

The Chief Constable MA(Cantab) QPM CBE.  
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Sunday, 20<sup>th</sup> January, 2013.

**BURNS**

My Ref: PB00313.

Your Ref:

**A Member of the Public's Complaint Against:**

**County Councillor D.O.Toole  
Lancashire County Council  
Chairman-Lancashire Combined Fire Authority**

Dear Chief Constable,

1. I represent a group of 17 disabled Lancashire Fire Service Veterans(including myself) and their Widows who for the past 5.5 years have been engaged in a pension dispute with our former employers the Lancashire Combined Fire Authority(CFA) and its agent the Lancashire Fire & Rescue Service(LFRS).The detail need not concern us here.
2. During this dispute, at various points and times, the Chair(Current) of the Lancashire Combined Fire Authority County Councillor D.O'Toole and the former Chief Fire Officer(P.Holland-now retired) have both privately and publicly accused individuals and the members of the group, including myself, of allegedly fraudulently obtaining DWP monies and other payments to which we are not entitled. This is of course both individually and collectively rebutted and denied.
3. The DWP Fraud Squad at Blackburn at a very early point in this dispute following my approach to them have declined after preliminary discussions to take any form of investigative action against either any individual within the group or collectively and that remains their formal position today.
4. Because "what is good for the goose is good for the gander" I decided some time back to carry out a private investigation into both CC O'Toole and Mr.Holland's publicly funded 'activities'.
5. The latter you will already be aware of because it is my understanding with strong available anecdotal evidence that on or about 1997 whilst engaged with a female member of his staff in flagrante delecto in a public place, namely the Blackpool Promenade, was arrested by a Special Constable and both individuals subsequently received formal cautions in your Blackpool Central Station.
6. Of special interest, as you might expect, was the financial activities of both these public figures in respect of public monies and expenses.

7. In respect of Mr.Holland there is clear anecdotal evidence of the misuse of Service resources and expenses for private use (a la Mr.Parr former LCC Chief Constable), but in perpetual stonewalling whilst in public office Mr. Holland has refused various FOIA and individual requests from members of my group to release his public records including his mileage logbooks. This remains the position, though he no longer has charge, since retirement, of these public records.
8. In respect of CC.D.O'Toole, he adopted the same stonewalling position as his former chief and has refused similar repeated requests for records, explanations, and public transparency.  
The current chief's staff even at this early stage of his appointment seems to be adopting the stonewalling 'policy' of lack of transparency of his antecedent on this public duty, or perhaps CC.O'Toole, the Chair of the Panel who appointed the present incumbent chief, has instructed him to continue this stonewalling?
9. In April 2012 a member of my group, Mrs.C.Wilson, the Widow of an esteemed comrade and another member made successful applications to the LCC under the FOIA and received copies of CC.O'Toole's LCC's expenses claims going back some 10 years. But the release does not include his expenses claims lodged separately with the CFA for his activities there.
10. CC.O'Toole refuses to release his expenses claims with the CFA so that they may be compared with his LCC claims and the CFA have rejected formal FOIA requests for them.
11. It is clear from further investigation of CC.O'Toole records that 'anomalies' exist, for example, that he has consistently claimed twice the mileage allowance between his home address and County Hall for at least a decade; that he has claimed twice on many occasions in an 'over lapping' exercise by exploiting his roles and duties between his duties at County Hall and those at the LFRS HQ; there are other questions arising regarding the abuse of subsistence allowances and travel to external conferences; there are improper claims against the public purse for his role as the Conservative Party Whip for Lancashire which quite properly are not the responsibility of the Lancashire taxpayers but rightly belong to the Conservative Party.
12. The following is an extract from a letter by a member of the group to the Rossendale Free Press in October 2012...  
  
*"CC O'Toole's previous expenses claims released by the LCC under the Freedom of Information Act confirm that he has regularly been inflating his travel expenses by over 50% - claiming 68 miles per return journey from his home address in Ormskirk to County Hall which is in fact only 38 miles. He also claims expenses for carrying out his Conservative Whip duties claims which are expressly forbidden by all Parties. This confirms not only deliberately lax accounting by the Conservative controlled LCC but demonstrates contempt by Mr O'Toole for the hard working tax payers of Lancashire."*
13. There is also strong anecdotal evidence that the Adminmistrative Clerk to the CFA Mr.C. Keely, and other clerks dealing with CC.O.Toole's claims have repeatedly and unsuccessfully challenged CC.O'Toole on his CFA claims in all these respects only to receive a browbeating in response.
14. I, and others, have repeatedly asked for all these records with explanations appertaining to their roles and duties from both individuals which have been perpetually stonewalled and rejected. A member of the group continues to do so.



15. In my opinion, based on the released expenses claims of CC O'Toole's LCC expenses alone there is evidence of the wilful and calculated misappropriation of public funds amounting to criminality by the said Councillor based on 'res ipsa loquitur' (the facts speak for themselves to prove the fact) and that he has in fact wilfully submitted claims whilst knowing them to be patently untrue.
16. Accordingly I consider that a crime, or crimes as yet undiscovered, have knowingly, wilfully, and untruthfully been perpetrated by CC.D.O'Toole against the public purse for his personal gain and I request that you carry out a full investigation on both him and his former chief Mr.P.Holland in this respect to follow the truth where it may take you.
17. A complaint which I now support with supplied documentation which I have today passed into the safe keeping of PC 1834 Mr.A.Stable(Cadley,Greyfriars & Tulketh-Tel No: 01772 209441) a dossier of eighty three pages (83-including this document) for this purpose.

Yours Sincerely,

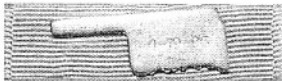


Paul P. Burns. GIFireE  
Divisional Fire Officer (Rtd)  
HM-t-Q-LSGCM



For Exemplary Fire Service

Oklahoma Medal of Honor  
& Honorary Citizen.



Soviet Union  
Order of Excellent Fire-fighter.



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