

Chief Constable

Insert Police Force

Dear Insert name

**RE: INJURY AWARD – INSERT NAME**

It has come to my notice that in the recent case of *R [John SLATER] v Secretary of State for the Home Department and The Chief Constable of Derbyshire* the use of the National Average Earnings [ASHE] figure when assessing an individuals earning capacity at Compulsory Retirement Age [CRA] has now been ruled as unlawful.

As a result the Home Office have now withdrawn the whole of Annex C of the Home Office Circular 46/2004.

The Government has now conceded that the guidance is unlawful and that reviews at a CRA must relate to the individual circumstances of the officer. This means the blanket National Average Earnings figures cannot be used to cut pensions.

In view of this recent decision and the admission by Government it is therefore apparent that my injury pension was also unlawfully reduced by Insert Police to a lower band and as a consequence the decision of the SMP on insert date, when he effectively automatically reduced me to Band Insert Band because I had reached my CRA was also contrary to the Regulations and unlawful.

In view of that I request that Insert Police reinstate my injury award to its previous banding of Band insert band, from the date of its unlawful reduction on insert date.

I request that the monies owed to me be paid to me forthwith, with the addition of the appropriate interest.

If you do not intend to reinstate my injury pension to the previous banding please let me know your reasons for refusing to do so and provide me with

the details of and information in relation to the Internal Dispute Resolution Procedure in relation to Pension disputes.

Yours sincerely