



Lancashire County Council
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Monday, 13th April 2009.

BURNS

The Fire-fighters Pension Scheme - Injury Pension 'Review'.

Brutality... J'accuse...

Dear County Councillor Driver and Conservative Group Leader,

By now CC O'Toole, your spokesperson on the Lancashire Combined Fire Authority(CFA), will no doubt have informed you of the receipt by the CFA of what amounts to the beginning of a legal class action by 15 affected disabled Fire Service Veterans(FSV) of Lancashire. Victims of the now totally discredited Lancashire Fire & Rescue Service/Lancashire County Council Pensions Services(LFRS/LCC PS) 'Review'.

As you well know the FSVs have *never sought*, and will not seek, *special treatment* but we require fair play; seek integrity; and the dispensation of dignified Justice.

You will also recall that very early in this debacle the fair minded Editor of the Lancashire Evening Post, in his Editorial leader and front page banner headline, described the actions of the LFRS/LCC PS as a "Betrayal" of these disabled FSVs. He continued by describing the actions of the LFRS/LCC PS as the use of a "sledgehammer", and called on the political leaders of Lancashire CC H.Harding(L), and CC R.Wilkinson(L) Chair of the CFA, to "exercise commonsense and compassion". **No one, other than yourself and CC Abram(C-CFA),** listened to his timely advice.

Now, over 18 months down the line, the time has come for us to use *our* meticulously crafted legal "sledgehammer", and whilst the LFRS/LCC PS must expect clinical professional legal skills of the highest order they must unmistakably expect no human compassion or forgiveness on our part. None of this was of our making.

Recently I have called for a Public Enquiry into all the abuses perpetrated on disabled FSVs by the corporate LFRS/LCC PS and for those found accountable to be punished.

Whilst CC Harding might in her splendid isolation wring and wash her hands crying that all this had nothing to do with her or her staff, she flies in the face of brutal reality. She is culpable.

The public record confirms, that I have by my own hand, *repeatedly placed the facts before her*. She **cannot** deny that she knew brutalities were taking place by her complicit employees and that by standing idly by she tacitly approved and condoned the actions of her employees and her Labour Party subordinate CC Wilkinson.

J'accuse... and call once more for her and CC Wilkinson to resign.

In addition, the electorate supported by the FSVs of Lancashire, with their serving colleagues, will vote their judgement on both politicians shortly at the voting booth.

Equally, it cannot be contemplated that the Chief Fire Officer of Lancashire Mr.P Holland, on his watch, was unaware of these obnoxious practices taking place within his Headquarters at Fulwood. He 'distinguished' his watch by authorising, approving, and condoning this brutality.

J'accuse... and call once more for Holland's resignation.

Failing the moral courage he clearly does not possess I also call upon the CFA to reject his 'leadership' of the LFRS and place him onto the early retirement list, as an alternative to a charge of gross misconduct in public office.

It is simply unthinkable that such a 'leader' as President Elect of the UK Chief Fire Officers Association should be allowed to travel the UK sullyng the good name of Lancashire by his self evident complicity in all these matters.

It is insufficient to allege that brutalities have occurred when I spoke to you recently of these sickening abuses. I must produce the example evidences(with permissions) that they have; and now I do so.

J'accuse... the LFRS/LCC PS of deliberate institutionalised Brutality.

Let me give you a pen sketch of a decent Lancashire Fire Service Veteran I shall call Duncan.

Duncan and his wife 'M' are decent Lancashire people. They live private, unassuming, and tranquil lives in Lancashire. Or, they did.

They were entitled to. They had earned that right.

They supposed they lived in a democracy where they would receive caring and dignified treatment in their 'golden years', most particularly from the Lancashire Fire Service where Duncan had served with honour for 28 long years.

Yet, in November 2007 the RottenFuhrers (section managers) of the civilian staff of the LFRS aided and abetted by their 'chief manager' Holland decided, *without actually ever meeting* this 'Derby and Joan', that they were criminals and as such needed to be made an example of, and thus to be treated as criminals.

In this joint endeavour of institutionalised brutality the LFRS were enthusiastically supported by an actively complicit LCC PS under its manager Mrs.D.Lister and her staff. The LCC PS are the pension service delivery contractor for the LFRS.

Gratuitous, enjoyable brutality in the pursuit of abuse of power was the name of their collective game.

J'accuse...Mrs.D.Lister and her enthusiastic acolyte Ms.J.Wisdom.

They knowingly conspired to criminally breach the Data Protection Act 1998 by obtaining DWP subject data records without the subjects' knowledge or permissions and actively and directly participated in the abuse of FSVs human rights.

I call for their dismissal for gross misconduct.

The 'honourable' Elected Members of Lancashire's CFA are chaired by a former Fire Brigades Union, Lancashire Brigade Secretary, called Wilkinson. Ironically, a retired Leading Fireman, the same rank as 'Duncan'. Wilkinson is a name that shall ever be remembered in infamy throughout Lancashire Fire Service circles for *his public falsehood* concerning his own Fire Service medical retirement pension and his disloyalty to his colleagues.

A 'deserter' who created, authorised, and then implemented a 'Review' for his own political advancement, in what can best be described as a pogrom against his former colleagues who had retired from the Lancashire Fire Service on disablement Injury Pensions.

It could well be argued, with substance, that Wilkinson manipulated this 'Review' to avoid having his own medical pension and personal DWP benefits scrutinised by his own *Rottweiler's*.

It is a matter of public record, and records, that CC Wilkinson lied about the existence of his own Fire Service medical pension and failed entirely as Chair of the CFA to 'declare an interest' at CFA meetings until finally challenged to come clean by FSVs and by a reporter Mr.M.Squires of the Lancashire Evening Post?

J'accuse...and seek Wilkinson's impeachment in public office for blatant falsehood as a CC and for deliberate failure to comply with the terms of the CFA Code of Conduct, which he himself introduced.

A turncoat if ever there was one, and recognised as such by the unique 'distinction', along with Holland, of being *the only persons* in the entire history of the UK Fire Service to be banned by a grieving Widow from attending a recent Fire Service funeral of a FSV who died of terminal cancer during his own 'Review'.

A friend and colleague who died in the anguished knowledge that his wife would be left in financially dire straits because of this Wilkinson/Holland inspired and CFA approved 'Review'.

But, Wilkinson professed publicly to his dying colleague "*he was his friend*". Yet neither he, Holland, nor Holland's senior managers had the moral courage of independence, loyalty, or the common humanity to visit a dying colleague to bring the Service's traditional solace and succour to the family, not one.

J'accuse...all, of professional amorality and lack of professional moral fibre, or authority.

And so all these 'honourably' elected; employed; and appointed RottenFuhrers, including a supine 'Chief'; were 'empowered' by a Wilkinson dominated Fiefdom; his very own Fire Service.

'Supported' by a shamefully moribund, cowed, bullied, or simply disinterested Combined Fire Authority Committee destined by their tacit approval to smear and destroy, not only the tranquillity of Duncan and his wife, but in the process of these jackbooted abuses, their good characters and family name.

It cannot be countenanced that every Elected Councillor on the CFA did not know because by my hand, and repeatedly, I brought these abuses before them individually.

J'accuse...all, of lack of common humanity and disinterestedly sitting idly by, drawing their expenses, as their malevolent servants, unchecked and unsupervised, did their 'approved' dirty work.

There are always those who are eager to please by carrying out repulsive and repugnant duties. All of course in the cause of self advancement, or for a generous County Councillor's allowance.

This hired help, included the **LFRS Human Resources Manager Mr B.J.Hamilton**, to his shame an Ulsterman like myself, who was well chosen for the task. A former Probation Officer, who clearly was used to dealing with, and as events were to demonstrate, enjoyed 'controlling' with his gratuitous bullying those whom he concluded by his 'standards' were the common criminal fraternity.

A 'man' with a simply fascinating professional history that will wait for yet another grey day at LFRS SHQ.

J'accuse...of malice aforethought in the use of coldly calculated inhuman cruelty in cohort with his acolyte Ms.J.Hutchinson. I call for their dismissal for gross misconduct.

The objective of this 'Review' was quite simple. It always is, with any 'management' who aspire to be disciples of tyranny.

To terrorise; to oppress; to demean; to embarrass and humiliate; to ignore humanity; to bully; to trample wantonly on human rights; and to stamp on any polite conduct remotely resembling civilised behaviour. Politeness and common civility to them means weakness, but then, until now, they have never run up against the Men of the old Brigade, have they?

And all because these RottenFuhrers, and their out of control disciples, are approved to do it; and because, as they continue to see it, they can, until now.

The 20th Century taught the stark lesson that when finally called to account these creatures of the night will inevitably chant the mantra ... "I was only doing my duty"... indeed you were, just like other oppressors that went before, and just using the same gratuitously enjoyable intimidation and cruelty. We must all firmly disabuse such people of these vicious notions.

It is not what other casual observers might opine, or think, that matters, it is how these brutalities are perceived by the victims which really counts.

So you thought you lived in the 21st Century where civilisation has now achieved some measure of the free human spirit did you?

Well, not within the County Palatine of Lancashire it has not. Duncan and his wife 'M' tells us so and also reminds this new generation of Fire-fighters that they too must remain vigilant about their rights and ours, the rights FSVs like us fought for and handed over to them ...

Duncan, this shy honourable person, is *just one* of Lancashire's Disabled Fire Service Veterans(FSVs) whom I had in mind when I discussed this LFRS/LCC PS institutionalised brutality with you.

A brutalisation which has also resulted in personal harm and direct financial hardship to those involved.

Duncan was one of the first, if not *the* first FSV, to receive the 'treatment' at Holland's 'big house' by his RottenFuhrers.

Holland, an embarrassment in waiting, who as the President Elect of the UK Chief Fire Officers Association, is shortly going to tell the UK's Fire-fighters how 'we' do it in Lancashire.

Duncan and his wife are very private and proud people. Indeed such is their embarrassment that their friends and close neighbours do not know of their affliction lest the conclusion might be drawn that they have behaved in some manner which could be misconstrued as unlawful.

Nevertheless they want their story told to the new generation of Fire-fighters...such is courage.

Duncan, was retired from the Service because he received an injury during his long service which ultimately disabled him and he was discharged as unfit for further duties on the 4th September 1990 after 28 years service.

A short time prior to the day of his retirement, whilst on day watch as a Leading Fireman (A traditional Rank Title of centuries), Duncan was painting equipment wearing his issue overalls at his home station in Lancashire.

He was summoned to the Watch Commander's office and ordered to put on his #1's and following this he then met a non uniformed admin officer (now retired) from LCFB BHQ in the Plan Tracer's Office on a very casual ad hoc basis.

This 'admin man' informed Duncan he was to be retired on medical grounds with a Qualifying Service Injury pension. Duncan states all this came as a disturbing surprise to him. Next he was informed he should sign on the 'dole'. Then he was presented with some papers; though he cannot recall whether or not, he was asked to sign anything; and this 'meeting' then concluded. It lasted all of 10 minutes; the 'admin' man was called away in the middle of it, Duncan took his leave; redressed in his overalls; and resumed painting...

Thus ended 28 years of loyal service to the Lancashire community, and he had no further contact whatsoever with this new Fire and Rescue Service until November 2007, just over 17 years later.

Normal retirement life for Duncan, and many other Lancashire FSVs, ended in December 2007. However, as Duncan puts it... "we will carry on through this depression however long it takes and then we will return with a new found vigour to our happy go lucky life styles, enjoying our families, in the summers that are ahead."

Duncan had innocently and unwittingly signed away his rights under duress when he received the first unlawful 'Sign up or else' letter in November 2007.

His impression reflected the carbon copies of many other FSVs that the LFRS must be sure of their legal position to utter these threats and that if these pension people needed to do this, then because he also trusted them, it must be ok. How trustingly honest, and naive.

Subsequently he received another letter informing him there 'is a problem' and after a brief phone call to SHQ he was duly 'arraigned for trial' on the 28th February 2008, two days later. This used to be known as the 'bums rush'.

He duly went along with his wife 'M' curious as to what exactly the problem was.

For some inexplicable reason, as he describes it in writing, he went to this meeting at SHQ on the 28th February 2008 ... "with the fear of the police being in attendance, yet I knew I had done nothing wrong and yet I could not explain to myself why I had this terrible feeling"... and so he continues....

"After five minutes waiting, Ms J. Hutchinson came out from a main office(Human Resources) to meet us in reception and after some stilted small talk she took us through this main office to a side office.

Upon entering the main office "everyone in the office stared up at us and I got the gut wrenching feeling that what ever the problem was we seemed guilty even before anything had begun"!

I had the distinct impression that my case had already been discussed in this open office because such was the intimidation I felt as we ran this gauntlet of unwelcoming stares. Not a welcoming smile in sight.

We were conducted to this side office and introduced to Ms.J. Wisdom LCC PS and Mr B.J.Hamilton Head of 'Human' Resources. We were ushered to our seats in a peremptory manner at a small dining room type table on one side of which myself and 'M' sat down.

The seating arrangements within the room only served to increase the tension I felt and I knew that whatever was going to happen was not going to be very pleasant.

The setup reminded me very much of those rare occasions in the past when I had been a witness at a formal disciplinary hearing.

I instinctively knew that I was not going to be allowed time to collect my thoughts or to be allowed to ask for any form of 'accused friend'. To my mind this stampede was deliberately designed and fabricated to intimidate and to cause fear and consternation which it did.

Mr. B.J. Hamilton sat on my right at the head of this small table. On his immediate right, across the corner of the table and directly opposite to me sat Ms.J. Hutchinson and on her right at the bottom of the table sat Ms. J. Wisdom directly opposite Mr.B.J Hamilton.

These seating positions become relevant, as you will understand later.

When the meeting/interrogation started my worst fears were realised I knew immediately that this hostile set up was meant to intimidate us, and to be certain that it did.

Mr.Hamilton told me briefly the reason why I was there and then asked if I had claimed any benefits since I retired. I said I had.

Throughout his opening gambit he kept holding up and then started waving three sheets of A4 paper close to my face in a very agitated and physically threatening manner.

He then stated that I had been overpaid by £65,410.87 from the pension fund.

To say I suffered a shock is an understatement. I simply could not take this in let alone comprehend the implications of benefit fraud which were also now being suggested to me.

When I collected my thoughts, my reply was that I did not know that DSS/DWP money was deductible from my pension and that *no one had told me that this was so when I retired.*

This seemed to antagonise Mr.Hamilton for some reason, either because I answered at all, or because he did not like my answer.

At this he raised his voice still further and shouted "we are not going down that road... we are not here to discuss that".

I was shocked and taken aback by his bullying attitude, his raised voice, and his generally threatening manner. I found out much later through the 'grapevine' that he does this with

everyone and loves to walk into the office every morning and say... "now who are we going to sack today?".

He immediately started to question me about the alleged 'overpayment' and that it would have to be repaid.

Still waving the sheets of paper at me he then said "the police will not be involved". I immediately thought where had this notion come from? I had made no mention to anyone, including 'M', of my inexplicable fears at any point in this meeting.

No one explained that in any event this was a civil matter and I was not made aware of this by the LFRS until 10th March 2008. So throughout this interrogation, and for the next two weeks the psychological threat of police involvement existed and remained.

'M' was simply terrified we would be arrested at our front door in front of the neighbours.

Mr.Hamilton then thrust the following three papers at my wife 'M' though what this had to do with my wife was not made clear to me, or her.

These were:-

1. A DWP handwritten list of payments dating from 4 April 1994 two A4 sheets long.
2. A list of alleged 'overpayments' going back to 5 April 1990.

Before I even had the opportunity to look at these documents, or to consult with my wife who by this time, as you can imagine, was also in a high state of distress and shock, this person Ms.Wisdom started to question me as to why the amount paid by the DWP altered with dates that were going back to 1994.

From where she was sitting she would repeatedly place her finger on an amount under question and at the same time Mr.Hamilton would fire a question about something entirely different.

Before I could complete my answer to Mr.Hamilton, Ms.Wisdom would again point to another figure and date and ask yet another question.

These theatricals continued with a vengeance and determination for some time.

I regarded this technique as nothing less than a terrorising high pressure interrogation tactic which was intended to confuse and entrap me into saying something that they could manipulate and use against me later. But it was very well rehearsed, scripted, and choreographed, and so it went on...

Eventually, when this haranguing ran into a dead silence because I was unable or unwilling to answer any further questions or respond reasonably to any question raised by Ms.Wisdom or Mr.Hamilton. Mr.Hamilton abruptly and dismissively stated that "we should go home and search our house for any letters regarding DWP benefit concerning my qualifying injury".

This confused me even more. Why was I supposed to go home and do this? Surely they had all my PRF(Personal Record File) in front of them, or immediately available to them? They simply had to look at it. It was sometime later I concluded that they had no records at all.

On the letters they sent me one of the logos on the foot of LCFRS and LCCPS letters is a Charter Mark for "Customer Service Excellence" and "Positive about disabled People".

This entire 'Kangaroo Court' did not reflect any of those standards. Here I was a 'disabled customer', yet in all the years I was a Junior Officer I never spoke to a single member of the Public in the humiliating and demeaning manner with which they spoke to me and my wife.

The bullying, traumatic, and humiliating experience that we had just suffered at the hands of very senior members of staff of the LFRS and the LCC PS completely disregarded any human rights and personal dignities we might have. It was disgraceful and shocking.

Immediately from the moment we arrived we were treated and talked at as criminals. It was so dreadful neither of us could actually believe it.

I had not been allowed to defend myself or even given proper time to answer their questions. I was not asked if I needed time to seek some form of representation, legal, or otherwise. In fact no one even asked if I was an out of trade FBU member which I am.

Not a single person present seemed to show any respect, or duty of care for my wife or consideration for her obvious physical distress and embarrassment.

Their intentions were clear right from the start in the intimidating manner the table and chairs were prearranged and the pre arranged position that these people took around this table. The disrespectfully arrogant, aggressive, and hectoring attitudes which they all adopted made it clear that I was guilty before I entered the room and that this was their agreed 'game' plan.

Virtually the only question I asked in the whole interrogation was... "am I the only one or are there any others in this position?". The answer from Mr.Hamilton was that, "that is confidential", quickly followed with his next question.

These people treated me with open contempt and they steamrolled right over me with set piece questioning.

With our pride and dignity in tatters, browbeaten, and publicly humiliated we then had to walk back through the same main office to the smirks and later no doubt the scoffs of the staff. I was so humiliated and in such a state of shock that I just could not believe the treatment that had been meted out to us both.

It was clear my 28 years decent service to Lancashire's community counted for nothing even though HM The Queen recognised my contribution in her award to me of the Fire Service Long Service and Good Conduct Medal. Clearly this meant absolutely nothing to them.

We left the building and went home and you can imagine the silent trepidation all the way home. We were simply terrified and certain we were going to be arrested in the next few days.

Broken hearted, we believed were social outcasts and entirely on our own with no prospects for a future. We faced complete destitution because Mr.Hamilton deliberately did not inform us there were others in our position when I asked him. I have since regarded that as particularly sadistic and cruel.

How, or where, were we supposed to find this sort of money? In all my life I have never felt so much at my wits end. I believed that this was all my fault and I could not believe this was happening to us. What had we done to deserve all this?

On the 7th March 2008 our local paper carried a headline about the benefits shock for Lancashire disabled Fire Service Veterans under the front page banner 'Betrayed'. Only then did I know we were not entirely alone. I contacted the FBU and I was given advice.

On the 10th March 2008 I received a letter from Mr.Hamilton. Again he made a reference to police involvement. These are the exact words I quote... "You also sought assurances that LFRS would not be contacting the police regarding potential fraud. I advised that the purpose of the meeting was to check the accuracy of information we had received from DWP with you and that an overpayment was established then to look for reasonable means of recovery from you. We have no intention to involve the police."

This letter simply confirms that Mr.Hamilton did threaten me alleging fraud and now he sought to imply that I had sought assurances that the police should not be involved which is a complete fabrication of what actually occurred because I never sought such assurances, I was too shocked. If I had, then I would have confirmed in their minds that I had done something wrong, and I maintain to this day **I have not**.

This has been one of the most difficult periods of our lives but it did not have to be this way. If someone had made an appointment to come to my home and explained the problem in a professionally respectful and civilised way then I am sure it could have been resolved one way or another but because it was handled the uncivilised way it was I have lost total trust in anything the LFRS says or does.

This is not the same Service I was proud to have been a member of..."

Author's Note:

Immediately after this meeting Duncan's entire Injury Pension was suspended on the sole basis of this meeting he has described.

No legal justification at any point has ever been advanced to Duncan for their actions, before, during, or after this 'meeting'. No form of appeal procedure was explained, proffered, or entertained and since that meeting and in Hamilton's own hollow words, he has not sought ... "to look for reasonable means of recovery...". He simply took a major portion of Duncan's livelihood away because he believes he could and he was 'authorised' to do whatever he wanted.

In Duncan's case this amounts to a reduction of household income in the order of over 25%+ on an already paltry pension.

We cannot begin to imagine in the immediate days after this 'interrogation'; the months, and now years that followed this bestial outrage what harm this has caused him, his wife 'M', and his family; in spite of everyone's reassurances their nights have been long and dark.

How have they managed their financial circumstance? What simple treats have they had to go without? How low did they have to turn their heating, or off, in this last cold winter? How did they choose the cheaper cuts of this and that?

This continues to cause direct and continuing hardship and as such, simply adds daily insult to injury.

This was and is Duncan's story of how he and 'M' were brutalised and abused.

How can any decent civilised human being not be moved by this outrage?

When Duncan first made contact with me by telephone he broke down twice as he related this ignominious tale of brutality visited on an innocent man and his wife. He sounded and was a broken man.

In the months that followed, of all the FSVs I dealt with Duncan's emotional state was the one that troubled me greatly. He was clearly in a desperate state and I discussed him repeatedly with colleagues in the local FBU who went repeatedly and helped Duncan to finally recover any semblance of fighting spirit he now has.

That is what comrades do for each other and is the truth and beauty of comradeship.

As I have stated previously it is not what others might opine, or think, that matters, it is how these brutalities are perceived by the victims which really count.

*Was Duncan the only person to experience the 'treatment'? Was it an aberration? **Indeed not.***

Another disabled FSV who had suffered a heart attack received the exact same 'treatment' and was informed he allegedly owed £40,000:00. Under extreme stress at his 'interrogation' this FSV told his inquisitors that he would have to leave and go home or he would suffer another heart attack.

A short time later he was informed, without apology, that a mistake had been made and that he did not owe a single penny...

According to the LFRS/LCCPS it was all the fault of the DWP. Well they would say that, would they not?

Duncan and 'M' should have the last word...

"This is a Lancashire bureaucracy who state on their formal letters, 'Lancashire, a place where everyone matters', but apparently not 'M' and me".

Yours Truly,



Paul P. Burns. GFireE
Divisional Fire Officer (Rtd)

HM-t-Q-LSGCM



For Exemplary
Fire Service

Order of Excellent Fire-fighter
Russia



Oklahoma Medal of Honor
& Honorary Citizen

