

Detective Sergeant Pearson
Lancashire Constabulary
Central Division Operations Centre
Lancaster Road North
Preston
PR1 2SA
22-01-2014

Dear Mr Pearson

Thank you for your email of 18th September 2013 regarding your investigation into CC O'Toole's expenses claims. Apologies for the delay responding to you but I have been unwell for some considerable time.

You state that Mr Dilworth of the CPS felt that there was insufficient evidence, not none, for a prosecution. It is clear he has deliberated over the evidence presented to him by you and your team and no doubt his subsequent reasoning will have been communicated to you in writing .

As the complainant involved I would be grateful for a copy of these deliberations and reasonings, or at least a synopsis.

I have no doubt that you and your team expended a great deal of time and effort on the investigation and for that I thank you. In addition to those I met is it possible to ascertain the make-up of the investigating team, e.g. were the services of a forensic accountant employed in what is clearly an accountancy based enquiry?

Would it be possible for you to expand on your phrase 'some anomalies were unearthed they were VERY (*your Caps*) minor'. I would be grateful if you would explain to me what you define as an 'anomaly' and quoting an example?; how many of these 'anomalies' there were over what time span?; and what you define as 'minor'?

Having filed LCC type claims yourself I would have thought you would know whether a claim is correct or not.

With reference to claiming expenses for party political duties who gave you a witness statement which informed you that this practice was permissible when self-evidently it is not?

What legal authority did you base your conclusion on?

For example was the legal authority produced to you from the LCC, local government organisations, or party political sources to support and confirm for your team that this practice was indeed permitted?

In helping provide clarity can I remind you that examination of HM Revenue and Custom rules and Guidance to Local Government Independent Remuneration Panels indicates that expenses should be paid ONLY for council business (not party political activities).

Did you also consult these quoted legal authorities when reaching your conclusion on expenses for party political duties?

I understand the allowance per mile is agreed and set by the IRP but what legal authority has CC O'Toole produced to you which appears to give him permission for what is the doubling of his journey time and mileage to County Hall and can I have a copy of that?

One might be drawn to ask why it seemed necessary to attempt the circumnavigation of the County every time he travels from home address to County Hall.

What was his explanation for this 'anomaly'?

Did you get full copies of CC O'Toole's expenses from LFRS and over what time span? Were these compared against the same time span for his LCC records to ensure that he was not 'double dipping', in other words claiming expenses for duties from both authorities on the same day, at the same time, and the same venues as rumours suggest?

Much has been made by CC Driver of the waste of public monies that your enquiry team incurred. What was the final expenditure figure in man-hours and expenses etc logged against this operation and can you let me have a copy of that as well?

If I continue to be dissatisfied and suspicious of the actions of CC O'Toole in what I know to be excessive claims or that you have not made the case or produced the conclusive evidence which clearly exists in this matter for the CPS to have a complete picture upon which to base their decision to prosecute or not then I will feel duty bound, and have the right, to seek a cold case independent review from a Chief Constable outside Lancashire via the Independent Police Complaints Commission.

You should also be advised that I now have exclusive access to a website which publishes correspondence of public interest in respect of politicians and their expenses and I intend doing so, this matter is not yet concluded.

DPC Azam Khan took copies of some of my most personal documents. I cannot recall which precise documents. In protecting my privacy I would grateful if these

are returned to me and if not copies, so that I am aware what highly sensitive documents of mine remain in public circulation.

Once again may I thank you for your team's time and effort in this matter.

Yours sincerely

John Hinton

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On Wednesday, 5 March 2014, 11:44, "Pearson, Martin"
<Martin.Pearson@lancashire.pnn.police.uk> wrote:

Mr Hinton

Thanks for your e-mail.

I don't think it would be practicable for me to provide you with a satisfactory response via e-mail as I'm sure that you will wish to ask some questions as I go through the points you have queried and to attempt to cover all potential supplementary points you may wish to raise would in all likelihood result in an unsatisfactory to-ing and fro-ing of electronic communications.

Whilst I appreciate that you will be keen to have your queries answered, I trust you will agree that it would be more beneficial to discuss in person.

I hope you have an excellent holiday and look forward to meeting upon your return

Regards

Martin Pearson

Detective Sergeant 1620

CID

Central Division

Central Division Operations Centre

Lancaster Road North

Preston

PR1 2SA

Tel: (01772) 209741

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From: johnhinton@sky.com [mailto:johnhinton@sky.com]

Sent: 03 March 2014 19:41

To: Pearson, Martin

Subject: Re: C.C. O'Toole

dear Sgt Pearson

thank you for your reply, I hope you had a nice break.

I agree that the best way would be for us to meet up, but unfortunately I will be unable to meet you, as I am away on holiday for several weeks.

I would be grateful if you could email me a response to my original request briefly outlining the issues raised and when I return if I feel it is necessary I will arrange to meet up with you then

yours sincerely

John S Hinton

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On Sunday, 2 March 2014, 16:40, "Pearson, Martin"

<Martin.Pearson@lancashire.pnn.police.uk> wrote:

Mr Hinton

Apologies for not responding sooner, I've been on leave for a short while.

I think the most appropriate way to respond would be in person if that is acceptable to you

We can arrange to meet at your home, here at the Police station or any other mutually convenient location

Regards

Martin Pearson

Detective Sergeant 1620

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From: johnhinton@sky.com [mailto:johnhinton@sky.com]

Sent: 24 February 2014 18:01

To: Pearson, Martin

Subject: C.C. O'Toole

Dear Sgt Pearson

Please find attached a letter I sent to you on the 3rd Feb. 2014, as I have not received either a reply or acknowledgment I was not sure if you had received it so I thought I would email it to you

your sincerely

John S Hinton

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Dear D/Sergeant,

Can you identify this officer that CC O'Toole is referring to?

Or in fact confirm whether or not it was you who allegedly made this statement?

Sincerely,

Paul P Burns

From: O'Toole, David (Cllr) [mailto:David.O'Toole@lancashire.gov.uk]

Sent: 09 June 2014 15:13

To: 'Paul P Burns'; Borrow, David (Cllr); Mein, Jennifer (Cllr); Winlow, Bill (Cllr)

Cc: De Molfetta, Francesco (Cllr)

Subject: RE: Latest-The Morning Bugler

Colleagues

So Mr Burns is at it again. Not satisfied with having to repay a huge amount of cash to the CFA and the courts (something in the region of £50,000) he has once again turned his attention to me but know includes Frank. . I noticed he has stopped attacking Ex Fire Chief Peter Holland who has moved on to a higher office. Perhaps its best summed up the detective who after seven months of investigating the spurious allegations made against me called me to say " sorry about the length of time this has taken you are completely exonerated from these allegations and as far as I am concerned the man who made them can crawl back under his stone"

David

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On Wednesday, 30 July 2014, 8:05, "Pearson, Martin"

<Martin.Pearson@lancashire.pnn.police.uk> wrote:

Mr Hinton

Firstly I must apologise that you did not receive a copy of the tape. I requested it be sent out some time ago and will progress as soon as I can

Secondly, I am not aware of any comments CC O'Toole has made publicly or otherwise concerning the case. I can assure you I would not and did not say anything to him which could be deemed unprofessional or inappropriate, moreover it would be difficult for me to make any comment to him about yourself as I had never met you or had direct conversation with you prior to 28th May and have had no contact with CC O'Toole since informing him of the CPS decision

Please feel free to contact me as per below if you require anything further

Regards

Martin Pearson

Detective Sergeant 1620

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From: johnhinton@sky.com [mailto:johnhinton@sky.com]
Sent: 29 July 2014 10:09
To: Pearson, Martin
Subject: CC O'Toole

Dear Mr Pearson

i E-mailed you on the 9th June asking for a copy of the recording you made of our 28th May meeting, todate i have received nothing. i would be grateful if you would forward a copy to me as soon as possible.

CC O'toole has publicly stated that the police officer dealing with this matter has made remarks about me that i consider unprofesional, Are you aware of Mr O'Toole's statement and are you that officer?

yours sincerely

John S Hinton

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On Tuesday, 12 August 2014, 13:10, "Pearson, Martin"
<Martin.Pearson@lancashire.pnn.police.uk> wrote:

Mr Hinton

Apologies for time taken in response, I have however spent some time considering the situation:

I can re-assure you again that I would not be as unprofessional as appears to be insinuated and I thank-you for comment in acknowledging your recognition of the probability having met with me, unfortunately I am now in a rather difficult position:

Having investigated the matter of Councillor O'Toole's expenses and presented the evidence accrued to the Crown Prosecution Service, I felt it was appropriate to communicate the decision made by the reviewing lawyer as fully as possible to yourself as the original complainant. I wholly appreciate your disappointment in respect of that decision but now find myself caught up in what seems to be an increasingly personal disagreement between yourself and Mr O'Toole.

I have no option but to distance myself from that disagreement, you have made reference to not letting the matter rest and should Cllr O'Toole insist on directly attributing those remarks to me I would anticipate that a complaint would be forthcoming to the Independent Police Complaints Commission (and would fully understand that course of action).

Therefore I regrettably feel that I am in a position to discuss this matter further with you. I hope you can understand my rationale.

Regards

Martin Pearson

Detective Sergeant 1620

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From: johnhinton@sky.com [mailto:johnhinton@sky.com]

Sent: 07 August 2014 14:18

To: Pearson, Martin

Subject: CC O'Toole

Thank you for your email confirming that the recording of our meeting is to be forwarded to me.

With regard to CC O'toole's letter regarding (I presume, your alleged comments), I reproduce it here:

Here are O'Toole's opinions in full...

"Colleagues

So Mr Burns is at it again. Not satisfied with having to repay a huge amount of cash to the CFA and the courts (something in the region of £50,000) he has once again turned his attention to me but know(sic) includes Frank. . I noticed he has stopped attacking Ex Fire Chief Peter Holland who has moved on to a higher office. Perhaps its best summed up the detective who after seven

months of investigating the spurious allegations made against me called me to say " sorry about the length of time this has taken you are completely exonerated from these allegations and as far as I am concerned the man who made them can crawl back under his stone"

David"

following our meeting at Preston, I felt that it was highly unlikely that you would have used the phrase ' the man who made them(the allegations) can crawl back under his stone', as that would be highly unprofessional and inappropriate.

'completely exonerated' this also seems at odds with what you informed me regarding your investigation, would you not agree?

it would appear that CC O'Toole is trying to blacken my name and clear his own by twisting the facts and blatantly misquoting you, which unless addressed can in the long run can only bring the Police into disrepute

I do not intend to let the matter rest, especially as you confirm you did not make those comments

regards

John Hinton

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From: johnhinton@sky.com [mailto:johnhinton@sky.com]

Sent: 21 August 2014 11:54

To: Martin.Pearson@lancashire.pnn.police.uk

Subject: CC O'Toole

Dear sergeant Pearson

Thank you for your email dated 12th August 2014

Firstly of great concern to me is, I still have not received the recording of our meeting of the 28th May 14, which you have promised me a number of times, I would like this recording as soon as possible.

secondly the inference of your recent email is that you are no longer going to liaise with me, yet the final line states that you are, please clarify.

finally in your email you assess that the PCC will become involved and intimate that it will be myself that instigates this and that this is the reason for pulling away from me, I feel that we have crossed wires here, I forwarded CC O'Toole's comments to you for conformation that you did not say those things to him.

when I say that I will take it further, I mean taking CC O'Toole to task for his actions, the only way the PCC can become involved in this matter is for CC O'Toole to claim that you are lying and for him to complain to the PCC, therefore I do not understand your rationale for not liaising with me the complainant.

yours sincerely

John Hinton

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