

What the Cornwall Federation of Women's Institutes has been up to and what they told WI members

CFWI's annual report to Dec 2015 shows that they paid their solicitor **£16,944**. The report gave the reason for this expenditure as

"...to obtain possession of a WI hall which was gifted to the federation when a WI suspended".

This is being somewhat "economical with the truth" or is "a terminological inexactitude" as Churchill might have described it. One can only assume that CFWI thought the rank and file WI members would not approve of what they were doing in their name with WI funds. Kelly Bray Hall certainly wasn't "gifted" to CFWI. Quite the contrary, when KBWI suspended, the agreement in place, with CFWI and NFWI, was that the Hall be transferred to the village as a Village Hall. We in Kelly Bray have fought CFWI in an attempt to make that happen. CFWI spent the money trying to deprive the village of Kelly Bray of a Hall which should rightly belong to the village and to destroy the legacy of generations of loyal WI members who provided the village with a place where social activities could take place at modest cost. I leave the reader to judge whether, in 1937, the ladies of Kelly Bray WI raised money and built a hall to improve their community - or as an investment for the WI movement and whether CFWI had a moral right to it.?

CFWI agreement that the Hall be transferred to the village as a Village Hall was in accord with the WI Constitution and also preserved the charitable trust designated in the deeds: Namely it was sold by the King in 1937 to provide "**an Institute [meeting place] for the Women of Kelly Bray**." Charity law says it can only be used for the purpose for which it was sold. It was pointed out to both to the Charity Commission and CFWI that the phrase "Women's Institute" had been avoided. The recent review of the case by the CC has confirmed, rather late in the day, that this is correct.

CFWI stated that the agreement was in their interests as it was their **duty** to try and restart a WI in Kelly Bray at some point in the future which would be easier if a new WI had a hall to meet in without having to shoulder the responsibility of looking after it. It was a very simple scheme in everyone's interests. The Hall would continue to be used **as it had always been**. The responsibility for running it would simply be transferred from one charity, who were having difficulty coping, to another which hopefully could.

The Charity Commissions response in July 2014, while unfavourable, was by no means final. In this Mr Maher of the Charity Commissions stated that in his view KBWI had ceased to be trustees so **he refused to deal with them**: he would only deal with CFWI. He stated that in his view CFWI owned it and should sell it to further its charitable objectives. It now turns out he was wrong. While KBWI were prevented from pursuing the matter, CFWI **could have done, but didn't**. They demanded that the keys of the hall be handed over.

The solicitor acting for Kelly Bray said there was nothing in the law or the WI constitution to justify Mr Maher's statement. Kelly Bray WI, the Hall committee and KB Residents Association joined forces and insisted that before the hall was handed over, CFWI had to show proof of ownership. A perfectly reasonable position to adopt in the circumstances. If the Charity Commission were right that shouldn't have proved difficult but it appears (based on the evidence of what happened) that CFWI's solicitor, like ours, could find no strong basis for a legal claim. They did not go back to the CC and ask them to justify their view or to insist on a decision which could be challenged. CFWI's solicitor adopted a confrontational approach and embarked on a program of bullying and harassment to try and secure the hall for CFWI. All communications from us were ignored as were suggestions of talks.

In September 2014 under instruction from CFWI the hall was broken into, the lock changed and a notice pinned to the door claiming it was the property of CFWI and threatening dire legal consequences if anyone entered it. As this was done without the agreement of, and contrary to the wishes of, KBWI trustees and as CFWI had not established legal ownership we believe **this was illegal**. We took a risk, ignored the threats and repossessed it. We again insisted that CFWI provide proof of ownership. They set the police on us! It was wasting police time - it was a civil matter.

In March 2015 CFWI's solicitor threatened us with legal Armageddon if the hall was not handed over and if the "KBWI trustees" did not formally sign it over to CFWI. It appears that they had found nothing to give them a legal claim and were hoping to bully the ladies of the former KBWI into a new agreement under the WI constitution gifting it to CFWI rather than to the village. The Charity Commission had stated that KBWI had no legal status and if they were right then what CFWI's solicitor was demanding would have been fraud. This legal difficulty was pointed out and things went quiet for a while.

In September 2015 another very unpleasant letter, again threatening legal Armageddon was sent to us but this time it included a copy of the new entry in the land registry. We accepted this as evidence of ownership and handed over the hall. It appears that Plan A having failed, CFWI had obtained a letter from Mr Maher which stating that it was the Charity Commission's view that the hall was now part of CFWI's property. This was used to get the Land Registry to change the entry in CFWI's favour. We obtained a copy Maher's letter from the land registry and found it gave no justification for the CCs view. So CFWI had obtained the Hall without anyone ever having shown they had any legal claim to it and when their solicitor, like ours, had failed to find one. Mr Maher has no legal qualification and in signing the letter he did not state what position he holds in the Charity Commission. It seemed to us that this could be a case of maladministration so we complained to the Parliamentary Ombudsman with the help of MP Sheryll Murray. The Ombudsman persuaded the Charity Commission to review the case. The review, as well as being very critical of the way the case was handled makes it clear that Mr Maher got it wrong. The review said there was room for doubt as to whether ownership had indeed transferred to CFWI and specifically that the Hall is **not** part of CFWI's property, that the 1937 trust still stood and CFWI had no right to sell it - they held it in trust as a meeting place for the women of Kelly Bray and not as an asset of CFWI to be used for their objects.

CFWI obtained £25,000 for the hall. By the time they have paid their legal fees gives them £8000, probably a lot less (more legal fees no doubt having been added in 2016). The Hall would cost £200,000 to replace. The legacy of generations of loyal WI members has been lost and the social life of a village in Cornwall has been damaged. A group of decent people, including some elderly ladies who had been loyal WI members for decades, have been treated with contempt, threatened, and wrongly accused of trespass. As the Hall didn't belong to CFWI then it is assumed that the £25,000 doesn't either.

CFWI now know they got it wrong and what we were saying was correct. They discovered this in November yet no apology has been received.

John Kennagh