



Home Office

Police Resources Unit

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Ms M Banks-Mahoney
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Our Ref PRES 01 8/35/81
Your Ref MEB-M
Date 8th July 2002

Dear Myna

POLICE PENSION REGULATIONS 1987 : REVIEW OF INJURY AWARDS

Thank you for your letter of 3 July about the payment of injury awards to officers over state retirement age.

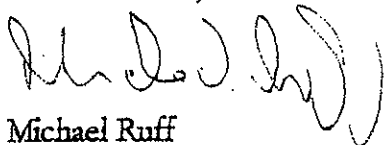
Whilst only a Court can give a definitive view on any aspect of the Police Pensions Regulations, the Home Office will give a view if requested to do so. It appears to us that the revision of an injury pension cannot result in its cancellation unless K2(2) applies. Paragraph 5 of K2-1 of the Commentary on the Police Pensions Regulations indicates that an injury award cannot be cancelled under K2 unless the ill-health award is also cancelled under K1. K1-1 states that both awards can only be cancelled if the pensioner is given the chance to rejoin the force. While we agree with you that an injury award enhancement is an "impact upon earnings" assessment and is meant to compensate for the loss of opportunity to serve until retirement age (but not any later), as currently written the Regulations would require you to reemploy any former officer whose injury award you cancelled.

As it appears that the Regulations do not currently permit an injury award to be cancelled merely because of the age of the pensioner, we have in the past advised that police authorities may wish to consider using the lowest banding for injury awards from age 60 because of the expectation of lower earnings from this age.

Police injury awards are currently being reviewed as part of a wider review of injury awards in the public sector, which will be concluded in the next few months. It is likely that the Police Pensions Regulations will be amended to enable the cancellation of injury awards from state retirement age.

I hope that this is helpful.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Michael Ruff".

Michael Ruff
Police Pensions & Retirement Policy Section