

# *Canadian Alliance of British Pensioners*

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## **European Court of Human Rights to hear pensioners' case against UK**

10 APRIL, 2009: The Canadian Alliance of British Pensioners (CABP) is pleased to report that the Grand Chamber of the European Court of Human Rights (ECHR) will hear the discrimination case brought by 13 British state retirement pensioners against the United Kingdom. The date of the hearing has been set for 2 September 2009.

The UK refuses to apply annual uprates to the state pensions of the 13 applicants because of where they have chosen to reside in retirement (Canada, Australia and South Africa), whereas pensioners who live in many other countries (e.g. USA, Philippines and Israel) are awarded the same annual upratings as those still resident in the UK. Approximately half of all expatriate UK pensioners are affected. They number 541,500 and live predominantly in British Commonwealth countries (153,000 in Canada) and British Overseas Territories.

In November 2008, in a 6-to-1 decision, a lower chamber of the ECHR rejected the applicants' case. A request for referral to the court's Grand Chamber was then submitted, based on the belief that the lower chamber's majority findings were legally flawed, in particular for treating the case as a non-contributory 'social security' matter rather than a contributory pension issue. The request was accepted and the Grand Chamber's decision was conveyed to the applicants on 9 April.

"This is, in effect, a whole new hearing by a 17-judge court," says Tony Bockman, CABP vice chairman. "Half a million 'frozen' pensioners around the world are breathing more easily today, knowing that they may all yet see justice."

The legal action is in the hands of London human rights lawyers Timothy Otty QC and Ben Olbourne of *20 Essex Street*. Over 40,000 members of five organizations representing British pensioners around the world continue to support the action. Current and future recipients of the UK state pension living in Canada can contact CABP at 1-888-591-3964 or [www.BritishPensions.com](http://www.BritishPensions.com).

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### ***For more information:***

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