

Updated forfeiture guidance

Today the Cabinet Office has published [updated guidance](#) in relation to honours forfeiture that applies to deceased recipients accused of criminal acts. Orders of Chivalry are living orders and individuals cease to be a member when they die. They therefore cannot be removed posthumously.

This new policy allows for a formal statement to be published in instances where forfeiture proceedings would have been initiated had the deceased recipient been living and convicted in a court of law. The Honours Forfeiture Committee believes that it should reflect the seriousness of the situation when honours recipients are accused of criminal acts after their death.

Both James Wilson Vincent Savile and Cyril Smith have been accused of serious crimes and the police have confirmed that there would have been a realistic prospect of conviction had they been alive. The Forfeiture Committee confirms that forfeiture proceedings against both individuals would have commenced in those circumstances.

The policy also introduces new 'hard triggers' for forfeiture. Anybody convicted of a sexual offence will now be automatically considered for forfeiture regardless of the sentence they receive. Additionally, anybody found to have committed such an offence following a 'trial of the facts' will also be considered automatically.

James Wilson Vincent Savile

Statement regarding James Wilson Vincent Savile following allegations of numerous crimes of a sexual nature:

The Forfeiture Committee considers recommendations to remove honours from individuals where a recipient has brought the honours system into disrepute. The Forfeiture Committee is not an investigative body and is unable to make a determination of guilt or innocence. Orders of Chivalry are living Orders and individuals cease to be a member when they die, therefore honours can not be removed from individuals now deceased.

James Wilson Vincent Savile was awarded an OBE in 1972. He was knighted in 1990. He died on 29th October 2011. The Director for Public Prosecutions has since stated that criminal prosecutions should have occurred during his lifetime, based on the evidence. The Forfeiture Committee can confirm that had James Wilson Vincent Savile been convicted of the crimes of which he is accused, forfeiture proceedings would have commenced.

Cyril Smith

Statement regarding Cyril Smith following allegations of numerous crimes of a sexual nature:

The Forfeiture Committee considers recommendations to remove honours from

individuals where a recipient has brought the honours system into disrepute. The Forfeiture Committee is not an investigative body and is unable to make a determination of guilt or innocence. Orders of Chivalry are living Orders and individuals cease to be a member when they die, therefore honours can not be removed from individuals now deceased.

Cyril Smith was awarded an MBE in 1966. He was knighted in 1988. He died on 3rd September 2010. Greater Manchester Police have since stated that criminal prosecution should have occurred during his lifetime. They added that there was 'overwhelming evidence' that he had sexually and physically abused young boys. The Forfeiture Committee can confirm that had Cyril Smith been convicted of the crimes of which he is accused, forfeiture proceedings would have commenced.