



FREEDOM OF INFORMATION REQUEST

Please note the text of this request has been reproduced exactly as received.

FOI Reference number: FOI 43/2022

Date: 3 February 2023

Request:

P.S.N.I. INJURY BENEFIT REGULATIONS 2006

Question 1.

When did the N.I.P.B start asking the Selected Medical Practitioner to give an opinion/date on the "implementation Date" of a Retrospective Injury on Duty Award pursuant to the above regulations

Answer:

Board records indicate that the "implementation date" question in its current iteration has been asked as early as 2009.

Question 2.

Why does the N.I.P.B ask the SMP to provide such an opinion/date on the "Implementation Date" of a retrospective I.O.D. award.

Answer:

Pursuant to *Regulation 10* of the Regulations it falls to the Board to determine the date of disablement of an IOD award. This is because, pursuant to *Regulation 10(2)*, "no payment shall be made on account of the [IOD] in respect of any period before [the former officer] became disabled." The date of disablement may then be used as the implementation date of an IOD award. This position is supported by both caselaw and the Scofield Review which can be accessed at the following link: [Scofield Review of the Injury on Duty Award Scheme | Northern Ireland Policing Board \(nipolicingboard.org.uk\)](https://www.nipolicingboard.org.uk/~/media/Files/2017/06/Scofield-Review-of-the-Injury-on-Duty-Award-Scheme-2017.pdf).

Question 3.

Has the N.I.P.B. issued any additional guidance to the S.M.P. after it considered its comprehensive legal advice that it requested on receipt of the Lloyd Kelly Judgement.

Request.

If additional guidance has been issued, could I please have a copy.

Answer: No.

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

You should contact the Board within 40 working days of this response.

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: -

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: - 0303 1231114
Email: - ni@ico.org.uk

Please be advised that Policing Board replies under Freedom of Information may 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.