

Appendix 'A'

It has never been my joy to read or write appendices, as they are usually boring - this Appendix is not. I know you will find it enlightening and most interesting because it is an evidential indictment of the TPO and TPR as failed organisations.

(For readability the third person is used).

The Pension Ombudsman et al - Fit for Purpose? The need for a Ministerial Inquiry?

75. An invitation to provide 'information' on this scandalous canker was issued on 26th September 2017 by the Chair of the W&P Select Committee Mr. Frank Field DL., M.P.

A conflated 77 page document (Ref:PB00417) was then sent to every Member of the W&P Select Committee.

Because of continuing institutionalised corruption and injustice this has now led to this *supplementary document* which reaffirms the logical conclusion that such unlawful practices are *still* endemic within the LCFA, TPO, and TPR in their collective failure to deal with legitimate Pension Complaints.

76. On the 14th December 2017 pro bono Barrister – Mr. J.M. Copplestone-Bruce wrote to the Heads of TPR and TPO, copied to every Member of the W&P Select Committee expressing his public disquiet at this scandal. He received a single acknowledgement and response from the Chair of the W&P Select Committee.

77. Once more, after 2.5 years, this latest supplementary document simply updates this continuing outrage without the slightest sign of the proactive intervention of the Parliamentary W&P Committee.

One might ask, what is actually required to get the attention of this Committee and Parliament ? - because normal life does continue out here beyond Brexit.

78. It is regretted that it is not possible in that which follows to conflation these randomly selected examples of these collective 'experiences' and actual evidence of continuing wrong doing without losing the factual narrative along the way. Had civil servants been doing their jobs assiduously and honestly none of this would be necessary.

79. There is the salient fact that Mr. G [REDACTED]'s Pension Complaint has now been at the Pension Ombudsman's office under the control of Ms. Fiona Nicol, Director of Case Management; then with her colleagues Mr. Strachan, senior jurisdictional clerk, and currently Mr. Coutts senior adjudicator since 5th October 2017, for a total of 609 days.

This exceeds, without explanation or apology, the TPO's own case handling 'target to resolution' of 120 days, by some 365%.

80. Ms. Nicol is regarded by pension Complainants as the 'controller' of TPO's iniquitous fiefdom of ambiguity and corrupt deceit; the intrigues and abuses of authority which she and her staff, under her direction or coercion, perpetually engage in; because given her position of authority it cannot be otherwise.

obstruction and 'passing-the-parcel', which in a certain case has amounted to a 5 years + delay of a Fire Service Pension Complaint lying on Ms.Nicol's desk without the slightest action, other than prevarication throughout those years.

Drawing one to the conclusions that not only is she corrupt and underemployed but that she has risen above the level of her own competence.

81. There is, without question, the firm collective conclusion based on extensive personal experience that all this institutionalised corruption is simply designed to 'wither on the vine' difficult complainants with legally difficult and complex pension complaints with the appalling hope of *resolution by boredom or death*, which occurs.
82. In all this one must not forget the consequences to the growing numbers of Beneficiaries suffering further reduced income upon the decease of these pensioners; Beneficiaries who may in many cases now be considering a class action.
83. However, living Benefactors, wisely following their LCFA/TPO criminal 'experiences' of injustice are now adding a codicil to their Wills to keep their pension claims alive in perpetuity for their Beneficiaries.
84. Indeed there is the further firm conviction that any Pension Complaint which arises from the LCFA/LFRS is doomed from the outset and that this outcome can only be achieved by an unpublished policy of the LCFA with the complicity of politicians of all Parties and certain employees at TPO and the LFRS.
85. Should a complainant be minded to formally complain about poor Service Delivery at TPO, using the published procedure, then that formal complaint goes directly to Ms.Nicol, the original 'controller' of these delays, who 'investigates' and 'adjudicates' on herself, finally, and statistically recording, that there is no case to answer.
86. Not content with this Ms.Nicol then in her annual work of fiction for the TPO Parliamentary Report manipulates these included statistics, which she controls and is accountable for, to not only show how industrious, balanced, and fair minded the TPO is but that informal arbitration is working whilst the TPO continues to be overwhelmed with workload which is probably accounted for by perpetually and aimlessly recirculating difficult cases and troublesome Complainants, all the while demanding an increase of budgets and staff.
87. This jaundiced opinion of TPO is based on the actual archived documented reality of long term exposure to Ms.Nicol machinations and her controlled subordinates where it is best to allow the records to speak for themselves.
88. These are unethical and dishonest intrigues which Ms.Nicol in her fiefdom of ambiguity surely cannot engage in, without one assumes, the Ombudsman's authority or tacit support? If she acts flagrantly so, without his authority, then she is simply an 'out of control' senior civil servant who must be brought to book without delay.
By her cavalier actions she significantly damages TPO's already diminished and

tarnished reputation simply adding to the Public perception of TPO as an expensive, inept, institutionally, and systemically corrupt organisation.

89. This complicitous and capricious framework of ambiguity is not only corrupt but criminal, amounting to Contempt of Court by denial of due process and Justice.
90. In particular when a government department like TPO acts in complicity with LCFA and other pension providers it is setting an example of an out of control government department engaged in not only institutionalised corruption but indeed criminality to deny pensioners the just fruits which they saved for all their working lives.
91. Perhaps the Ombudsman sees his organisation's role as protecting H.M. Treasury by procrastination? But, as has been seen before, this involves delaying the execution of High Court decisions, by delaying the payment of correct lawful pension commutation to thousands of disabled Fire Service Veterans; their Widows; and their Beneficiaries in defiance of Parliament, the Courts and the Law; those who were killed or disabled in the service of their communities and the Nation?
92. Or, it may well be that the Ombudsman is forced to follow an unpublished government policy of perpetuating fraud on those the government contracted with for their services, used, and then indifferently cast aside?
War Veterans and Windrush spring to mind, resonating as they do, with Fire Service Veterans (FSV) antithetical TPO/TPR experiences which is brass necked without apology, remorse, or conscience.
93. In recent times under the leadership of the Rt Hon. Mr. John McDonnell M.P., (the Fire Service pensioners' Champion), in conjunction with the Fire Brigades Union initiated a successful Parliamentary Early Day motion and a series of high profile successful High Court legal actions against these Fire Authority pension providers concluding at the perpetually procrastinating door of TPO.
94. Indeed, currently this pan Fire Service movement now involves several parallel successful High Court actions including one by Mid-Wales Fire Service personnel and now notably 154+ pension accruing Firefighters currently in service with Lancashire Fire & Rescue Service (LFRS) involving a Complaint to TPO and which, as usual, involves their mendacious Pension Scheme manager Mr. Warren.
95. All these collated and published TPO 'experiences' (www.themorningbugler.com) amount to the reason why the pension accruing work force including Firefighters' past, and now present, confidence in TPO/TPR's so called pension guardianship role and its impartiality are at a sceptically all-time low.
96. Regrettably when trusting members of the public, in this case Fire Service Beneficiaries, approach the TPO/TPR with a pension problem they do so on the basis that these organisations are simply points of decision to exhaust on the route to Justice having procedurally exhausted a dialogue with their pension providers on a pension complaint.
TPO nor TPR offer little prospect of either resolution or Justice conveniently forgetting that these pension issues invariably impact on the daily economics of pensioners' lives and/or the quality of their state cared disablement.

97. For example, from the onset of contact with TPO this organisation sets out to create the misleading impression that it is “*independent*”, “*We look at the facts without taking sides*” (indeed it states so unreservedly on its website); an organisation it implies which is fully staffed with nationally qualified pension legal ‘experts’ who will act transparently, honestly, and impartially on their behalf; who will intercede with their former employers to provide, if possible within the relevant pension law, a prompt lawful resolution.
98. TPO in this expensive sham, misleadingly and coyly, without the same enthusiasm for transparency, fails to mention that this ‘independent’ staff are not independent but simply HM graded civil servants with no national pension administration experience or legal qualifications, and with startlingly few civil servants qualified in law, whose fundamental mainstream work is to ‘interpret’ pension law.
99. Neither does the TPO advertise the fact that in addition to being funded by the ubiquitous Taxpayer it is also funded by a levy on the pension ‘industry’ thus establishing an early ‘loyalty link’ which confirms that wherever their loyalties might lie, whether it be with the industry levy payer or the Taxpayer it certainly does not lie with the ill-considered pensioner.
No one can yet serve two masters.
100. Nevertheless TPO knowingly creates an ambience of patronising goodwill which raises confidence and expectations in the complainants that prompt lawful and fair resolution may well follow which will see an improvement in the quality of complainants’ lives when wrongs are righted.
It also more prosaically keeps these civil servants in work.
101. Later as disillusionment and reality sets in, complainants find that all this deceitful window dressing is simply a case of institutionalised fraud, by a government department no less.
102. This systemic fraudulence is deliberately supported by the further mendacious use of ever changing grandiose work titles which include ‘Investigator/Adjudicator/Jurisdiction’ usually prefixed by the word ‘senior’ giving the whiff of a quasi-legal professionals at work when in fact the vast majority of the staff are simply unqualified-in-law civil servant clerks.
103. Laymen who are not only given these deliberately misleading grandiose titles but are also allocated Pension Complaints to ‘adjudicate’ upon on behalf of the Ombudsman(though the term used is ‘authorised to’) *implying* in law they have *delegated powers* to do so, which they do not.
104. This is a cause for major legal concern because in having Mr Coutts adjudicate for him the Ombudsman is acting in breach of Section 145 (4c) of the Pensions Act 1993(as amended) which enables his staff to perform any function of his, ‘*other than determination*’, of a matter referred to him.

The ramifications that this abuse have in law bring quite terrible consequences for TPO, the government of the day, and ultimately the Complainants.

105. Since 1993 every single adjudication not completed directly by an Ombudsman carrying out their Statutory duty, and carrying their legal imprimatur,

is simply illegal and ultra vires, and will have to be re-examined by an Ombudsman for its legality and compliance with the relevant Statute pension law and then signed off by him/her with that Ombudsman taking legal and personal responsibility as a lawyer for to act otherwise is to risk disbarment.

Why? Because integrity is required of solicitors/barristers who are officers of the Court, and they must act in accordance with the Solicitors Code of Conduct and the Bar. To knowingly manipulate language to replace a just legal consequence by an unjust and illegal one is to avoid legal integrity - for which he risks being struck off, as could his Deputy.

Finally, all this must be published so that former Complainants have the opportunity to reconsider the 'adjudication' carried out on their Complaint and seek a full review and re-evaluation strictly by an Ombudsman should they so choose.

106. Thus, these 'lawyerly' civil servants illegally, regularly, and misleadingly appear to a complainant to issue binding 'opinions' whilst choosing to ignore the actual law and the construction of technical pension law about which they know little or nothing.

107. Currently the unspoken 'policy' of the TPO is to reject, under any pretext, a Complaint. This is what the function of the 'Senior Jurisdiction Officer' post (presently Mr. Strachan) has become.

In duplicity yet another 'policy' is for the TPO to 'encourage' Complainants at an early stage in the process to move their Complaint into the TPO 'arbitration system' where TPO is indeed on safe ground because such a system has no binding legal authority in law but, yet again, it does help to create in the Public's mind a *misleading perception of fair play* in the annual published statistics.

Rapid arbitration, of questionable legal value, helps to balance the statistical books.

108. This is a complete and accomplished conspiracy of false institutionalised deceit carefully constructed to lead the unwitting, trusting, and legally ignorant pension complainant into a contrived informal 'arbitration', usually to the benefit of the pension provider, but always well away from the purview of the Courts and actual Justice.

Without shame it exploits pensioners trust and their known lack of financial resources to 'fight on'.

109. Furthermore, feeding on its own self-created mythology, a King legacy, these laymen civil servants who have clothed themselves in 'Emperor's clothes' with pompous hubris actually believe that they *do* have delegated authority in law to carry out these allegedly binding decisions whilst ignoring the actual law made good.

110. Even the briefest study of the relevant Statutory Instrument completely dispels this absurd notion because the legally binding power to 'adjudicate', an *entitlement* for a complainant, is *strictly reserved* in Statute to the Ombudsman and his/her Deputy only.

111. But of course, seek as one may, one will not find a simple single published truth to this effect from the Ombudsman for the benefit of a doubting Public. All this faux structure simply houses an organisation engaged in the perpetuation of a myth of public pension protection when in fact its process actually produces a constant stream of expensive failed ‘Determinations’ at the Court of Appeal and most unforgivably of all endemic institutionalised breaches of trust by exploiting the trusting legally ignorant pensioner.
112. One can only conclude that all this charade must either be an organisation out of control or a hidden government policy at work in spite of trumpeting publically, in juxtaposition, how essential it is for all workers to have a pension.
113. What is the wisdom of expending countless budgets of the Taxpayers/levy benevolence on publicity, including a recent £800K on Google “to promote the benefits of saving for retirement”, when those, aka the TPO/TPR, whom the government sets in supposed guardianship of these achieved pension rights in law then spend all their time, budgets, and energy working in resistance to Justice for pension holders to the clear benefit of the pension ‘industry’?
114. Yet another illusion of this cloak of deceit, and its final loss of ‘integrity’, is the perpetual employment of ex-Ministers from the DWP by the ‘industry’; an observation confirmed by recently having a serving junior DWP Minister sitting on the W&P Select Committee monitoring and reporting back their actions to the DWP Minister.

A presence which confirms an unhealthy relationship between TPR; TPO; the ‘pension industry’; and the government of the day to the detriment of all pension holding workers.

115. An organisation which in April 2018 moved to new palatial offices at Canary Wharf with a staff expansion from 55 to 70 at an annual budgetary cost of £5mil (Plus £1mil to equip these new offices paid to their Landlords) all borne by the Taxpayer.
116. Interestingly during this move TPO advertised for a “*second*”, which is a puzzling oxymoron, “*Lead Lawyer (£76,500 + benefits)*” presumably to address the long standing critical need for TPO to build a properly dedicated; properly legally qualified; and properly accomplished legal team who are especially well educated in pension law to attempt to eradicate the constant expense of the Ombudsman’s original ‘Determinations’ being repeatedly and successfully taken to the Appeal Court when faced with well supported legal challenges raised by Complainants on their Pension Complaints.
All of which contributes to the further steady erosion of its failed Public reputation.

But surely the TPO has this already?

117. It is common knowledge, though again not well published in ‘transparency’ by TPO, that of this number of staff there are only approximately 6 legally qualified staff at the TPO who includes the Ombudsman (a solicitor and his Deputy - a Barrister).
118. This second ‘Lead Lawyer’, one assumes, will also address the issue of providing a continual drip feed of supporting legal guidance to the majority of staff who are

non-lawyer civil servants staff, such as Mr.Coutts, who wrongly form the vast majority of its clerical work force in the vain hope that they may actually begin to get it provisionally right in the first place before *placing it as a matter of law* in the hands of an Ombudsman?

Though appointing a lawyer (Solicitor or Barrister) who is required to... *“be qualified as a solicitor or barrister with at least four years’ post qualification”* is unlikely to set the legal world on fire; someone who apparently is to advise the sitting experienced Deputy Ombudsman Barrister? What an odd arrangement, and with 4 whole years of experience!

119. Mr.G■■■■s Complaint, and others in the future, will increasingly continue to present legally well supported and legally technically challenging cases as the national workforce becomes more pension aware of its rights and more suspicious of the role of TPO/TPR who are meant to defend their pensions.

120. All this raises the question which refuses to go away ... Is the TPO fit for its purpose?

Or should it, as it is envisaged, be absorbed into an increasingly vigilant and proactive Pension Regulator organisation?

Bearing in mind that the TPR, who are still acquiring these virtues, only does so because of the Green disaster at British Home Stores; the vigorous intervention of a truly independent W&P Select Committee; and the subsequent replacement of a comical CEO called Titcomb.

There is undoubtedly a resonance here with TPO though according to a recent in-house DWP triannual ‘Tailored Review’ all is well at TPR though the W&P Select Committee do not think so.

The LCFA/TPO Complicit Corruption or Criminality?

121. What evidence exists of complicit corruption and criminality in the machinations between TPO, the LCFA, and other Fire Authorities?

122. At the TPO Ms.Nicol, Mr. Strachan, Mr.Coutts, and originally Mr.Rattigan were historically well aware that the LFRS in the person of Mr. Warren as its pension scheme manager had in prior pension complaint cases established an unseemly reputation of duplicity, ignoring the law, and using base criminality in association with the distinct perception of the involvement of complicit staff at the TPO(*Qui reus est?*) but including the former Ombudsman Mr.King, to jointly conspire to unlawfully ‘defeat’ legitimate pension Complaints originating from Lancashire and other Fire Authorities.

123. This consistent conspiracy of criminality lies at the very heart of an unlawful unspoken LCFA policy which is to deny and defeat legitimate pension complaints arising from Members of the Lancashire Firefighters Pension Schemes; a policy authorised by the current Chairman of the LCFA/LFRS CC F.DeMolfetta (Lab) in conjunction with the delegated Pension Scheme Manager Mr. Warren.
Unlawful actions which have been repeatedly passed to TPR in writing but *who consistently refused to take any action whatsoever.*

124. One cannot leave these comments without presenting a conflated 'flavour' of the archived documentary evidence accumulated over many years which has generously been made available which confirms the existence of these collective 'experiences' which *should lead* to inevitable questions by those placed in authority over these organisations namely the Pensions Minister and the W&P Select Committee.

Some of The Maimed - 'Experiences':

(All these 'experiences' are fully supported by archived documentation)

125. FSV Mr.R.R.B. [REDACTED] - LFRS:

- FSV-RRB injured his head, neck, and upper spine during a fall from a foam tender whilst engaged in routine duties on an FR Station. The LCFA were found liable. He was subsequently compulsorily discharged on ill-health and injury pensions on 30th November 1994 after 19 years' service;
- His simple pension Complaint, in addition to the underpayment of his principle pensions, is that contrary to a Home Office directive 4/2010 his Retirement Allowance is wrongly being deducted from his Injury Award - contrary to thousands of other successful FSV awardees;
- On 3rd November 2010 FSV-RRB made a written application under the Data Protection Act 1998 for a full copy of his Personal Record File (to access his pension records). Mr.Warren/LFRS rejected his application;
- With the assistance of the Information Commissioner who, in frustration *four years later*, on 20th November 2014, sent a team of 3 inspectors to the LFRS and threatened the LFRS with Contempt of Court action in order that FSV-RRB, and all other requesting Lancashire FSVs, received their PRFs;

It was not until 2015 that FSV-RRB finally obtained his pension records including the error of the release of secret emails confirming pension corruption at the LFRS.

- On 5th September 2014 FSV-RRB instituted IDRPs Stage I which was accomplished but after instituting Stage II the LCFA/LFRS 'timed out' and furthermore refused to complete Stage II;
- Accordingly on 15th November 2014 FSV-RRB lodged a Complaint with TPO which the TPO wrongly refused to act on stating incorrectly that Stage II had to be completed, and when pressed, commenced the usual pass-the-parcel games which are now over 5 years old;
- This is a simple Complaint which FSV-RRB has pursued for over 9 years including 1.5 years of obfuscation at the LFRS and a further 5.0. years of pass-the-parcel at TPO during which time it has lain on Ms.Nicol's desk(who rejected repeated Service Delivery Complaints) without resolution or being submitted, as FSV-RRB and the law demands, for a 'Determination' by an Ombudsman?
- FSV-RRB was repeatedly assured in writing by Ms.Nicol and her staff that his letters of personal appeal to Mr. Arter had been 'placed on his desk'?

- During all this time TPR was fully engaged by 'copied in' correspondence and when approached directly with formal written complaints concerning the lawlessness of LFRS Scheme and its Pension Scheme manager Mr. Warren, TPR steadfastly refused to take any action whatsoever – Letter RB052 -1st March 2016 is an example.

117. FSV R.T. [REDACTED] – London Fire Brigade:

- FSV-RT, an ex-Royal Marine, received 5 in-service injuries. On the 6th February 1991 after 18 years' service he was compulsorily discharged with an accumulated disablement of over 40%;
- On 26th October 2010 he received a letter from the LFB alleging that he failed to report the receipt of pension deductible DWP Benefits to the value of £120,000.0., which he strenuously and continually denied producing supporting evidence to the contrary. Furthermore, he was accused of forging an official document but for which no evidence was ever produced;
- On 5th June 2015 after endless correspondence he instituted IDRPs Stage I to which he received a response.
The LFB then decided it could (unlawfully) run Stage I again (having erred in its procedure it said) and then reached the same conclusions.
FSV-RT then instituted Stage II. In contravention of the Statutory Instrument the LFB used the same personnel to reach the same conclusion it had reached at Stage I instead of its Statutory duty which is to place his Stage II before the Elected Members of the London Fire Authority;
- On 15th July 2016 the LFB Head of Legal Services Ms.McKenna wrote withdrawing all its financial claims and allegations explaining its 'errors' and how it had managed to arrive at these erroneous 'conclusions' using, wrongly, the Statute of Limitations. An apology was never forthcoming for this series of stressful malignant acts which undoubtedly damaged FSV-RT's health;
- FSV-RT is now severely disabled with diabetes.
- On the 6th March 2017 FSV-RT made a Pension Complaint to the TPO under extensive headings which included a further error of accounting by the LFB to the value of £700 due to him with compound interest;
- The TPO, ignoring High Court case law, decided that his Complaint was 'timed out'; Mr.Strachan fulfilling his function;
FSV-RT expressed his suspicions of collusion between the LFB and TPO;
- On 27th April 2019 knowing his Pension Complaint was still lying on Ms. Nicol's desk unanswered he once more raised this query with his handler...
"Hello Miss Stephenson, any movement on this yet, as I only have a few years left to live?";
- On the 23rd May 2019 Mr. Dartnell wrote to FSVRT rejecting all his Complaints having arrived at his 'Determination':

- Interestingly Mr. Dartnell had at an early point been engaged with the first rejection of FSV-RT's Complaint following which he commenced the 'pass-the-parcel' leading back through Ms.Nicol within her 'Fiefdom of Ambiguity' to no less than Mr. Darnell himself, who describes himself as a ' Pathway Manager';
 - Mr. Dartnell, a unqualified layperson civil servant demonstrates in his response his complete lack of legal knowledge by selectively misreading the relevant Sections 146-151 of the Pensions Schemes Act 1993(as amended) applicable to the Pensions Ombudsman's Statutory duties;
 - He takes it upon himself to claim a delegated power for this 'Determination' for which no legal provision exists within the Act;
 - Indeed the mere fact that Mr. Darnell and his colleagues work under the misapprehension, and give the impression, that he has the lawfully delegated authority to make a 'Determination' (and he is not alone in this respect with his colleagues at TPO) not only flies in the face of the actual law which allows the Ombudsman's staff to have delegated clerical duties 'other than determinations' but is a further cause for concern because it leads to exploitation of Complainants ignorance of the law that in doing so Mr.Dartnell is acting in breach of Section 145 (4c) of the Pensions Act 1993(as amended) which makes it appear that the Ombudsman is enabling and condoning the actions of his staff to perform any function of his without exception.
 - Mr. Darnell ignores the legal provision that when the PO undertakes an investigation into a Pension Complaint his decision activates in its entirety these relevant Sections of the Act;
 - Mr. Darnell further ignores a Complainants Statutory right to have a 'Determination' made only by the Ombudsman or his Deputy;
 - This is a prime and current example of Ms.Nicol's 'Fiefdom of Ambiguity' at work; her Contempt of Court; her self-examination; and her corruptly coercive abuse of authority over her subordinates by the tacit promise of promotion;
- This, top-to-bottom, is a classic example of a failed government department presided over by corrupt individuals which makes this department unfit for its purpose.

126. FSV Mr.P.B [REDACTED] - LFRS.

- FSV-PB was blown up in Belfast City in 1964. He received permanent damage to his hearing and by 1997 after 35.0 years' service his hearing had deteriorated to the point where he concluded that it was presenting a hazard to those under his command on operations and medically declared so. He was compulsorily discharged as disabled with a 5% disablement with an Ill-Health and Injury Award after 33.5 years of incomplete pensionable service in 1997;
- During a Court Hearing in February 2013 in Discovery the LFRS were Ordered to provide FSV-PB with his PRF (including his pension records) until that point they had repeatedly refused to do so and the Court case could not proceed. FSV-PB's Barrister deduced that he was being

underpaid the wrong pensions. In addition the Court Ordered the LFRS to investigate and correct its pension errors in conjunction with FSV-PB. This Order was ignored;

- On the 18th April 2013 following the Court decision FSV-PB de facto initiated IDRPs Stage I by correspondence the LCFA was informed it was under this aegis.
On 22nd August 2013 Mr. Warren then denied all knowledge that he was engaged in IDRPs Stage I proceedings;
- On 28th August 2013 FSV-PB wrote directly to the LCFA initiating IDRPs Stage II and on the 11th September the Clerk to the LCFA on behalf of the Authority and Mr. Warren replied stating that FSV-PB's Stage II had been presented to the Elected Members of the LCFA on the 5th September 2013.
- Lobbied County Councillors disagreed. No Minutes; no records of a vote; nor was a Stage II formal decision ever published to FSV-PB by the Fire Authority to confirm these alleged 'facts' by Mr. Warren.
On the 7th October 2013 the Clerk to the LCFA Mr. M. Winterbottom DL reconfirmed the LCFA position in respect of IDRPs;
- On the 16th January 2014 FSV-PB re-instituted IDRPs Stage I which was responded to on the 14th March 2014 and because the response was unacceptable he immediately issued IDRPs Stage II again.
No further response was received from the LCFA/LFRS;
- On the 25th March 2014 TPO (Mr. Strachan) agreed that it would accept FSV-PB's formal Pension Complaint;
- The deliberate criminal fraudulence of the knowing substitution of source reference material by Mr. Warren manager of the LFRS Firefighters Pension Scheme in the case of Burns-v-LFRS in order to criminally deceive TPO and the former Ombudsman Mr. King has been comprehensively covered in Paragraphs 60-67;
- Finally FSV-PB believes he has been the continual subject of ethnic discrimination by uncontrolled Freemasons in Lancashire and at TPO for over 11 years because he led the opposition against corruption and the pursuit of pension Justice for his colleagues; their Widows, and Beneficiaries.

127. FSV Mr. H [REDACTED] -LFRS(Deceased):

- FSV-WH was severely injured on an incident. Taken to hospital he received 4 units of Hepatitis 'C' contaminated blood originally from an Arkansas Prison in the USA. This severely set back his recovery; led to his compulsory medical discharge by the LFRS; the ruination of his life and future employment; and his premature death on 16th May 2014;
- At one point he and his wife were left destitute by Mr. Warren/LFRS's failure to pay his pensions which Mr. Warren described as a 'mistake'; FSV-WH believed that it was because he was active in this LFRS anti-corruption movement;

- In another 'mistake' Mr. Warren/LFRS refused to release FSV-WH Personal Record Files (including his pension records) because he suspected he had been paid the wrong pensions; being terminally ill and time of the essence FSV-WH took the LFRS to Court repeatedly at the cost of £2000.0 which he could ill afford to prove to his satisfaction that indeed he was being under paid the wrong pensions and that ultimately his Widow might benefit from his efforts;
- On his deathbed he kept encouraging his pension disputing colleagues to *"keep the flag flying boys..."*.
- Those of compassion may wish to read his final thoughts...
<http://www.themorningbugler.com/a-star-is-born/pastoral-care/fire-service-veteran-wh/>
- His Widow continues to receive her substantially reduced Widow's Half-Pension.

128. FSV Mr. G [REDACTED] – LFRS.

- FSV-FG whilst on duty was injured in a no fault RTA when his car was rear ended by a member of the Public. He sustained head, neck and spinal injuries which led to his compulsory retirement on the 22nd July 1998 with a disablement of 24% after 35.7 years of incomplete service;
- On the 18th December 2015 FSV-FG issued IDRPs Stage I proceedings on a Pension Complaint to the Chief Fire Officer (CFO);
- On the 19th February 2016 (Within Statute) the CFO replied thus... *"As your retirement was due to ill health you became entitled to an ill health pension under regulation B3 therefore the ordinary pension under regulation B 1 is not due, as indicated in part (1) (c) of the extract below:"*;

but the CFO failed to answer why he was being paid a Rule BI pension;

- On the 16th June 2016 FSV-FG issued IDRPs Stage II proceedings to the LCFA on this Pension Complaint;
- On the 20th June 2016 (within Statute) Mr. Warren in an ultra vires act replied. He stated on 'behalf of the Fire Authority' (although no meetings, scheduled or extraordinary, took place at this time) that until FSV-FG's IDRPs Stage II proceedings had been reported to the Chief Constable... *"this process cannot be enacted"*. Stating further... *"I have accordingly placed your application in abeyance until the Chief Constable's investigation."*, though Mr. Warren gives no indication what evidence, by whom, might be placed before the Chief Constable who holds no legal responsibility in IDRPs;

On 25th June 2016 FSV-FG wrote to the LCFA asking what 'legal authority' it was using to deny the activation of IDRPs Stage II in addition stating ... *"As you will also know there is no legal lenience, flexibility, nor ambiguity in the applicable pensions Statute law, namely the 1993 Pensions Act (as amended), which allows the Fire Authority to do so."*

- On the 6th July 2016 Mr. Warren replied thus... *"I have been asked by the Combined Fire Authority to respond to your latest letter to Members of the Authority and would refer you to the letter sent to you on 20 June 2016, which outlines the Authority's position."*
There are no LCFA Meetings during the Summer Recess;
- On the 1st October 2017 FSV-FG placed his Pension Complaint before the TPO.
- The Senior Jurisdictional Officer Mr. Strachan prevaricated as expected and was ultimately forced to accept High Court case law on the 'ticking clock'.
- FSV-FG's Complaint was accepted for 'investigation' thus activating s146-151 of the relevant Statute in its entirety.
- Mr. Coutts's 'opinion' has been rejected and the Complaint has been placed before an Ombudsman in keeping with Statute pending a 'Determination';

129. LFRS Serving Firefighters:

- Mr. Warren's consistent criminality once more lies at the heart of a 'Class Action' Complaint of 154+ Lancashire serving Firefighters and accruing Lancashire Pension Scheme Members who took issue on, whether or not, part of their pay was pensionable; a complex pension case requiring retrospective pension payments to the value of £3mil which is currently before TPO supported by two favourable High Court judgements and a pro bono Barrister;
- Mr. Warren/LFRS alleged that he had a written agreement for the local variation of pensionable pay with the local Fire Brigades Union but neither he, nor the FBU, would or could produce such a written agreement;
- Mr. Warren/LFRS then alleged that the LCFA had approved such a local arrangement but he was unable to produce their 'authority' for so doing either;
- Between October and November 2017 multiple individual applications initiating IDRPs Stage I proceedings were individually lodged with the LFRS. In a timed out response Mr. Warren alleged that he had authority to conclude a local agreement with the disputing Firefighters but once more could not produce documentation and/or LCFA written authority empowering him to do so;
- On the 20th May 2018 the Firefighters submitted a Class Action IDRPs Stage II acknowledged on the 23rd of May 2019.
- On the 4th December 2018 Mr. Warren/LFRS once more having timed out and with no response forthcoming the Firefighters submitted a Class Action Pension Complaint to TPO;
- On the 18th January 2019 timed out by 8 months Mr. Warren/LFRS finally replied in writing once more alleging and failing to issue supporting

documentation that this Class Action Complaint had been initially agreed/settled with the FBU and the Fire Authority when it had not?

- Furthermore, in his response Mr. Warren/LFRS stated that the Class Action had been presented to the Full Committee of the Lancashire Combined Fire Authority (25 Elected Members) at a meeting on 19th December 2018, when subsequently lobbied County Councillors, coupled with a glance at the official LCFA diary, confirmed that no such meeting was scheduled or emergency had occurred, nor had any such Class Action IDRPs Stage II been presented to them?
- The Class Action remains lodged with TPO (Mr.Strachan) updated with further successful High Court decisions.

130. There is little doubt that thousands of other disabled FSVs will wish to bring their individual Complaints forward to TPO until these and other pension issues are finally addressed and Justice is provided to all those entitled to it; especially those who are no longer alive, or who are unable to write for themselves, or are existing on reduced incomes aka Widows, but before they do so they are determined to Publicly press for a root and branch public examination of TPO and TPR by Ministerial Inquiry at the very least.

131. As the Ombudsman and his civil servant staff will also know it is the intention at the conclusion of these proceedings, to publicly present FSVs experiences to the W&P Select Committee, not for resolution, but as current examples of how routine, but legally complex cases with heavy financial implications for the government/Taxpayers, are deliberately side-lined/malevolently delayed by TPO in complicity with the LFRS/Fire Authorities including further delaying the implementation of High Court decisions by applying systemic corruption at the government's behest to avoid the payment of lawful and correct pensions.

132. One final rhetorical question remains.

Should an in-post Ombudsman with, at the last count, pension shares in 26 pension schemes whilst running a private child care business, which is all a perfectly legal, not be required by the DWP in transparency to declare such conflicts of interest more prominently on the TPO website?

133. Finally, it is important to restate that it is the measure of a Nation and those politicians it sets in authority over its civil servants to ensure that the good name and the self-respect of the Nation is maintained by those in public office.

The collective failure to act decently, and any failure to display the decent, virtuous morality towards those it employs, who by their voluntary choice of vocation put themselves in harm's way to protect their fellow Citizens, besmirches the name of the individual, the office, and brings shame on the Nation.
