

COMMITTEE ON THE GRANT OF HONOURS, DECORATIONS AND MEDALS

HONOURS FORFEITURE POLICY AND PROCESS

Note by the Secretariat

The Committee is asked to note that a number of recent forfeiture cases have brought to light the the present system is potentially vulnerable to judicial review, and there are a number of scenarios where complaints against the fairness of the process could be upheld. The Secretariat proposes a series of changes to strength processes, improve transparency and lessen legal risks. The proposals have been discussed and approved by both the Forfeiture Committee at its September meeting and the NY19 Main Committee.

The Committee is asked to note the points raised and recommend the following changes:

Policy

- **Permanent independent membership of the Forfeiture Committee;**
- **Introducing standard text in the sounding letter that explicitly warns recipients that forfeiture is a possibility;**
- **In all cases not involving a hard trigger, the recipient at risk of forfeiture to be given the opportunity to put their case in writing before it reaches Forfeiture Committee;**
- **Clearer and better articulated public information about triggers for forfeiture consideration.**

Process

- **A more stringent first look at cases at Secretariat level;**
- **Stricter deadlines for departments to produce submissions;**
- **Better engagement with the complainant;**
- **Engagement directly between the Chair of the Forfeiture Committee and departmental Permanent Secretaries;**
- **Better guidance for Forfeiture Committee members.**

Background

2. There has been a forfeiture process of sorts as long as there has been an honours system but it is only in the post-war years that a committee process was regularised to advise the Sovereign on cases of disrepute. In common with much of the honours system, policy and process iterated and there have been only two occasions in the last 40 years on which there has been formal review of how forfeiture works. The most recent was in 2012 following the forfeiture of } d. That reform brought in independent membership of the Forfeiture Committee in the form of honours committee chairs and