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PRIME MINISTERASSASSINATION AND DEATH IN SERVICE

I have seen the Chief Secretary's minute to you of 27th March covering a report by Treasury and Foreign and Commonwealth Office officials.

2. There are two related issues here: whether the present arrangements provide adequate benefits, and if not how these arrangements might be improved. On the first, I find it very difficult to conclude that an arrangement can be open to criticism that guarantees to a widow that the capitalised value of her pension benefits will, if necessary, be increased by the payment of Criminal Injuries Compensation to the amount of the damages that she would have received at common law had she been able to bring an action against her husband's murderer. Such damages take into account loss of dependency and can be very considerable, as is illustrated by the benefits excluding social security payments, paid to Mrs Whitty, a widow in her fifties (paragraph 5 of the report by officials).

3. I note that the Foreign and Commonwealth Secretary in the Annex to his minute to you of 4th April has listed a number of examples where widows elsewhere in the public and private sectors are treated more generously. For the Armed Forces I can confirm that a service widow whose husband's death is attributable to service receives exactly the same treatment under the Armed Forces Pension Scheme as her civil service counterpart under the Principal Civil Service Pension Scheme. If the Annex (example C) is meant to imply the



contrary then it is incorrect. I understand that the Annex is also open to misinterpretation on a number of other points and that the Chief Secretary will be drawing attention to these.

4. The Chief Secretary makes two firm proposals: to increase the additional lump sum paid to an injury benefit widow from three months to six months pensionable pay, and to increase from three months to six months the period in which the husband's salary continues to be paid to the widow. These improvements would widen still further the already considerable difference in the value of benefits received by injury benefit widows over widows whose husbands die from natural causes: and would undoubtedly provide a spring-board for the Unions to press for more wide-ranging concessions. But I should not wish to oppose their implementation if this was generally thought to be right. For the Armed Forces, the additional cost to the Defence Budget would be of the order of £0.5M a year.

5. I cannot, however, support the suggestion that we should create a new category of injury benefit widow and pay enhanced benefits where death arose from public outrage. It would be far from easy to decide which incidents qualify for such treatment, or to convince the dependants of those who are murdered or die in other circumstances that they are ineligible for similar special consideration. For some time members of special teams set up at AWRE to deal with terrorist threats and accidents involving nuclear weapons have been pressing for cover which goes beyond the provisions of the Principal Civil Service Pension Scheme. Under the 'public outrage' proposal an officer called out to deal with a terrorist threat involving a nuclear weapon would undoubtedly qualify if he were to be killed. If however he died in an accident involving a nuclear weapon then he would be ineligible. Presumably the dependants of a civil servant killed by an intruder bent on sabotage of a defence installation would qualify for special compensation, but would they qualify if the killer's motives were not clear, or simply theft?



His intentions, political or otherwise, would hardly affect the sense of outrage, or needs, of the victim's dependants. As for a serviceman's dependants, would they qualify if the serviceman was killed hunting terrorists or only if he died in a bar explosion? If we included the former, what grounds would there be for excluding the dependants of other servicemen killed in the cause of their duty? In short, I do not believe that the creation of a separate category of 'public outrage' would be workable.

6. I am sending copies of this minute to the Lord Chancellor, the Foreign Secretary, the Home Secretary, the Secretary of State for Education, the Secretary of State for Scotland, the Secretary of State for Social Services, the Chief Secretary, Treasury, the Secretary of State for Transport and Sir Robert Armstrong.

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Ministry of Defence  
17th April 1985

CIVIL SERVICE:

Assassination and Death in Service

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