

# HELP A POOR CHILD

Established 1980

Registered Charity Number: 1003359



## PRESS RELEASE

August 2015

**Operations:**  
London UK,  
Gambia, AFRICA;  
Colombo, SRI LANKA;  
Goa, Mumbai INDIA

### **Re: High Court of Justice proceedings: Anglo Kutchi Medium School, India**

The Trustees of HELP A POOR CHILD are pleased to announce to all its supporters that, after much hard work on the part of the Board and its team of voluntary helpers, this charity and its trustees have finally emerged from almost three years of High Court proceedings unscathed and entirely innocent of all or any wrong.

On the 19<sup>th</sup> February 2015 the High Court of Justice in the action, JAT v HELP A POOR CHILD (Claim HQ12X03892), ruled that all or any claims against HELP A POOR CHILD and its Trustees "shall be and are hereby dismissed".

The Court further directed that the solicitors who brought the claims, of whom much more will be detailed below, "shall pay the reasonable costs of the claims leveled against HELP A POOR CHILD and its Trustees.

For those of you who may not be familiar with the events that gave rise to the litigation, and the manner in which it was conducted, the following will provide you with a relatively full explanation of a number of the wrongs we encountered during the course of the litigation, some of which have finally been resolved.

Almost three years under a cloud of suspicion, and for no good reason, HELP A POOR CHILD's trustees are finally able to freely and openly provide this account of much of what they endured in that time.

### **THE BACKGROUND**

In September 2012, ALAN COLLINS, a distinguished solicitor with the eminent firm of solicitors, PANNONE, wrote a disturbing three pages letter to HELP A POOR CHILD. In short, it provided a harrowing account of the physical abuse of youngsters who were students at the ANGLO KUTCHI MEDIUM SCHOOL in Gujarat, India in the period 2003-2008. The wrongdoer in each instance was identified as the then headmaster of the school, one DEREK SLADE. In 2010, DEREK SLADE was convicted of physically and sexually abusing other youngsters in

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similar fashion to those he had abused in his time at ANGLO KUTCHI MEDIUM SCHOOL, and he was then sentenced to a 21 years term of imprisonment that he is still serving.

It is a matter of fact that DEREK SLADE's apprehension, arrest, trial and sentencing came about through the intervention of HELP A POOR CHILD. Its officers had been instrumental in identifying DEREK SLADE's wrongdoing, and

had referred all the information that came their way to the police both in India and in the UK. HELP A POOR CHILD also, at the request of the BBC, provided a team of its investigative journalists with materials that enabled the corporation to produce a documentary that it aired under the title, AN ABUSE OF TRUST.

The disturbing feature of ALAN COLLINS September 2012 letter was his apparent ignorance of the foregoing, demonstrated by his wild assertion of misconceived "facts" and the implications of his misconceptions, namely that:

HELP A POOR CHILD, along with named but unrelated third parties, had run and maintained the ANGLO KUTCHI MEDIUM SCHOOL for a number of years,

and

that HELP A POOR CHILD, by virtue of such involvement with the school in question, was therefore responsible for the employment of DEREK SLADE as its headmaster, thereby affording him the opportunity to abuse the youngsters who attended the school,

and

that HELP A POOR CHILD owed the abused youngsters a "statutory and common duty of care" that it had breached by recruiting for the school DEREK SLADE as its headmaster, and/or allowed him to retain that position, without which he would not have had the opportunity to abuse the youngsters.

Within very few days of receipt of this letter, HELP A POOR CHILD wrote back to PANNONE, pointing out that HELP A POOR CHILD had no relationship whatsoever with ANGLO KUTCHI MEDIUM SCHOOL at any time, and that the contention that HELP A POOR CHILD owed a duty of care to the abused youngsters that had attended the school was based on a wholly wrong understanding of the facts "as will undoubtedly be confirmed if you elect to research the issue".

No reply from PANNONE was forthcoming.

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Instead PANNONE, through its own in-house Public Relations Manager, called a high-profile PRESS CONFERENCE for 3.30 pm on Tuesday 2<sup>nd</sup> October 2012 at the Kingsway Hotel at 66 Great Queen Street London WC2.

PANNONE also widely circularised a PRESS RELEASE to the UK media. In so doing PANNONE very publicly announced much of what had been wrongly set out in its letter of the previous month to HELP A POOR CHILD, and publicly announced its intention to pursue claims for financial compensation from the parties it named, including HELP A POOR CHILD and each of its trustees.

Towards the end of the following month (November 2012) PANNONE served HIGH COURT PROCEEDINGS on each of HELP A POOR CHILD'S blameless trustees in which it was wrongly contended that:

- HELP A POOR CHILD'S trustees had "at all material times operated, managed and was therefore responsible for the ANGLO KUTCHI MEDIUM SCHOOL",
- that at all material times Derek Slade was engaged in the service of HELP A POOR CHILD'S trustees,
- that HELP A POOR CHILD'S trustees "were entrusted with and responsible for the care, safety and welfare" of the abused youngsters,
- that HELP A POOR CHILD'S trustees had breached such trust,
- such that HELP A POOR CHILD'S trustees were "vicariously liable for the sexual abuse and assaults of DEREK SLADE and for the injury and damage which the youngsters suffered as a result of DEREK SLADE'S acts".

Over the course of the following two years HELP A POOR CHILD wrote many letters to PANNONE, and to another equally eminent firm of solicitors, SLATER & GORDON (following their acquisition of PANNONE in February 2014) denying in all such correspondence, as was the case, all or any involvement by it or its trustees with ANGLO-KUTCHI MEDIUM SCHOOL.

In response to the wholly baseless allegations HELP A POOR CHILD:

- responded in great detail to each and every demand made by ALAN COLLINS for information that he felt might support his claims or for the delivery of documents that he maintained would demonstrate the liability of the charity and its trustees,
- undertook and supplied to ALAN COLLINS the fruits of many hours of research both in the UK and India, all of which supported the charity's denials of any involvement with ANGLO KUTCHI MEDIUM SCHOOL,
- formulated and served its DEFENCE to the HIGH COURT CLAIM,

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- and finally instructed a barrister to represent it and its trustees at various court hearings,

While justice for HELP A POOR CHILD and its trustees was eventually achieved, it was small compensation for the emotional ordeal to which it and its trustees had been subjected and come about only because ALAN COLLINS, PANNONE and SLATER & GORDON, with all the very considerable resources and expertise available to them, had undertaken little or no research before commencing the litigation. Furthermore, and once the litigation had got under way, the lawyers in question all chose to ignore the submissions put to them by or on behalf of this charity and its trustees, and dismissed as an irrelevance all the research materials with which they were confronted. Significantly, at a very early stage, the BBC programme-makers made available to the lawyers all their research materials, much of which had originally been provided by HELP A POOR CHILD. Those materials included an audio and visual recording made by the BBC of an interview with the actual owners of ANGLO KUCHI MEDIUM SCHOOL in the course of which the Chairman of the body that had owned the school at all material times made unequivocal statement that:

## **AT NO TIME DID HELP A POOR CHILD OR ANY OF ITS TRUSTEES HAVE ANY INVOLVEMENT IN THE OWNERSHIP OR RUNNING OF ANGLO KUCHI MEDIUM SCHOOL**

While ALAN COLLINS, PANNONE and SLATER & GORDON were unmoved by such statement, even though it had been brought to their attention PRIOR to their commencement of proceedings, the HIGH COURT ultimately dismissed all their claims on the basis that none were capable of substantiation, and all had been doomed to failure from the very outset.

The above is a brief summary of the events of those last 2-3 years. HELP A POOR CHILD is able and willing to elaborate on all that it experienced in that time, and to provide any further information that might be requested of it. For now though, any persons seeking more information are welcome to access from HELP A POOR CHILD's web site a document comprising ten pages that fully set out the failings on the part of ALAN COLLINS, PANNONE and SLATER & GORDON in the face of the plethora of evidence that existed to disprove all their apparent misconceptions. Significantly, that document was served on them while the litigation was ongoing, and together with a copy of an article entitled LICENSES TO OPEN A SCHOOL: IT'S ALL ABOUT MONEY (also available for you to see on our web site). HELP A POOR CHILD, when delivering this paperwork, invited ALAN COLLINS, PANNONE/SLATER & GORDON to bring an abrupt end to the litigation. All that was sought, in return, was a written apology addressed to this charity and its trustees, coupled with a modest donation to further this charity's good causes. Uncharitably, that offer was declined.

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For HELP A POOR CHILD and its trustees, the experiences of the last 2-3 years inevitably reflect badly on the eminent firms of lawyers who brought the claims, and the manner in which they conducted their litigation. While the legal proceedings came to an end in February of this year, this charity has felt unable to talk openly about its experiences until now. It has spent the best part of the last six months struggling to secure payment of its reasonable costs as ordered by the court. In the course of the struggle, SLATER & GORDON argued that the charity's researchers had spent far too much time in researching the issues and securing documentation relevant to the litigation. SLATER & GORDON also put it to HELP A POOR CHILD that its compensation entitlement was pegged at a rate of less than 10% of what that firm charged its clients for such work. A state of finality was, however, reached earlier this month when the insurers for PANNONE/SLATER & GORDON were eventually persuaded to make their small financial contribution towards the "reasonable costs" incurred by HELP A POOR CHILD in defending these proceedings.

It is only now, following the receipt of such payment, that HELP A POOR CHILD feels able to share with you this long overdue account of events, and to invite you to share with its trustees and officers, their relief at finally extricating themselves from what has been, for them all, a nightmare episode.

## THE FUTURE

What we take from these experiences, and it is something that we should not allow the tussles with lawyers to distract us from, is that this litigation ought to have addressed the vulnerability of the youngsters in question. Regrettably, it did not. Instead, and here we quote a part of the title of the article mentioned earlier; a document that proved immensely useful to us in addressing the wrongs we were confronted with, our experience might be best be summed up so ..... "It's all about money".

For HELP A POOR CHILD, the background to the litigation was and is all-important. It demonstrated to us the continuing need for charities such as ours to do all we can to protect and nurture the young wherever they may be, and to the very best of our ability. That has always been and must remain the ethos of HELP A POOR CHILD. We reach out to you for your support so we can continue to provide HELP indefinitely, and for so long as we can identify both need and benefit among young and needy wherever they may be, and always to the very best of our ability. We remain proud of such ethos. We hope you, our dear supporters, feel likewise.

Derrick Pereira - Chairman  
(for and behalf of the Board of Trustees)