

**POLICE AND CRIME
COMMISSIONER FOR
THE WEST MIDLANDS**

NON-CONFIDENTIAL

NOTICE OF DECISION

[021/2018]

Contact Officer: Darlene Waithe, Legal Adviser

Telephone Number: 0121 626 6060

Email: d.waithe@west-midlands.pnn.police.uk

Title: Pension Forfeiture – Allan Norman Richards

EXECUTIVE SUMMARY

This decision relates to the pension forfeiture meeting in respect of retired police officer, Mr Allan Norman Richards. Mr Richards was convicted of multiple sexual offences over the course of two trials both of which were widely reported in the media. Those offences which are detailed in the certificate of authorisation are:

1 count of rape.

1 count of indecent assault on a male.

5 counts of misconduct in public office.

He is currently serving a twenty-two year sentence of imprisonment with an additional five years on licence when he is released.

On 24th July 2018 a pension forfeiture meeting was held at which Mr Richards was represented by Counsel as was the OPCC. Mr Richards was not in attendance. Counsel for both sides put their respective cases referring to statutory authorities, case law as well as the facts of Mr Richards' offending, its effects on his victims and the sentencing remarks of HHJ Laird QC.

Pursuant to the regulations the only offences for the Police and Crime Commissioner (PCC) to consider were those which took place whilst Mr Richards was a serving police officer and which relate to his work as a police officer. This is reflected in the certificate authorising these proceedings, which was signed by the Right Honourable Nick Hurd, Minister of State for Policing and the Fire Service. The PCC also had before him a comprehensive bundle of documents and written submissions from both parties.

DECISION

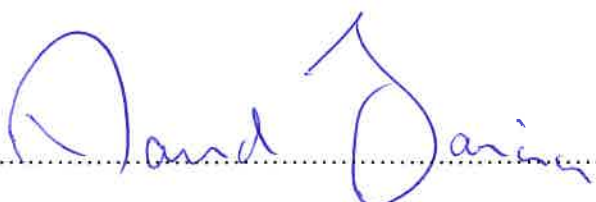
Having taken into consideration all written and oral submissions, details of the pension of which Mr Richards is already in receipt, and considering the pension regulations, the PCC made the decision that Mr Richards should forfeit 50% of his pension forthwith. This will not include the lump sum payment which he has already received nor will it include the secured element of his pension, neither of which by law can be forfeited.

When making a decision on forfeiture, the guaranteed minimum pension (if applicable) must be deducted from the value of the pension. Once this had been deducted, a forfeiture may be decided up to 65% of the remaining pension. The forfeiture must not be greater than 65% of the remaining pension, in recognition of the employee's own contributions to the pension, which cannot be subject to forfeiture.

This decision is in accordance with K5 Police Pensions Regulations 1987 and Article 1 of Protocol 1 to the European Convention on Human Rights.

Police and Crime Commissioner for the West Midlands

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the Police and Crime Commissioner of the West Midlands. Any interests are indicated below.

Signature 

Date 07.08.18