

RESTRICTED - OMBUDSMAN CASEWORK

Our ref: EN-135765 DATED 03.07.2012

Dear Mr Clarke

As promised, I am writing to inform you that your complaint to the Parliamentary Ombudsman has been allocated to me for consideration. As your mother has signed the complaint form asking you to represent her, I would need her to sign a new consent underlining the issues she wants us to consider. These were:

You want the Ombudsman to consider whether the [organisation] has properly investigated your complaints about the deputy's handling of your mother's financial affairs. We will look into the investigation and visit reports to decide whether the [organisation] has investigated the issues properly and whether their decision was reasonable. You understand that we will not release any of the reports to you or your mother or any third party.

The [organisation] has not responded to your complaint about the deputy not providing financial reports for 10 years to your mother. Your mother had to obtain these reports via a legal process and incurred costs. The [organisation] said that the deputy had the obligation to provide these accounts to your mother but took no action.

You complained to the [organisation] that your mother lost financially when she moved to Spain as the deputy did not release the funds in Euros. As her account was kept in the UK, she had to withdraw funds in Pounds and lost what you believe to be around 100 thousand Euros in currency exchange. You have not been told the result of this investigation.

I would now be grateful if you could send us as soon as possible your mother's signed consent and add the name of the organisation in question to your reply. You can also add any other evidence you wish us to consider.

Our consideration of a complaint can take up to ten weeks, or more depending on the complexity of each case. We will, however, keep you updated every four weeks to let you know of the progress of your complaint. At the end of our consideration, we will let you know whether we will be able to help you and give you our reasons for that decision.

Yours sincerely

Alice Coral

Parliamentary Assessor
Parliamentary and Health Service Ombudsman
Millbank Tower
Millbank
London
SW1P 4QP

**Replied to WITH SIGNED CONSENT LETTERS FROM
MY MOTHER ON THE 12.07.2012**

10.07.2012

FAO ALICE CORAL PHSO ref **EN-135765 (Parliamentary Health & Service Ombudsman)**

The following taken from the commercial lien/claim served upon the Deputy and whom never answered. It also was served upon Martin John CE of OPG

Subsequent investigations refused by new CE OPG Alan Eccles

Allegations of :- BREACH OF DUTY, MAL ADMINISTRATION, FRAUD, THEFT & CRIMINAL NEGLECT

a) My mother has Clinical Neuropsychology Reports, 4 off, 2 off these dated 2001 and one 2010 & one in 2011 stating her capacity to manage her own affairs and so, why is she being controlled by the PANNONE LLP & PUBLIC GUARDIAN when the mental health act 2005 clearly states "if a person has capacity to manage their own affairs", they should not be prevented from doing so. Under the deputy Mr Hugh Jones duty of care in the knowledge of the said reports continued to prevent Ms Clarke from acting independently and thus

FRAUD, BY FALSE REPRESENTATION.

b) In the clear knowledge of these reports the said deputy HUGH JONES continued to mal administer Mrs Clarke's affairs without her consent, advice or knowledge in accounting. He acted with a sole monopoly on Ms Clarke's funds creating a situation of "no choice" and by way this fact one can only derive,

THEFT.

c) In an effort to step outside the jurisdiction of England and Wales Ms Clarke emigrated for 3.5 years to Spain in March 2008 where upon our objections to PANNONE administration were ignored and HUGH JONES further provided funds from Ms Clarke's estate subjected to an exchange rate that was depleting month on month from 1.5 to the pound to parity of 1 euro to the pound. Countless complaints drew nothing except contempt resulting in losses exceeding €100,000 HUGH JONES of PANNONE LLP failed to provide and thereby protect my mother's funds in a breach of duty of care by not placing her balance of funds within a EURO account giving her currency protection from the fluctuation in a downward trend of the euro pound exchange rate. Example: At Ms Clarke's entry to Spain to live permanent in March 2008 her funds of £200,000 placed into a Euro account at 1.5 to the pound would have realised €300,000 that would have provided weekly stable payments within her country of residence that she chose to reside in. Complaints made at the time were ignored. Failure to do this in which a reasonable person would, constitutes;

NEGLECT & MAL ADMINISTRATION

d) In HUGH JONES's first year of office as deputy he took from my mother's damages a sum of £507 per week amounting to £26,377.00 whilst he gave me and my mother £200 per week to live off. Where court predictions on charges showed fees likely to be based around £1400 year. Mr Jones failed even 10 years later to explain where the funds went.

THEFT.

e) His follow up 9 years of charges were "kept hidden" from Ms Clarke until this year when under pressure in a recorded meeting (transcribed at www.opg.me.uk) that his charges for the whole period of 10 years did not exceed "£70,000" when in point of fact recently forced release of accounts by another solicitor recruited revealed he had taken a total of £115,615 proving Mr Hugh Jones's ability to be a deceitful liar by £45,615 in additional breaches of care.

LIES, DECEIT & THEFT

f) My mother has wanted for 10 years to make a will/gift with me her son/carer of 16 years as beneficiary (Enclosure B + copy hand written letter of 2001 F) but her deputy HUGH JONES has resisted and obstructed and tried to tamper with her wishes and thus still today she has no will.

BREACH OF DUTY & CRIMINAL NEGLECT.

g) Recent additional solicitor intervention forced the release of accounts that cost £984 in which when Ms Clarke requested this from her £30,000 balance to cover the bill was greeted with non-response. This was negligence upon the failing in his duty of care. Upon the then transfer of authority to deal with HUGH JONES (enclosure A) from her then new legal advisor whom could not be paid from mums own funds on a refusal by HUGH JONES by contempt it was then we were met with no response to virtually all email correspondence which then prompted protest.

BREACH OF DUTY, NEGLIGENCE

h) The award issued to my mother of £775,000 in 2001 was set up to pay for care and carers. HUGH JONES after countless requests failed to pay the son and carer anything, and dis-criminated against me as a GAY relative carer where other private care could be paid £12 per hour but I was made to claim benefits from the state. This matter was conveyed to HUGH JONES & the DWP department of works and pension s Ian Duncan Smith without even a reply from either.

BREACH OF DUTY, NEGLIGENCE, DISCRIMINATION & INEQUALITY

i) HUGH JONES "predatory actions" showed through earlier 2011 when he conspired with the estate agent McDonalds to undervalue my mum's property by some £75,000 in order to discharge it quick in a sale but we managed to prevent it.

MAL ADMINISTRATION

j) My mother has provided clear and unequivocal authorisation for me to manage what matters needed to be negotiated but HUGH JONES just ignores all correspondence.(A)

CRIMINAL NEGLECT

k) More recently a weekly payment to me of £500 and £500 to my mother was abruptly stopped with little warning and replaced with a £100 payment that in reality does not cover my mother's cigarettes and favourite tippie of a week let alone feed and transport her. This was just after the knowledge of where an additional solicitor was recruited to extract accounts AND OTHER information from the deputy, which to my mind shows a strand of "financial blackmail" to place a stranglehold on mum's finances to try and "STOP", any legal actions.

CRIMINAL NEGLECT

l) A recent meeting due to take place at Pannone s office s with Brother and Sister Hugh Jones failed to provide funding in relation to transport to get to that meeting and in fact would not even respond properly to that request. Our distrust in him with the lies previously proved leads us to require audio recordings of meeting to which he will not agree to even with the express written permissions from my mother to record and publish these in order to facilitate a more moral constructive meeting to settle disputes in which 'hearsay' no longer exists. It's purely because he has been caught out in these recording s that he will no longer conduct his deputyship and therefore we can only conclude abandonment of his duty.

NEGLIGENCE

m) In a recent meeting recorded and published, HUGH JONES deceitfully sent my mother on a wild goose chase of saying that he cannot stop her from doing anything she feels competent to do and said she can transfer her property into joint names if she wishes but upon checking with land registry he has a restriction to which she took pains to write to him to ask for its removal in which he did not even reply.

DECEIT LIES AND MAL ADMINISTRATION

n) How Pannone the company cannot understand as I do the dictionary meaning of theft is to remove someone's money or property without their consent or advice, HUGH JONES knowing full well of my mother documentary capacity has had the audacity to charge her annually to excess without providing her with any accounts or charge certificates rendering her without any judgement on whether or not she was receiving value for money and therefore removing all options in relation to choice of receivership where she might have chosen to appoint someone more local and less expensive. HUGH JONES seems to take the view that because of his use of the word "confidentiality" he had the god given right and the sole monopoly to continue to effectively "steal" from her funds to which he bore no receipts to advise or accountability of.

THEFT in my dictionary!

o) The mal administration continued throughout his overall ten year handling starting with his still unexplained £26,377.00 charges within his first year. He deceived mum and me further when in front of court visitor Vivian Creech in November 2003 he laid down his proposal of charges not likely to exceed £5000 per year and with the additional agreement of an automatic 3% increase per annum into household income that he never paid. An action never implemented, but complained about constantly. Common law reference;

"I.I.E.D." INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

p) Upon a meeting arranged with family HUGH JONES would not provide transport arrangements for mother to get there he also failed to address issues of insufficient funding for food cigarettes etc. and as a result in desperation the carer 'me' resorted out of desperation to protest outside Pannone s office in order to attract attention which was addressed by the serving of a "Notice of Claim for Defamation". We tried to force PANNONES to the table to discuss the issue's it was greeted with contempt. Court complaints drew zero.

To date 10.07.2012 the deputy has still failed to provide detailed accounts he has only supplied summary accounts to show his undisclosed charges of £127,000 and his mal administration of a further £100,000 in exchange rate losses totalling £232.000 without yet conducting forensic analysis of the entire £1.1 million pounds that has passed through the deputies hands.

He still today will not disclose detailed accounts requested.

Signed by Ann of the Clarke family

a. Clarke.