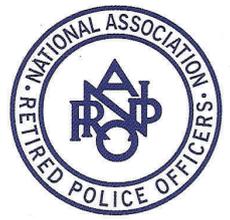




# BRIGHTON & DISTRICT NEWS LETTER FEBRUARY 2010



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## INJURY AWARD REVIEWS - IMPORTANT PMAB DECISION

A Northumbria Police Pensioner has been successful in his recent Appeal against a decision of the SMP to reduce his injury award to Band 1, at age 65 or older, in accordance with the Home Office Circular 46/04.

Amongst other points the Appellant argued that:

1. The SMP did not apply case law correctly; in particular ANTON, TURNER and LAWS.
2. The Appellant was not examined by the SMP.
3. He still had an earning capacity irrespective of his age as determined by the Pensions Ombudsman in AYRES.
4. The Appellant was subjected to a different process on review than other pensioners under the age of 65.

All these points are ones that NARPO has consistently been advising members to make and which are contained in the draft submission prepared by NARPO to assist members going through the review process.

The Board in their findings considered that:

- With his condition the Appellant was capable of working at least four hours a day in a semi-sedentary role and therefore he did have an earning potential, as outlined in ANTON and AYRES.
- However as no new job comparator roles had been provided by the Police Authority and there was no change in his clinical functional capability, it followed therefore that there was no substantial change in his degree of disablement and accordingly his injury pension could not be revised, as per TURNER.
- The Board considered the Home Office Circular and Guidance to Police Medical Appeal Boards, but they had no alternative but to observe The Police (Injury Benefit) Regulations 2006 themselves and concluded

that a review at age 65 should be carried out no differently than any other review.

· The Board concluded that despite the Home Office Guidance the Appellant should remain on Band 3 as there had not been a substantial change in his degree of disablement since the last review.

This is a significant decision in respect of our members aged 65 and over and reinforces the points that NARPO have consistently been advising our members to make throughout the review process.

In particular the decision highlights the fact that the review process adopted by Police Authorities/Forces must be the same, irrespective of a persons age and that a persons medical condition must be assessed by the SMP and that a persons earnings capacity should be assessed also, again irrespective of age.

### Another stealth tax?!

Did you know that the Government intends to impose a phone line tax? This tax is supposed to fund broadband access for those who currently don't have it. If you disagree to the Governments 50p per week Phone Line Tax that is to become law this year then fill in the form at:

<http://petitions.number10.gov.uk/scrap50pphonetax>.

You have until 27th February so act fast. Even if you don't use your land line you will still be taxed, if you have multiple lines going into your property you will be taxed 50p per week for each line. The more people that complain the better chance of having it scrapped.

### And finally ..... a few quick ones!

Two blondes walk into a building.....you'd think at least one of them would have seen it!

Phone answering machine message - '..... and If you want to buy marijuana, press the hash key!

A guy walks into the psychiatrist wearing only Clingfilm for shorts. The shrink says, 'Well, I can clearly see you're nuts.'

I went to buy some camouflage trousers the other day but I couldn't find any.

Patient says to Doctor I can't stop singing 'The Green, Green Grass of Home' Doctor says 'That sounds like Tom Jones syndrome. Patient says 'Is it common?' Docs says 'It's not unusual.'

**Social**

**A Night at the Races.  
Coral Greyhound Stadium Hove  
Thursday 11th March**

We have reserved the best tables in the Restaurant, which are in line with the finish, for this fun evening. There will be 10 races the first at 7.30pm the last at 10pm, you can have a flutter on all or any of the races without leaving your seat. Doors open at 6.30pm your ticket will be at the door when you arrive, there is a 3 course Al a Carte Meal for £17.50p per head guest welcome. THIS PRICE DOES NOT INCLUDE DRINKS. There is ample free parking, **closing date for booking Tuesday 26th February.**

**Social Booking Slip**

To: **Mr D Walker, 1 The Meads, Coldean, Brighton, BN1 9BA Tel: 01273 688456**  
(All cheques to be made payable to 'NARPO Brighton & District Branch')

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Post Code: \_\_\_\_\_  
Telephone No: \_\_\_\_\_  
**Please reserve me:**

..... Place(s) for .....I enclose a cheque for £

..... Place(s) for .....I enclose a cheque for £

..... Place(s) for .....I enclose a cheque for £

I will join the coach at the Marina / Black Lion (Delete as appropriate and make a note for yourself!)  
One cheque is Ok for several events. Always check that your cheques have been presented to your bank as this is the only guarantee that Dennis has received it! Cheques are usually banked fortnightly, if in doubt ring Dennis.

**Ladies Lunch  
12.30pm for 1pm on Thursday 22nd April 2010**

The cost will be £12 this year and will include lunch with a glass of wine and coffee.

**Gents Lunch  
1230pm for 1pm on Thursday 29th April 2010 .**

The cost will be £12 this year and will include lunch with a glass of wine and coffee.

**Obituaries**

I regret to inform you of the death on 27/11/2009 of **John Richard Alderson** aged 79 years. He leaves a widow Shirley,

I regret to inform you of the death on 21/12/09 of **Eric Edward McIntosh** aged 65 years. He leaves a widow Patricia.

I regret to inform you of the death of **William (Bill) Harrison** aged 93 yrs. Bill was a former member of Glasgow Police CID, and on retirement came to Brighton where he was employed a a clerk in the CID Enquiry Office.

I regret to inform you of the death in November 2009 of **David Broadbent** aged 66 years.