

To:

Fw: St. Michael's House misuse of funds

From: markharrold@eircom.net  
To: ted.mcenery@oireachtas.ie  
Cc: gerald.nash@oireachtas.ie  
Date: 13/05/2014 10:57  
Subject: St. Michael's House misuse of funds

Dear Mr. McEnery and members of the PAC,

In light of the recent findings and new information that has emerged in relation to the CRC, Rehab Care and other agencies and also the manner in which whistleblowers have been treated in the past, I wish to highlight the conduct of the board of management and senior administrators of St. Michael's House during my time at the organisation.

The management of St. Michael's House embarked on a campaign of bullying and character assassination after I highlighted the scandalous treatment of Peter McKenna, the man with Down Syndrome who died of neglect in Leas Cross nursing home and who was the subject of a Primetime documentary. He was a client of St. Michael's House when he sent there against his family's wishes. Below is a brief outline of what happened.

October, 2000: Peter McKenna died of neglect in Leas Cross nursing home.

September 2001: I wrote to the board of St. Michael's House about the culture of bullying which lead to Peter McKenna's death. The board eventually nominated a committee of three people to investigate my complaint. This included a former chairman of the board and acting member of the finance committee of the board, [REDACTED]. His company, [REDACTED], supplied all [REDACTED] supplies to St. Michael's House at the time. I refused to meet with such a biased group.

June 2003: I wrote to the then Minister for Health, Michael Martin, about the Peter McKenna case and the wider issue of the culture of bullying that pervaded the organisation. This prompted the Hynes Report, commissioned by the Department of Health, into Leas Cross. Mr. Hynes eventually produced a report that vindicated and validated my complaint.

July 2003: St. Michael's House level eight entirely spurious allegations against my work performance. For example, they alleged that I had lied to a court in a case which had never sat.

March 2004: I resigned from St. Michael's House when they commenced another investigation into my work practice. My wife had just had our first child and the stress was unbearable for both of us.

July 2005: I took a constructive dismissal case to the EAT against St. Michael's House. They hired a PR company to oversee the case, commissioned overnight transcripts (at a cost of €4,000 per day for 10 days which I could not afford), had a dedicated office set up to fight the case, had files on all my witnesses and offered training to all their witnesses in being an expert witness. It is estimated that they spent €1 million of public funds between my case and covering up the Peter McKenna case.

February 2006: I received a registered letter informing me that I had lost my case. The Tribunal members said that I did not follow internal procedures. Letters which St. Michael's House claimed they had written to

my union representative were never sent on to me. The Tribunal members concluded that I was refusing to engage in the process. St. Michael's House never wrote to me to request further meetings. I believe the finding of the EAT in my case was seriously flawed and warrants further investigation. My legal team, who charged me €75,000 in fees, informed me that I would lose my house if I lost an appeal in the high court. That is the only reason I did not appeal. St. Michael's House had the unlimited resources of the State to fight this battle. My financial and personal resources were spent at this stage. I requested to have my legal fees covered by the Department of Health by approaching Mary Harney and then her assistant Tom Kelly but was stonewalled.

2006-present: I have attempted on numerous occasions to get the issues in relation to how St. Michael's House used public funds (including in my own case) raised in a public forum but have not managed to do so. Minister James Reilly is aware of my case but has informed me he does not have the time to deal with it.

In conclusion, I highlighted the very serious circumstances of a man's death at the hands of St. Michael's House and Leas Cross. For doing so, I ended up losing my job, a significant part of my family life and I received a legal bill for €75,000 which I am still paying off. Questions remain to be answered as to how this organisation were spending public funds at the time. I do not know if [REDACTED] continues to supply St. Michael's House with a large range of products while remaining on the board. However, St. Michael's House have a revenue budget of €80 million + and have remained apparently untouchable. I would welcome the opportunity to brief the committee on the manner in which this organisation spent public funds without any apparent accountability. It was a culture which was well versed snuffing out any challenge to its highly questionable practices and cosy financial arrangements.

I respectfully request the PAC to investigate:

- How public funds were spent by St. Michael's House in relation to board member [REDACTED]
- Other irregular payments to companies with familial connections to St. Michael's House senior administrators
- The amount of public funds spent of covering up the Peter McKenna death and the manner in which this organisation attacked the person who highlighted this issue to Government

Sincerely,

Dr. Mark Harrold  
Clinical Psychologist