



BURNS

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Monday, 8th February 2010.

My Ref: PB01110.

Your Ref: 61/CK/1

Lancashire Combined Fire Authority

Complaint Against CC D.O'Toole - Chairman.

Dear Clerk & Combined Fire Authority Members,

I acknowledge receipt of your letter dated 27th ult.

The Politics of Corruption...Oh what a wondrous web we weave...

This has been an amusing interlude of mendacious venality, the only victims of which are Justice and Democracy within the CFA; the already tarnished reputation of CC O'Toole and his Clerk to the Fire Authority; and finally the collective sullied reputation of the Elected Members of a politically silenced and neutered Fire Authority.

What we have all witnessed is CC'Toole in deep political "distress", generated by his personal petulant arrogance, being rescued from his self authored misfortunes by his Sorcerer's Apprentice, his Clerk. This was simply unvarnished blatantly stage managed raw corruption at it very 'best'. A shameful charade for any democrat associated with it.

We shall all of course see more of this venality, when we get to my Appeal, as this politically lame duck CC O'Toole stumbles along from one self generated crisis to another simply because he lacks the political nous, the political honour, and the political integrity, to deliver on a public promise made by his Conservative Political leader CC Driver to disabled FSVs.

I have watched this predicted Gilbert and Sullivan pantomime with increasing amusement. A pantomime of furtive glad handing; of surreptitious panicky phone calls; of Mandarin whispers, and at times sheer pandemonium, as the clock ticked inexorably towards public scrutiny which had to be prevented at all costs. The indicted CC O'Toole who controlled all these events could not actually make a very good fist of this either. CC O'Toole's ego got what he had always wished for, his Chairmanship, the problem is, he is patently incapable of handling this appointment.

CC O'Toole had to hurriedly find three unelected nameless monkeys called 'Hear no Evil'; 'See No Evil'; and 'Speak no Evil' at short notice with the certainty that they would all sing from his hymn sheet of 'innocence', concluding with the predicted 'verdict' of 'No Further

Action' after a secret meeting of persons unknown, at who knows where(perhaps CC O'Toole's home address?); and of what duration?

However, there will be a little problem when dealing with my intended Appeal which is the logical extension to this farce. The figures will not add up. There are 5 non elected Independent Standard overseers. The Regulations do not permit the use of the same 3 unelected nameless monkeys the second time around but that has already been catered for by secrecy because with the exception of Mr.Elwood the other two monkeys were not named at the first hearing, nor have they publicly signed their Decision Notice so there some exploitable Winterbottom/O'Toole 'flexibility' there.

However it is clear we must have Ms.Banks as the next Chair on my Appeal but will she know who the other two monkeys were who sat on the first decision? Nevertheless, O'Toole and Winterbottom will still be one vote short. I just know they will get round it.

One thing is certain my Appeal will be automatically white washed. I am sure the rejection of my Appeal is already drafted for Ms.Bank's unwitting signature.

Only a fool would consider that this was all 'normal' in a democracy, but democracy is not all pervasive at the CFA, a fact which does not go unnoticed by the serving uniformed staff of the LFRS who can only regard this whole farce and its silent CFA politicians with ill disguised scornful contempt, particularly those politicians who sit silently on their hands as usual, but collect their expenses.

With the exception of CC O'Toole not a single democratically elected Members has had the slightest input in this whole amusing charade. Of course the slithery defence will be advanced that these are the Regulations but as we well know the CFA could, if it had desire for pure democracy, which it clearly does not, create its own Standards and procedures which rightly, as the Statue Book demands, must always be of a higher Standard than the Statute, but never lower...

Meantime the publicly elected Members on the neutered Standards Committee sit powerlessly and silently watching as these Machiavellian machinations are manipulated by the 'accused' CC O'Toole right in front of their very eyes. How can these politicians live with themselves? Why do we have a Standards Committee if they simply have no political input in Standards, nor indeed have they expressed an individual or collective protest or contemplated political action in opposition whilst this brass necked cover up by the 'accused', CC O'Toole subsumes and entirely neuters their electoral political mandate.

When CC O'Toole was nominated to sit on the CFA by his Conservative Leader CC Driver I expressed the opinion to CC Driver that events would prove that he was a Party Political liability. That was indeed a prescient remark because whilst this entire debacle unfolded on CC O'Toole's watch, as Spokesman for the Conservatives in opposition, he, unlike CC Driver, never raised a single objection to the heinous manner in which his Fire Service Veterans were being abused and suffering hardship. We know he was content to sit on his hands and collect his expenses also.

It is common knowledge and was publicised to all the Members of the CFA that I recently called on the Leader of the Lancashire Conservatives to remove CC O'Toole from his seat on the CFA. Whilst CC Driver can never determine who the Chairman of the CFA ought to be he can determine who sits on the CFA from the ruling Conservative Group.

I have decided in the light of recent events and the hysterical manner in which CC O'Toole has misconducted himself in public office that it would be a tactical error of judgement by the FSVs and it is in their continuing best interests to ensure that CC O'Toole remains Chair of the CFA. By remaining in post he will inevitably cause more harm to the electoral prospects of the Conservatives in Lancashire than we ever could, but we will try.

His continuing failure to honour the Conservatives published public promise to resolve this issue promptly and fairly when they attained office in June 2009, and his own personal failure in leadership to resolve a single pension issue is a canker at the heart of the Conservatives electoral prospects.

CC O'Toole has failed to deliver on that promise and I conclude that he will continue to do so right up and including the General Election. A failure of honesty and integrity which will not have escaped the voting views of 2000 Fire Service Veterans in Lancashire.

Is CC O'Toole someone who has the natural political honesty, integrity, and dignity to represent and project the vision and views of *all* Members of *all* political persuasions on the CFA. I very much doubt it; how his political opponents must laugh at his foolish antics.

Shortly, when CC O'Toole 'fixes' my Appeal to indicate once more that he is entirely 'innocent' he will inflict terminal damage on his political credibility and when finally we Petition, as we are entitled to, the (Labour) Minister of State at the Communities and Local Government we will ensure that that Petition, suitably locally and nationally publicised, which has a response period of 20 days, will take place at an inopportune electoral moment for the Conservatives of Lancashire.

CC O'Toole is a completely lame political duck but he is 'our' lame duck and we want him to remain in post. He is simply grist to our political mill as he continues to cover up his activities.

A promise is a promise, as simple FSVs see it, and the Conservatives have reneged...

My Appeal.

You should take note that I am not satisfied with the 'conclusion' and 'decision' of this secret cabal kangaroo 'court', and therefore I exercise my right to invoke the Appeals procedure.

Of all the legitimate criticisms and evidentially supported Complaints I have rightly levelled against CC O'Toole's none surpasses the Complaint that he has grossly abused his position to advantage himself and to attempt to disadvantage my legitimate freedom of expression and protest.

He has attempted to defend his untenable position by the raw misuse of political power. He has deliberately authorised the Clerk to the CFA, who should have known legally and ethically better, to use the cudgels of bully boy strong arm tactics to try and intimidate me and the disabled Fire Service Veteran into silence.

Defamation, and its misuse, is the political refuge of those politicians who seek to avoid accountability and public scrutiny. It is a threat and a weapon which has been used against me and the disabled Fire Service Veterans repeatedly throughout this Injury Pension debacle. At every opportunity when besieged by the cry for transparent honesty, integrity, and Public accountability this 'weapon' is being trundled out to instil fear and to intimidate those who protest.

CC O'Toole and his Clerk are both very well aware that from its incipient misuse in March 2008 I rejected this bully boy intimidation and their use of this political refuge. I did so by pointing out the Law Lords Ruling of 1993. In the times that have followed and the repeated use of this intimidation factor, which I have repeatedly rebuffed, CC O'Toole and his Clerk seem to think that this Ruling and the case laws which followed, of which I made them aware, did not and do not apply to them, so once more they resorted to institutional violence to ensure their political survival when threatened by the truth, accountability, and decency.

Once more, even though CC O'Toole was aware of this legal position of defamation and Local Authorities, on the 9th December 2009, and again in political "distress", CC O'Toole and his Clerk attempted to use raw bully boy intimidation to secure their collective political safety and to excuse their lack of Public accountability by issuing the attached Registered Delivery letter to me.

This was a panic driven unadorned blatant abuse of power by CC O'Toole using his position and political fist to attempt to bludgeon and oppress myself and the disabled Fire Service Veterans into silence. There can be no excuse for this unembellished thuggery, nor room for it in a democracy with disabled FSVs who demand answers. This was another unbridled attempt to coerce by brutal political force.

The problem is, our generation of FSVs are made of finer steel.

As I have written before in pure contempt of such 'politicians', if you have been shot at; had part of a burning building collapse around you; and been blown up in Belfast, it is unlikely that this mere tawdry 'politician' and his 'clerk' will reach the Pantheon of true fear we FSVs have shared, experienced, and been disabled by, in our working lives...

Freedom of Information Act 2000-Request-CC O'Toole's Expenses Claims.

I have as you know made repeated requests for CC O'Toole to comply with the above Act and to date these lawful requests have simply been ignored. This is just another example of the all pervasive ethos of lawlessness encouraged by Holland and driven forward by CC O'Toole which grips both the CFA and the LFRS. Apparently there is no law which they both cannot break, nor if it cannot be broken, then ignored.

The Public, whose support the CFA state it is keen on cultivating by the use of absolute transparency, enshrined in your Principles of Corporate Governance, can only reasonably conclude by CC O'Toole's repeated failures to declare his expenses for scrutiny and his failure to publicly rebut and defend his untenable position on this specific issue that he has indeed been fiddling his expenses. How else can his stance be explained or construed by the general Public?

CC O'Toole can run; he can manipulate justice; he can obstruct democracy; he can stage manage his 'innocence'; and in so doing mislead the CFA Members when he is of a mind to, but he cannot hide forever, and soon he will have to turn and face the music.

There is of course for the FSVs an alternative way, the Westminster way, and that is to continue to investigate and discuss with those Whistle Blowers who have been, and are, prepared to come forward and speak on this issue of CC O'Toole's expenses. We also have before us the MPs path to follow which is simply to place this collated Whistle Blower's evidence before the Police; call for an investigation; and ultimately have it placed before the Director of Public Prosecutions.

This is public money after all is it not?

Delivered by hand.

Yours Truly,



Paul P. Burns. GFireE
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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Please ask for: Mr Winterbottom
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Email: chriskeely@lancsfireandrescue.org.uk
Your Ref: MBW/JLW
Our Ref: 9 December 2009
Date:

Dear Sir

I have today been handed copies of your recent letters to the Chief Fire Officer and the Chairman of the Fire Authority. These documents purport to be in support of a claim for defamation and contain a number of defamatory comments against agents of the Authority.

On the advice of Counsel I am writing to advise you that the Authority is currently in the process of preparing a pre-action protocol letter with a view to commencing proceedings against you in the High Court. Such proceedings will in due course be served upon you. Your Freedom of Information and Data Protection requests have been passed to the responsible officer.

Yours faithfully

A handwritten signature in black ink, appearing to read "M B Winterbottom".

M B WINTERBOTTOM
CLERK TO THE AUTHORITY

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