

# **Botton Village, Delrow and The Grange Camphill Communities Urgent Legal Action Fundraising Appeal**

Dear Friends and Supporters,

we are looking to raise a fighting fund of at least £250,000. This is the sum we are advised that we will need to protect Botton and other communities from the actions of the Camphill Village Trust (CVT). We understand that before making contributions potential donors will have questions. We will answer the commonly asked questions below, and if you want further information please contact us below so we can ensure that you speak to one of our specialists who can answer your query.

## **Frequently asked questions**

1. [Is legal action really necessary? Surely the Camphill approach is to talk through problems and find a way by consensus rather than conflict?](#)
2. [What proceedings are being taken and what is it hoped that they will achieve?](#)
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10. [CVT is painting the picture that those not supporting its changes are a misguided and mislead minority - is it not true that most people involved with the communities including Botton are happy to work with CVT to ensure that necessary changes take place?](#)
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## **The Answers**

### **Question 1: Is legal action really necessary. Surely the Camphill approach is to talk through problems and find a way by consensus rather than conflict?**

Every request for real dialogue has been turned down by CVT, who maintained that the outcome of an employed workforce working shifts and no longer sharing homes with the learning disabled people is the only possible one. Two attempts at mediation have broken down due to CVT being unwilling to truly engage and halt its changes. Yes, we do want dialogue, but if one party just pushes on with its agenda despite all pleas there is no alternative but to take legal action. It has been made

clear to CVT that true, open and honest discussions would be welcome at any time, but unfortunately while we were in mediation CVT managers were finalising plans to remove Co-workers and end shared living. At this point, legal action is the only option left to prevent Botton losing its shared living, its volunteer Co-workers and the Camphill ethos.

**Question 2: What proceedings are being taken and what is it hoped that they will achieve?**

The main thrust of the proceedings will be an application to the court for a declaration that CVT must comply with its founding documents contained in the company Memorandum and Articles. These set out in the clearest terms with an Appendix detailing how the community should work - shared living relationships not based on contract and employment are integral, and the court will be asked to direct that CVT complies with its own objects. An important adjunct to this application will be the request to the court for an interim injunction to stop any further changes - this is essential as otherwise by the time the court decides the main issue it will be faced with a *fait accompli*.

The second legal avenue will be to challenge the way that CVT has defeated the intention of its original members with an expedient of using its powers to double the membership whilst refusing applications from anyone who it thinks will not support its changes. Thus the original membership can be out-voted at any time: as happened at the last AGM on 5<sup>th</sup> December 2014. We are advised that this is illegal and the court will be asked to declare that all the new "memberships" created just to get support for its destructive policies be declared invalid.

The third approach is to support the individual Co-workers and Villagers, who feel harassed, bullied and threatened. Some Co-workers have already been served with notices to quit and we expect the others to get the same within days.

**Question 3: Why the rush?**

This is simply because CVT is trying to push through changes before it can be stopped. We understand the plan is that by 30<sup>th</sup> March there will be no traditional Co-workers at Botton, The Grange or Delrow – if CVT has its way. All care will be by employed staff and shift-working support workers living elsewhere, and CVT's job of dismantling everything the Camphill Communities were created for and have maintained for 60 years will be complete. We must either take proceedings now or we will be arguing over the ashes of the once great communities.

**Question 4: Are there not other ways of funding the action. What about "No win no fee" or Legal aid?**

"No win no fee" does not apply to charity law where the courts intervene in the interests of the charity and not to award damages. Similarly, under the Legal Aid Cuts legal aid for this purpose is not available.

**Question 5: Will you manage to raise the huge sums needed?**

We have been humbled and amazed by the generosity of so many donors already. Thousands feel

very strongly about the Camphill life-sharing Communities like Botton, Delrow and The Grange, and many know that Botton was the first Camphill community for adults with learning disabilities. Please visit the Action for Botton website and see the amazing "Voices of Support" to understand how strong this is. We believe that the huge importance of a place which for 60 years has delivered real care means that the public will not allow it to be wantonly destroyed in favour of a commercial type, employment based "Care Industry" approach. We have already received donations and pledges of about £100,000 – we are now appealing to you to help us raise the remaining at least £150,000.

**Question 6: Will you succeed?**

A senior barrister has advised that we have good prospects of success on both the charity matters. Separately, a leading Charity Queen's Counsel in an opinion castigates the behaviour of CVT, which he terms "outrageous" and unequivocally advises that CVT is acting outside the terms of its own trust (ultra vires). You might well ask why therefore CVT is going ahead. The answer we believe is that they think we cannot get together enough funds to bring them to book through the courts. We hope you will prove them wrong to help us protect the much-loved Camphill way of life.

**Question 7: What is the Legal Support Fund?**

The Legal Support Fund is a fund for large donations of £5000 and above and it will hold the money in case it is needed, and return it to the donors if for instance the case is won and there are no costs to pay. It should be noted that there will almost certainly be some costs which we will have to pay, even if we win the cases. The fund will be held independently on very clear terms. The Fund will be used for Legal Costs and outpayments, and any sums we are obliged to pay, including costs of a formal mediation process (if any). If all of those Costs are less than the total of the Legal Support Fund, then the excess will be returned to donors to the Legal Support Fund pro rata to their contributions.

**Question 8: If I make a smaller donation or one outside the scope of the Legal Support Fund and the money is not used, what will happen to it?**

All sums donated will be acknowledged. To avoid the administration, costs that would be involved in accounting for partial use of sums below £5,000, those sums will be used both generally in the campaign and for legal costs, too. At this stage we cannot be specific as to which monies will be used first to defray expenditure as it arises, but the Legal Support fund will only be used for costs involved in the litigation (or formal mediation). Any money not used for the legal battle will be applied to help Botton recover from the changes forced upon it.

**Question 9: Who are the supporters of this action?**

The vast majority of the Co-workers, the large majority of parents and families, many of the villagers themselves and the thousands whose lives have been touched by Botton and other Camphill Communities. There is an active international Camphill Community, which is appalled by what is being done to the beacon communities at Botton, Delrow and The Grange. Hundreds of residents

local to Botton are also totally opposed to the destruction of the local community they have come to respect and love. There is also a growing public concern and outrage and more and more people are pledging support through the Action for Botton Website - [www.actionforbotton.org](http://www.actionforbotton.org).

**Question 10: CVT is painting the picture that those not supporting its changes are a misguided and misled minority - is it not true that 'many' people involved with the communities including Botton are happy to work with CVT to ensure that necessary changes take place?**

There are about 20% of the Co-workers (8) who have accepted employment and these have been used extensively by CVT's expensive PR consultants to try and paint this picture. Similarly, there are few family members that support the changes, but the majority of parents and relatives turned to Botton for their loved ones because of its community atmosphere, the shared living and meaningful working and the fact it is based on human relationships and caring and not restricted to support plans and job descriptions, and support what we do to help Botton. Most of all, we know from various consultation processes and regular care reviews, as well as conversations and observation, that villagers living in Botton feel happy and at home in the shared households, and benefit from the relationships and sense of belonging these provide.

**Question 11: How do I help?**

Please help us to reach our fundraising goal of £250,000. You can make a donation, large or small, or contribute to the Legal Support Fund. To make a donation please:

- Send a **Cheque** or **Cash** to: Action for Botton, The Vicarage, Danby, Whitby, YO21 2NQ
- Pay directly into our **Account**: Sort code: 53-50-15, Account number: 50702254, IBAN: GB86NWBK53501550702254, SWIFT/BIC: NWBKGB2L
- Donate **Online** using PayPal, Credit card, Switch Card, or Direct debit, by clicking the following 'Donate' button:



For a contribution to the **Legal Support Fund** or other offers of help, please contact

- Andrew Faulkes: 07740 776947 or [faulkes\\_1@yahoo.co.uk](mailto:faulkes_1@yahoo.co.uk), or
- Peter Woods: 01287 660602 or [pjri@hotmail.com](mailto:pjri@hotmail.com), or
- Frank Atkinson: 01287 630240 or [osacons@ntlworld.com](mailto:osacons@ntlworld.com).

In the name of the many learning disabled people living in Botton, Delrow and The Grange, whose shared-life homes and communities we are supporting, we extend our sincere thanks for your generous donations and support.