That vision focusses upon devolution, not just to regions and municipalities, but to every level of society. It is about enabling ordinary people to take control of their destinies. For such a vision to be realised, a necessary precondition is an honest, fair society freed from the scourge of corruption, for a society where the unaccountable remain free to do wrong in the shadows can never be a society where your vision can be fully realised.

Furthermore, the setting up of an Office of the Whistleblower can also release financial resources to enable your vision of reform to be realised. The cost of fraud alone is estimated to be at least £350 billion per year. In relation to the NHS over £1.4b is the estimated loss to fraud while £1.3 billion per year is paid out on maternity claims, some of which are likely to be defending whistleblowing claims including against those who expose abuse and fraud.

This has particular resonance in relation to your ambitious proposal to set up a National Care Service. Not only would encouraging and enabling whistleblowers help to expose and eliminate the cost of corruption, but also the funds released would help contribute to the resources needed for the new service.

Indeed, at a practical level, whistleblowers have already been instrumental in exposing weaknesses and abuses in the UK's failing care system. Social care currently costs taxpayers more than £43 billion a year. As you have noted, the care that many residents receive is, at best, substandard. That was confirmed last year by a group of care workers at a home in the south of England, whose case WhistleblowersUK is supporting, and who raised concerns about the treatment of residents and the use of public money. They were dismissed for it.

These skilled workers survive on subsistence pay which fails to recognise their skills or fairly to reward their commitment and compassion. They are the eyewitnesses to abuse. They sought to do the right thing by speaking up and discovered that speaking up meant the sack, and that the regulators, the local authority and the police to whom they reported have taken no action that they can see. They now face well-funded owners through a tribunal process which they cannot afford, with no legal aid, and having to rely on organisations like ours.

People like Simon Andriesz and these care workers face well-funded employers, care home owners and local authorities who are using taxpayers' money to intimidate them through legal action. Despite accepting and acting on their evidence, regulators, LADOs and the police abandoned them. What is even worse, the police went so far as to threaten one of the care workers, warning her that failure to stop reporting would get her into trouble.

In this case as in many others, inspectors and officials tell us they too have been silenced. Here, (and not only here, but in many other cases as well) we see the hallmarks of Hillsborough.

For people like Alexandra and Simon Andriesz, legal assistance was beyond their means, as it is with most care workers, leaving them to rely on NGO's like WhistleblowersUK.

You have witnessed for yourself in the Hillsborough scandal the needless pain and suffering of the families extending over many years, all because whistleblowers were too afraid to speak up at the time.

Against this background, we should very much value the opportunity to meet with you and to discuss with you more fully the way in which an Office of the Whistleblower could effectively address these wrongs and assist in enabling your vision. These include:

- Providing a safe and confidential platform to report concerns, protect whistleblowers from detriment, and shield them from lawfare;
- Identifying and dealing with wrongdoing, visiting real world consequences upon the wrongdoers;
- Gathering intelligence including using a central reporting system to identify patterns of wrongdoing;
- Delivering clear and consistent messaging and information so that everyone knows how to respond to whistleblowers;
- Having the power to apply sanctions and penalties to wrongdoers - without fear or favour;
- Creating a centre of expertise for whistleblowing and public information.

The knock-on effect of seeking to harness the efforts of whistleblowers in this fight against corruption will not only combat waste and return very substantial sums to the Treasury, but will also transform the lives of whistleblowers, shielding them from harm and potentially saving lives.

In the final analysis, corruption breeds national decline and makes ordinary people powerless. Those who do wrong believe that they can escape scrutiny, knowing that ordinary people will be too afraid to expose their wrongdoing. Only reluctant heroes are prepared to stand up and tell truth to power. Your vision is one of giving power to ordinary people. That power becomes meaningful when an ordinary person is given the confidence to speak up, to expose wrongdoing without fearing the consequences, without having to be a hero.

Then, we can say that the power lies with the people.

The opportunity thus to redress the balance of power lies within your grasp by your putting your weight behind the House of Lords amendments to the Public Office (Accountability) Bill which have the purpose of creating an Office of the Whistleblower, and which I list in the undernote below.

The scope of the present Bill is limited to the Public Sector, but the abuses which I have set out above are also widespread in the Private Sector, so there would still be a need to extend the powers of the Office of the Whistleblower to the private sector in order to finish the job of reform and empowerment of ordinary people. However, if the present opportunity is seized in relation to the Public Sector, there would be established an Office in respect of which only relatively narrow and focussed future legislation would be required to extend its scope, and this is something which we should also call upon you to support.

I look forward to hearing from you with your thoughts on the matters which I have raised, and hopefully an assurance of your continued commitment to that support of whistleblowers which you have so powerfully expressed in the past. I should especially welcome an opportunity to discuss these things with you in person, should your commitments allow.

Yours sincerely,

Iain G. Mitchell KC, Chair,

For and on behalf of:
The Board of Directors of WhistleblowersUK
Georgina Halford-Hall, CEO WhistleblowersUK
Edward Romain, Chair, WBUK Legal Panel.

Undernote

The House of Lords amendments referred to above are as follows:

Amendments nos. HOL 26, 27, 37, 38, 42, 30, 28, 40, 41 and 43 in the name of Baroness Kramer;

Amendment HOL 50 in the name of Lord Wills;

Amendment HOL 36 in the names of Baroness Brinton and Baroness Featherstone;

Amendment HOL 65 in the name of Baroness Brinton.

*All references are to the Running List of Lords Amendments dated 25 September 2026
(<https://bills.parliament.uk/publications/67901/documents/8852>)*