



24 February 2011

Mr R Warren  
Lancashire Fire & Rescue Service  
Fullwood  
PRESTON  
PR2 3LH

Dear Mr Warren

### **Allegations of Pension Over-payment**

My injury pension was suspended from 1 March 2008 and was re-instated with effect from 1 June 2010, notwithstanding the fact that I became 65 years of age on [REDACTED] and, at that point, I was no longer eligible for Incapacity Benefit (IB). I have not had, but now require from you, a detailed statement which certifies to the last penny exactly how much you withheld from me during the 27 months referred to above. I have been concerning myself with the details of your allegations and have the following to state for the record.

On 26 August 1998 I signed, dated and returned to BHQ a document on which I stated how much I was to receive in the way of Incapacity Benefit. The injury element of my pension was then calculated in accordance with this information. On the first occasion that there was an increase in my IB I rang BHQ and informed them. I was told then that I was to expect increases in the IB payments according to DWP scales and that this procedure was understood, and that I need not tell them of such continuing changes. At that time I was informed that should any changes to my current situation take place, for example if I ceased to receive IB or started receiving another benefit, that would be the time to tell them. From my retirement onwards I was only in receipt of IB.

Note: During part of 2004 and 2005 our [REDACTED], received Disability Living Allowance, which was paid into my and my wife's joint account for us to administer, as [REDACTED] was incapable due to the nature of [REDACTED] illness. This has nothing to do with my injury pension and the matter in dispute; however, it may show up on DWP records.

During the time that I received IB, the only element that changed was the rate at which IB was paid and then only in accordance with the DWP scale. I have a letter from the DWP in which they itemise all the increases and the reasons for those increases, eg, the increase on 29/01/1999 was because I had been in receipt of IB for 28 weeks, and was the change between their short term lower and short term higher rate. The increase on 16/07/1999 was because I had been in receipt for 52 weeks and was the change between their short term higher and long term rate. I then remained on their long term rate, and all other changes were due to the April uprating.

It should be noted that the changes that took place were in accordance with the DWP's approved scales and did not constitute a different benefit. The Brigade personnel who dealt with pension administration at the time acted correctly by disregarding the rises in the scale of payment because the entitlement stayed the same.

At this point I refer you to correspondence between Mr B B [REDACTED] and yourselves, concerning alleged overpayment of his injury pension. In particular I refer to the last two paragraphs in one of your letters in which you admit that there was indeed 'poor administration'. Mr B [REDACTED] circumstances were very similar to my own, but clearly we have been treated differently. This is a matter which I find very disturbing.

Recently it has come to my attention that anecdotal or actual evidence exists which seems to indicate that two or more 'standards' were applied by the LFRS in resolving individual alleged 'overpayments'. It would appear that, for example, if one was a Freemason, any alleged debt was dealt with by using a different 'standard' to that applied to non-Freemasons. I suggest to you that in practice Freemasons did not repay any of their alleged 'debt', whilst non-Freemasons are continuing to repay their debt or have repaid it in full whether due to you or not. If this is the case, then it would be an appalling state of affairs with foreseeable grave consequences for those personally involved.

I request your personal written assurance and the personal written assurance of your deputy, Mr Hamilton, who is responsible for the day-to-day administration of the LFRS Pension Scheme, that there is no foundation whatsoever in these rumours and that all those affected Fire Service Veterans, regardless of their membership of any particular organisation, have been treated fairly and with exactly the same 'standard'.

Yours sincerely,

[REDACTED] MIFireE



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Lancashire Fire & Rescue Service  
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Wednesday, 13<sup>th</sup> April, 2011.

**BURNS**

**My Ref: PB01211.**

**Your Ref: MBW/HLG**

**The Injury Pension 'review' – Integrity and Honesty  
and now  
Corruption.**

Dear Mr. Holland,

Thank you for your letter of the 6inst.

I entirely disagree that integrity, honesty, and now demonstrable corruption have little to do with this dispute or with the conclusions the Court may subsequently reach on you and those you are responsible for. It has everything to do with it.

The Court will take the view that you are entitled to challenge my honesty and integrity and in equity recognise my entitlement to challenge your collective honesty and integrity with, unlike you, documented evidence.

No doubt the Court will note your failure as an accountable public servant to rebut or deny the truth of the evidence I have recently placed before you and your complete failure as head of your organisation to provide clarity and transparency in general and in particular on your personal role in these grave matters. The Court are entitled to draw inferences from such failures.

You and your staff chose, when it suited your purpose of cover up in deflecting public scrutiny of your pension scheme maladministrative debacle, to make evidentially unsupported assertions designed to publicly and iniquitously smear the good names and characters of your own innocent disabled Fire Service Veterans and their families.

In addition the Court will no doubt note Mr. Hamilton's and your failure to deny the corrupt manner of his 'appointment' for which he paid the price later in this dispute when you called in your IOU.

This was the price.

You will recall in my letter (Ref PB05208) I put it directly to Mr.Hamilton that he was engaged in the application of dual standards of resolution with the disabled FSVs involved. I wrote then...

"As a consequence of my continuing investigation I have concluded that there exists in respect of your department a further anomaly which greatly disturbs myself and other FS Pensioners who stand accused by you of being in receipt of 'overpayments' or of being Dissenters.

I have before me anecdotal evidence which suggests that your department has engaged in activities which treat some FS Pensioners more favourably than others in the operation of this 'Review'. I have also referred to this in detail in recent published correspondence copied to you. This is also a matter

which I have addressed publicly with you, your Chief Fire Officer, and the Chairman of the CFA *without, to date, a single line of rebuttal either personal or corporate.*

I require you to specifically address this apparent anomaly in your reply, in addition to those I have already brought to your attention in respect of the DPAAct, so we can all be reassured that neither you, your department, nor in complicit accord with Mrs.Lister of the LCC PS, have personally or collectively engaged in any such activities which have been, or are, detrimental to those less well favoured FSPensioners in the manner in which they find themselves either subject to scrutiny, or more favourably, absolved from scrutiny by your 'Review'. We have a right to expect a detailed publicly transparent reply to all these matters.

Should you fail to respond then no doubt the Public, and in time the Courts, will draw their own conclusions.

A reply, notwithstanding, I shall nevertheless continue with the support of my FS Pensioner colleagues to investigate this troubling state of affairs in order to reach a definitive conclusion regarding the legality, or otherwise, of this latest anomaly."

You will note the anodyne contents of Mr. Hamilton's subsequent reply (attached) which astonishingly did not deny my allegations or rebut them in any manner whatever. His consistent failure of denial juxtaposed with independent evidence now available confirms that your organisation did treated some FSV brethren more equally than others.

These 'privileged' FSVs, including those initially accused by you of receiving substantial amounts of 'overpayments' of £40k and more, have never actually paid a single penny back and yet others including myself have had their Injury Awards unlawfully stopped. We and the Public are due explanations from you in open Court.

When invited, Mr. Hamilton has consistently failed to deny these allegations including his ritual bullying; his failure to deny the circumstances of his departure from the Probation Trust; his subsequent 'appointment' by you; and your failure to provide clarity and transparency when asked publicly to do so. One can only conclude that in your professional capacity you and your organisation have applied dual standards in a raft of legally questionable acts which taken in totality must be viewed as nothing more or less than institutionalised corruption.

Furthermore I am informed that on the 24<sup>th</sup> February 2011 FSV Mr.F.G wrote to you in a recorded delivery letter concerning his own pension dispute which need not concern us here. He drew your attention to his concerns regarding his perception of the use of alleged corrupt practice of dual standards by Mr.Hamilton and Mr.Warren. He wrote thus to Mr.Warren...

**"Recently it has come to my attention that anecdotal or actual evidence exists which seems to indicate that two or more 'standards' were applied by the LFRS in resolving individual alleged 'overpayments'. It would appear that, for example, if one was a Freemason, any alleged debt was dealt with by using a different 'standard' to that applied to non-Freemasons. I suggest to you that in practice Freemasons did not repay any of their alleged 'debt', whilst non-Freemasons are continuing to repay their debt or have repaid it in full whether due to you or not. If this is the case, then it would be an appalling state of affairs with foreseeable grave consequences for those personally involved.**

**I request your personal written assurance and the personal written assurance of your deputy, Mr Hamilton, who is responsible for the day-to-day administration of the LFRS Pension Scheme, that there is no foundation whatsoever in these rumours and that all those affected Fire Service Veterans, regardless of their membership of any particular organisation, have been treated fairly and with exactly the same 'standard'."**

I am further informed, that approximately 2 weeks later having had no acknowledgement or response from you or your staff FSV Mr.F.G wrote once more reminding Mr.Warren that he had had no response to his deep concerns, neither had he received your denials, nor

had you provided any transparency in allaying his concerns. He received no acknowledgement or response to this second letter either.

It is insufficient to be either dismissive of, or to ignore these very serious charges which includes the charge that you knowingly presided over an organisation that institutionally and regularly exercised dual standards, discrimination, and corruption on this issue. Open Court and the laws of perjury will ensure that you, Mr.Hamilton, and others, will not ignore these questions when the time comes to put them to you.

It seems Mr.Hamilton not content with the complete maladministration of our pensions; not content with the sly methods he and you used to blame, smear, and bully the victims of your gross pension ineptitude; but in content complicity with you and others then engaged in a massive cover up during which you corruptly and in discrimination made special arrangements for the members of your privileged 'family'.

You jointly with Mr.Hamilton did so in the knowledge that your actions would and did lead to direct detrimental financial hardship and the loss of personal tranquillity to other disabled FSVs who were not in your 'family'. An action by you in your warped thinking which would act as a warning to others and as a punishment for those disabled FSV who still have the temerity to stand up to your injustice, bullying, and corruption.

Your disabled Fire Service Veterans have the right, indeed the Public interest demands, that you provide clarity concerning all these serious issues and I urge you once more to do so, whether or not, you remain in your present post as a uniformed or civilian manager.

If you do not publish all the relevant documents of Mr. Hamilton's 'appointment' and do not provide rebuttal and explanations for all these grave issues of honesty, integrity, and corruption which I am raising directly and publicly with you then the question arises how you can continue to hold public office without the confidence of the Public, in either role?

I will be in touch with you or your replacement shortly concerning the activities of your solicitor, Mr.A.Harold.

Yours Truly,



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



For Exemplary Fire Service

Order of Excellent Fire-fighter  
Soviet Union



Oklahoma Medal of Honor  
& Honorary Citizen





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*Your Ref:*  
*Our Ref:*  
*Date:* 24 April 2008

Dear Mr Burns

This is to acknowledge receipt of your letter dated 21 April 2008.

I note your comments but I decline to respond to your assertions about my role, my responsibilities or indeed your requirements of me. You also indicate that you are engaged in proceedings against the Service. I have no knowledge of this nor am I the appropriate person to consider such matters. You have indicated that you have written to a number of individuals in the Service but have not received a corporate or personal rebuttal to your assertions. You also indicate that you have previously copied me in on a number of your correspondences to other organisations or individuals. I must advise you that I do not wish to be in your circulation list for any matter nor do I wish you to write directly to me again.

My understanding is that LFRS Executive Managers and Solicitors have written to you to offer you guidance and direction on your numerous complaints. I will pass your letter through to Mr Bob Warren, Director of People and Development to provide a single channel of contact for any future correspondence to the Service.

Yours Sincerely

Brendan Hamilton  
**Head of Human Resources**

cc: Bob Warren DoPD

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#### Headquarters

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