

Police Federation  
Of England and Wales



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Lloegr a Chymru

Established by Act of Parliament

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FROM THE GENERAL SECRETARY'S OFFICE

IR/MM/sg

17 March 2009

**JBB CIRCULAR NO: 012/2009**

**To: The Chairman and Secretary  
All Branch Boards**

Dear Colleagues

**ADDENDUM TO JBB CIRCULAR 94/2008: POLICE INJURY BENEFIT REGULATIONS  
2006 FAQ GUIDE**

In light of the recent High Court decision in the case of Pollard v Police Medical Appeal Board (JBB Circular 010/2009 refers) I am issuing the following addendum to JBB Circular 94/2008.

In paragraph 22 please insert the text in italics:

**22. Can the SMP or PMAB at a review take a different approach to that adopted when the award was made or at a previous review?**

Generally, yes. The only question on a review is what is the degree of disablement. This does however involve the SMP or PMAB deciding what, at that point, they consider to be the impact of the relevant injury on earning capacity. Case law suggests that the medical authority can reach its own medical judgment on its view of the evidence at that point.

*What the SMP/PMAB must not do, however, is reopen the question of what caused the original injury and use that to reduce the degree of disablement. The earlier decision of the SMP, medical referee or PMAB that the injury on duty caused or substantially contributed to the disablement remains binding. The full impact of the original injury on current earning capacity should be reflected in the assessment.*

Represent · Influence · Negotiate

For ease of reference, please find attached a copy of JBB Circular 94/2008.

Yours sincerely,

**IAN RENNIE**  
**General Secretary**