



Mr.P.Holland  
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Friday, 1<sup>st</sup> April 2011.

**BURNS**

**My Ref: PB00811.**

**Your Ref:**

### **The Injury Pension 'review' – Integrity and Honesty.**

Dear Mr. Holland,

During this dispute you personally and your staff have published unsubstantiated allegations concerning my integrity and honesty, indeed, you have published them to almost the highest Court in the land.

You and your staff chose to open this particular Pandora's Box with no doubt a collective sense of gleeful gloat. Sometimes the consequences of such malicious actions can be unpredictable.

Because you have chosen to initiate these baseless actions natural justice demands that in defence and response I am entitled to investigate the honesty and the integrity of my accusers.

You will recall in your personal case there is unfinished business where your public integrity is concerned matters to which I will return in the future.

My current interest inevitably involves you as the head of senior appointments; Mr.Warren as the head of non uniformed staff appointments; and Mr. Harold for overseeing the legality of the appointment of Mr. B.Hamilton as your Head of Human Resources.

Mr.Hamilton is the person directly responsible and accountable for the day to day management of the pension scheme, of which I am a member, and who will of course be subpoenaed by me in your forthcoming public Court proceedings.

Recently in questioning your collective honesty and integrity I made contact with the staff and the legal department at the Greater Manchester Probation Trust. It was confirmed to me by the Trust that prior to his appointment at the LFRS Mr.B.Hamilton was employed as the Head of Human Resources(a second tier appointment) at the Trust and that he left the Trust by their mutual agreement and under peculiar circumstances. This departure the Trust indicated unusually included a mutually binding Confidentiality Agreement which I regard, and which any curious member of the Public might regard, as odd to say the least.

I was advised by their Head of Legal Services that I could make a Freedom of Information request seeking a copy of the document or associated documents relating to the detailed circumstances of Mr. Hamilton's departure from their employ. I considered this a matter of Public interest given his present appointment and I did so.

I am further advised that in the proceedings which are pending in which Mr.Hamilton will be involved I can raise the question of *his* honesty and integrity by seeking an Order for

Disclosure for these documents through the Court or by the means of the normal Disclosure procedure prior to trial.

Under the FoI the Trust have, for the moment, in a statement refused to supply me with these documents but by so doing have simply re-confirmed their existence; the existence of these peculiar circumstances of his departure; and confirmed that Mr.Hamilton was their employee immediately prior to his appointment at the LFRS.

I am forwarding a copy of their statement to you with the full permission of the Trust for your information though I imagine this information is hardly likely to come as a surprise to you, to Mr.Warren, Mr. Harold, and least of all Mr.Hamilton.

Public interest demands to know the circumstances surrounding Mr.Hamilton's acrimonious departure from such a senior post at the Trust for a lesser(third tier) post at the LFRS particularly in view of his current appointment with you and whether you, Mr.Warren, Mr. Harold, and the appointing short list Interview Panel, were made fully aware of these curious circumstances during Mr.Hamilton's interview and subsequent appointment?

Public interest, and indeed the unsuccessful candidates, will also demand to know whether you and all those involved in Mr. Hamilton's 'appointment' scrutinised Mr. Hamilton's written application form in respect of the veracity of his referees and most particularly, as is usual, the transparency of the reference from his last immediate employer the Probation Trust?

The fact of the matter is that you ultimately appointed Mr.Hamilton under the Equal Opportunities Act 1995, with all its statutory requirements and procedures for lawful and equal appointments including the public advertising of the vacancy; the list of applicants; the short listing of candidates; the appointment and naming of the Interview Panel which no doubt you appointed; the mandatory Panel's short list candidate evaluation forms/comments; and the letters to the unsuccessful candidates including the one of Mr. Hamilton's 'appointment' which would naturally be published and recorded in the LFRS Routine Bulletin(weekly).

The retention of such Public records which you know is your statutory duty is to retain and maintain them for Public inspection, though it is my understanding that not a single procedure was followed under the Equal Opportunities Act in this curious public 'appointment'. The production of all these records for the Public scrutiny suitably redacted if necessary will of course dispel any criticism of lack of transparency in this appointment on your part.

You will be aware that I have in the past published to the CFA and to you directly a standing complaint of an FSV and his wife which is a well documented and witnessed complaint of harassment and bullying by Mr.Hamilton during a pension interview at your SHQ. Mr. Hamilton's grave misconduct at this interview parallels anecdotal evidence at the Trust which suggests that the harassment and bullying of a female employee at the Trust were common behavioural themes which led to Mr.Hamilton's immediate departure from the Trust.

The female recipient of Mr. Hamilton's attention has now left the employ of the Trust and she is therefore completely free and prepared, without employment constraint, to express her views concerning what actually occurred at the Trust which 'encouraged' Mr. Hamilton's 'early shower' departure.

Given these odd circumstances a simple question will arise in the Public mind and least of all in the mind of the female employee formerly at the Trust, how did Mr.Hamilton get from his predicament and position as Head of Human Resources at the Trust leaving under a very odd arrangement to being in a short period of time in a similar position in your organisation with your approval, assuming he transparently and honestly declared to you and your Interview Panel the reasons why he left the Trust which of course the Panel would record?

Unlike you anecdotal evidence is insufficient when I deal with matters involving honesty and integrity of any individual. I will continue to gather evidence which will include scrutiny of all those involved in this curious 'appointment' at the LFRS.

To that end I give you notice in the legal proceedings which will follow that I intend in my defence and in support of my counterclaim to your Writ to subpoena Mr.Hamilton so I may present to the Court evidence of these unusual circumstances at the Trust and subsequently at the LFRS from which inferences can be drawn regarding Mr. Hamilton's honesty and integrity which appear to be consistent with his applied harassment, bullying, and dual standards of pension resolution when dealing with disabled FSVs and civilian family members in Lancashire. FSVs that I shall also call as witnesses.

In support of these intended actions I will seek an early Order for Disclosure from the Court to seek from the Trust copies of all the documents and statements referred to in the Trust's attached correspondence.

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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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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*Please ask for:* Brendan Hamilton  
*Direct Line:* 01772 866856  
*Email:* brendanhamilton@lancsfirerescue.org.uk  
*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

#### Headquarters

Lancashire Fire & Rescue Service  
Garstang Road, Fulwood  
Preston  
PR2 3LH





**Peter Holland CBE OStJ QFSM FIFireE**  
**Chief Fire Officer**



Mr P Burns  
7 Kings Drive  
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PR2 3HN

Please ask for: Mr Winterbottom  
Telephone: 01772 866908  
Email:  
Your Ref: PB00811  
Our Ref: MBW/HLG  
Date: 6 April 2011

Dear Sir

**THE INJURY PENSION 'REVIEW' – INTEGRITY AND HONESTY**

I am replying to your letter of 1 April on Mr Holland's behalf. I do not consider it to have any bearing whatsoever upon the imminent High Court proceedings.

Yours faithfully

*MB Winterbottom*  
*AP*

Max Winterbottom  
Clerk to Lancashire Combined Fire Authority

**Headquarters**

Lancashire Fire & Rescue Service  
Garstang Road, Fulwood  
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