



FREEDOM OF INFORMATION REQUEST

FOI Reference number: 19/2013

Date: May 2013

Request: 1. "...I request information concerning the previous medical/review suspension implemented by NIPB. I was notified via a letter dated 9th November 2012 that the temporary suspension was lifted and so medicals/reviews could proceed. What was the reason for this previous temporary suspension, what was established during the course of this suspension to enable medicals/reviews to recommence and as a result of this previous suspension what direct instructions/guidance were given to SMP as a result of this suspension".

2. "... having read the guidance leaflet kindly sent out to myself I notice there is no information concerning when, why and for how long suspension of medical/reviews can be applied. What is the NIPB directions as regard suspensions who can implement them, under what circumstances/legal power, is the resulting investigation published and what redress do individuals left in limbo have as regards the impact on their wellbeing and welfare".

Answer: 1. I would refer you to a previous letter from the Board to you dated 22nd April 2011. This advised that after direction from the Department of Justice all percentage disablement reviews had been suspended with effect from March 2010, and would not recommence until the Home Office had issued revised guidance in relation to reviews. The Board's Selected Medical Practitioner was also advised of that suspension

2. I can advise that Section 35 of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006 provides that the Policing Board, shall, at such intervals as may be suitable, review the level of an individual's injury award.

Following the Simpson Judicial Review of February 2012, the Department of Justice (D.O.J.) guidance was suspended in March 2012. As you may be aware, that guidance had automatically zero-rated officers' degree of disability award on reaching the age of 65. However, the Board had not adopted that approach and instead continued to conduct full reviews where the SMP considered all medical and non-medical reports/evidence and also had a review meeting with each former officer, calculating a percentage award using the Northern Ireland ASHE survey figures.

During March 2013 the Board decided to suspend all reviews of Injury on Duty (IOD) awards to allow for a further review to take place. A Working Group comprised of representatives of the Northern Ireland Retired Police Officers Association, the Northern Ireland Disabled Police Officers Association, the Police Federation for Northern Ireland, the PSNI, the Department of Justice and the Board has been set up, which will consider the policy and procedure currently followed in relation to reviews of IOD awards and make recommendations to the Department for consideration. It is anticipated that the review group will make its recommendations by the end of August 2013.

If you have queries about this request or the decision please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should write to the Board's Chief Executive at the following address:

Northern Ireland Policing Board
Waterside Tower
31 Clarendon Road
Clarendon Dock
Belfast BT1 3BG

Email: foi@nipolicingboard.org.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. The Information Commissioner can be contacted at:-

The Information Commissioner's Office – Northern Ireland
3rd Floor
12 Cromac Place
Gasworks
Ormeau Road
Belfast

BT7 2JB.

Telephone: - 02890 269 380

Email: - ni@ico.org.uk

Please be advised that all Policing Board replies under Freedom of Information will be released into the public domain via our website @ www.nipolicingboard.org.uk.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.