

Staffordshire facing judicial review over injury pensions

A number of former police officers have brought judicial review proceedings against Staffordshire Police over the review of their injury pensions.



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By - Chloe Livadeas

Some forces review the status of a former officer's injury periodically to ensure their banding level has not changed by contacting the individual and asking for medical records.

The legal challenge is over the interpretation of 'refusal to be medically examined' in the Police (Injury Benefit) Regulations 2006.

Staffordshire Police said it has written to all claimants on more than one occasion since January 2019 to "offer them the opportunity to provide relevant information relating to their current medical condition and capacity for work, so that their pensions may be reviewed and paid at the appropriate level".

"It would not be appropriate for us to comment on the details and merits of individual claims before the judicial proceedings have been resolved by the High Court."

"We note that no change to the claimants' pensions has been implemented pending the outcome of those proceedings," they added.

Seventeen former officers are involved in the group action against the force.

Additional injury on duty awards are banded from one to four and take into account how the injury has impacted on someone's earning capacity.

Staffordshire Police Federation Secretary, Glyn Pattinson, said: "Some of it does become quite subjective, which isn't helpful."

Within the regulation is the ability for the bands to be reviewed as time goes by.

Mr Pattinson said: "This is ultimately why we ended up in judicial reviews, because the regulations are open to interpretation as to how that process should work.

"And over the recent years, there's a number of forces which have tried to do these reviews and it's fair to say they are a legal nightmare. Everyone's got different interpretations, I think Merseyside, Northumbria, Avon and Somerset have tried historically to do them and it's ended up in a mess so they've gone 'we're not doing it anymore, we're not reviewing them'.

"It becomes a really subjective, difficult area."

He said: "But Staffordshire nonetheless, have taken the view as a force that this is public money that's been spent on these individuals and it's only right we spend public money wisely and recipients of the Injury Award get what they're deserved, no more, no less."

The Injury On Duty Pensioners Association (IODPA) is a registered charity who supports officers who have been injured on duty and face their careers being cut short due to those injuries. They also support those retired and injured police officers who face their IOD award being reviewed.

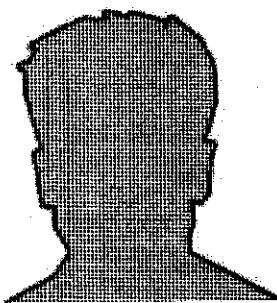
A spokesperson for the charity said "We wish to see police forces following the letter of the law and the regulations that govern police injury pensions and our charity's core aim is for injured officers to be treated compassionately, fairly and lawfully. These officers have given their all to their communities and deserve to be treated with respect and care.

They went on to say: "The issue facing a number of injured pensioners in Staffordshire needs clarity and the upcoming court case will hopefully provide that. The leading QC in this area of law, David Lock alongside solicitors, **Ron Thompson of Haven Solicitors** and Angela Giannotti of Taylor Law solicitors are instructed for all the retired injured officers."

The judicial review is set for the 15th and 16th July at Birmingham Administrative Court.

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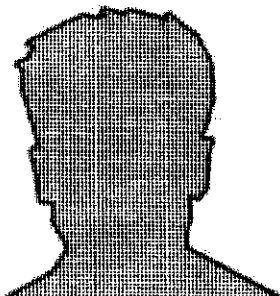


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