

Statement from the Committee of the Carnivorous Plant Society

Registered Charity 281423

WITHOUT PREJUDICE

This is a copy of the email which we will send to our members very shortly.

The Carnivorous Plant Society has been suffering an unprecedented attack from inside its very structure. We have been fighting to retain the society in its current form but there are people, supposedly with the best interests of the society in mind, who are fighting an insidious battle to destroy everything that we have.

The following is a descriptive statement of events that have occurred within the committee of the CPS in the past five months. This is not yet resolved and the threat is still very active. We wanted to wait until this is completely resolved before informing you, the membership but recent events including a post on Facebook has forced us to issue a statement to you, the members. You have the right to know what is going on.

Sequence of Events

On 2nd November 2018, Mrs Annette Bell returned to the Committee as Events Manager after a break. Annette made it known to another Committee member that she would like to take the position of Vice Chair, vacant at that time.

On 11th November Annette indicated to Dennis Balsdon that she would like to stand for Chair at the 2019 AGM as Dennis would not be standing for re-election. A vote was proposed and seconded. The vote passed and Annette would stand for Chair.

On 15th November Dennis resigned as Chair and Annette became acting Chair by default. Dennis was proposed, seconded and voted in as a non-executive Trustee.

Please note that Annette has **NEVER** been voted as a Trustee.

On 20th November Annette nominated Flick Foreman to be vice Chair: quote 'this matter is open to a Committee vote – a simple yay or nay is all that is required'. This first vote under Annette was not held correctly at her own instigation. While this may seem trivial at this stage you will realise the significance further down this document.

At 15:09 on 20th November Annette was involved in a discussion on electronic media and proposed to call an SGM on 16th Decemberto dissolve the CPS. In this discussion, Annette also **ADMITS** there is **NO ALLOWANCE FOR TRUSTEES** in the Governing Document. She also suggested the SGM would not have to be a physical meeting. An option she suggested was to form another charity and move all the **ASSETS** over – **NO** mention of the people.

On 21st November Annette published a plan for taking the CPS forward. The plan included a motion to abolish the current rules and revert to the 1981 Governing Document. This document would be updated prior to the AGM and presented for acceptance by the membership. The plan made plain that we must operate legally. In this planning document, Annette called 'for a simple vote to abolish the rules and revert to solely the Governing Document'. A very good idea, **BUT** this was the second vote incorrectly held under Annette.

On 9th December Annette sent an email to the Committee 'As you may be aware, Tim and Dennis have formally resigned as Trustees'. This was a great surprise to me as I communicated with Dennis quite often. Dennis informed me that Annette had requested his resignation and told him it was a Committee decision.

This had **NEVER** been discussed in Committee or voted upon. Annette was not telling the truth to Dennis.

11th December. Annette released to the Committee the results of the member survey. This showed that 62.63% of members responding valued the Charity status as important.

20th December. Annette had 'three companies lined up to give us a quote for a new website (starting with two home visits first week of Jan)'.

We know that the website needs to be updated and the whole Committee is keen to see this done. This represents a very large financial commitment. We had a meeting to discuss a general plan but, without further consultation, Annette has taken this on as far as asking for quotes from companies that she has unilaterally selected. There has been no sitemap agreed by the Committee, no auditable due diligence (required in any organisation for such a large capital expenditure) and no agreement about budgets.

To date, the Committee has not been notified of any progress in this matter. We haven't even been told the specification for it despite numerous requests for information.

31st December. A complaint from a member whose membership had lapsed some three years previous; that the seed they received was not labelled.

14th January 2019. Choices for the Forum were debated so Annette formally asked the Committee if the CPS should 'ditch the shackles and reform as a sociable, grower's society'. Note the word '*society*', **NOT** Charity.

Finally, we had been asked if we should exit Charity status. It was pointed out to Annette that under the Governing Document the Society could not cease to be a charity at law. If the CPS is taken out of charity status – dissolved – then the assets 'shall be given or transferred' to another charity 'with the approval of the charity commissioners'.

At this point, it was suggested to Annette for the first time that the Committee seeks a legal opinion.

15th January. On Messenger, Annette wrote **'I think we should fold as a charity and re-emerge as a society. We can under charity law donate our money to another society or cause with a similar aim. Our new society fits that'**. Quite clear evidence of Annette wanting to make the assets go somewhere else.

In this conversation, Annette was advised to get 'proper legal advice'.

24th January. Flick Foreman informs Annette she is resigning. 28 minutes later Annette requests Flick to sit on it as she is not ready.

25^h January. A complaint of seed not growing true. These seeds were sent out in October 2018. The propagator is needed to ensure compliance with Trading Standards and to protect the reputation of the CPS.

27th January. Fiona Wowra, Secretary and Seedbank organiser requested the purchase of a small propagator in order to test grow seeds and prove viability and species. This would clear us with Trading Standards if a complaint was made. All plants grown could be sold to recoup costs. Fiona was prepared to cover the electricity costs herself, this was in response to another complaint being made as to the type of seeds sent from the seed bank.

7th February. Flick Foreman resigned. Annette comments 'I am so sorry to hear this, you will be missed'

Annette heard it on 24th January. Deception? I don't know **BUT NOT RIGHT**.

8th February. Trustee and Treasurer Phil Wilson received a letter from Annette requesting his resignation as a Trustee. The letter was dated on 6th February.

Phil called for a Committee vote on his resignation. You can imagine the surprise when a vote for Phil to resign is received from Annette's **MOTHER**, Mrs Hayes, who is not a Committee member.

Annette tried to laugh this off as a mistake in sending her mother the wrong email. As the email from Mrs Hayes was sent directly to the Committee email forwarder this could not be a mistake. The only way for this to happen was for the recipient to be copied, or blind copied into the email discussion. Annette breached the trust of the Committee and members by sending emails to non-Committee members.

If a Trustee cannot be trusted then there is no room for them within the CPS.

The Committee received an email from Annette with an attached letter to the Charity Commission. In this letter, Annette alleges numerous illegalities and failings by the Committee. Ignoring that she has been on the Committee for quite some time she blamed every other person. Annette also declared that by having only two Trustees we were inquorate and unable to function. This declaration has been proved to be untruthful in a recorded telephone call – recorded with permission – to the Charity Commission. The ruling document is our Governing Document. As there is **NO MENTION** of Trustees in that document it **DOES NOT MATTER** how many Trustees we

have. The **RECOMMENDED** minimum is three but that is not a legal requirement. At the same time, Annette declared that, apart from mid-progress transactions, **ALL** financial transactions are not allowed and that the bank account was frozen. This meant that we were not allowed, by Annette, to send seeds, memberships or other products **IN CONTRAVENTION** of Trading Standards thereby placing the CPS against the law.

9th February Flick rescinds her resignation in disgust at Annette. Annette refuses to reinstate her on the Charity Commission website.

12th February. Dennis rescinds his resignation as he felt he has been misled. Dennis asked to be reinstated but this has not happened.

Annette forwards this email from Dennis to Mr David Tite.

Mr Tite is **NOT** a member of the CPS let alone a Committee member. Pure and simple GDPR breach which Annette claims to be for advisory purposes. **NO. NOT LEGAL.**

During this time the Committee and remaining Trustee have made numerous requests for information from Annette but all we get is **NO**. To certain members of the Committee, she would send messages similar to 'I will make a statement this afternoon but I need to go shopping first' or 'news today, promise'.

In another electronic conversation, Annette says 'Dennis needs to allow change is what I mean, not just move aside into events to keep an eye that we run things his way. I'm nobody's lapdog'.

Annette also claimed that the CPS had been placed into Special Measures ('Under Review') and that she has the authority of the Charity Commission to create an interim board of Trustees to run the CPS. In a permitted recording of a call the Charity Commission they have confirmed **THIS IS NOT TRUE** and they have **NO RECORD** of the Society being placed under 'Special Measures'.

Because of this claim, she has registered four other people as new Trustees. They were appointed without the knowledge or involvement of the one remaining legitimate Trustee, Phil Wilson or indeed brought before the committee for their consideration or endorsement. There was no discussion, no consideration, no evaluation; it was just presented as a fait accompli.

Whilst they may or may not be suitable as Trustees, this is not the point under question. Their appointment is **NOT LEGAL** because new Trustees can only be appointed with the agreement of the existing Trustee(s). Because she acted alone, without taking due diligence into account, their tenure is highly questionable and dubious.

We keep asking for documentation from Annette to prove what she says. She will not or cannot provide it. How can anyone believe her?

A vote of no confidence in Annette was passed by a significant majority of the Committee on Monday 4th March; this included votes from persons whom Annette claimed to have supported her. An extract of an email from one of those 'supporters'

sent to the Committee by Annette on 4th March shows no date and no header. When was it written? Why not forward the email and therefore show the date and timestamp? The options expressed in this extract were obviously no longer valid as that person voted in favour of the motion of no confidence. People are always entitled to a change of opinion.

On 6th March, Phil Wilson wrote to Annette Bell 'The commission recommend that where a charity has internal disputes that it seeks mediation through an official arbitrator.' 'I would like to go to mediation with you.' 'Go to mediation, get a result that we both have to accept and we can move forward.'. There was **NO** response from Annette.

Annette has claimed that no records of votes, minutes of meetings etc. are available, this is **NOT TRUE**. The records have been sent to the Charity Commission as proof, in a serious complaint.

If YOU, the member, wish to see these minutes or comment on the content of this statement with either support or criticism, please email secretary@thecps.org.uk and quote your name and membership number.

We are taking legal action and have registered a serious complaint with the Charity Commission.

A full report is being compiled for submission to another legal entity with a request for action.

Signed on behalf of and with the authorisation from your Committee,

Ron Satterthwaite

Membership Secretary. cpsmembers@ronlin.co.uk