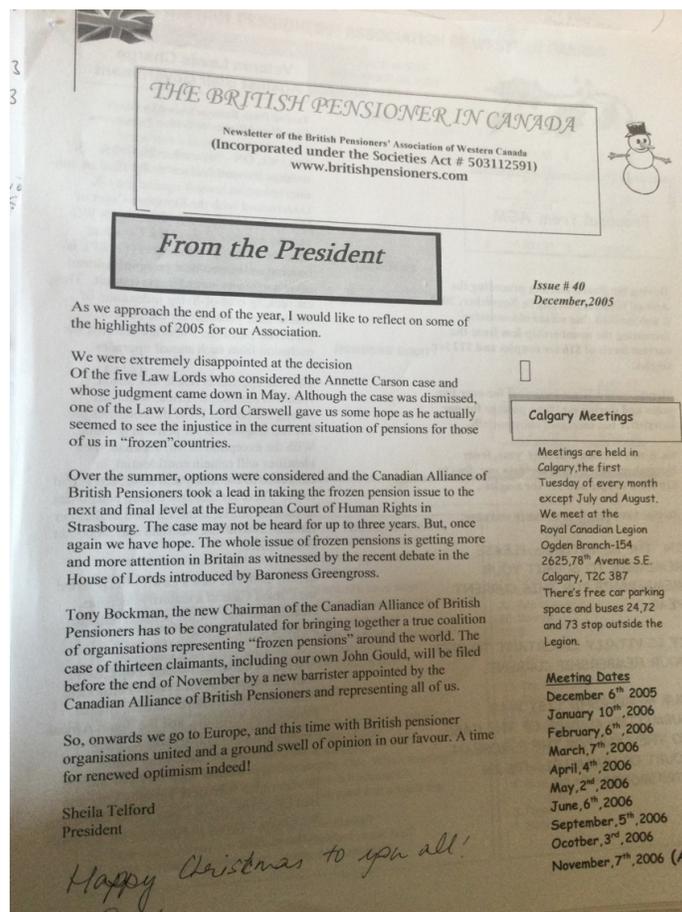


# The British Pensioner in Canada

## Highlights from 2005 newsletter of *The British Pensioners' Association of Western Canada*

There was the disappointment by the decision of the five Law Lords who were reviewing the Annette Carson appeal in May. Unfortunately, it was only Lord Carswell who gave a dissenting opinion. He made some very important points which seemed to be ignored by his peers. Lord Carswell maintained that there was 'No justification for paying some less than others'.



It was the Canadian Alliance of British Pensioners (CABP) that took the lead in taking the frozen pensions issue to the final stage – the European Court of Human Rights (ECHR) in Strasbourg. It would not be heard until November 2008. Once it was agreed that it was going to be a Class Action, and it was BC resident Bernard Jackson who filed the discrimination lawsuit. He was soon joined by a dozen frozen pensioners around the world.

The discrimination claim was for cost-of-living indexation of the British state pension for 50% of those UK pensioners living abroad. It was the resourcefulness of [Tony Bockman](#), the CABP Chairman who drew together resources from Australia (British Pensions in Australia), Canada (British Pensioners' Association of Western Canada and the CABP) and South Africa (the South African Alliance of British Pensioners) pension lobbying groups. The Canadian law firm McCarthy, Tetrault provided *pro bono* legal services and UK human rights barristers Timothy Otty and Ben Olbourne (20 Essex Street Barristers) were retained to represent the Class Action group. The issue was also gaining some traction in the UK.

Membership fees were raised to \$16 for a couple and \$12 for a single person. Compare that to today's fees!

The Balance Sheet showed that the BPAWC had a balance of nearly \$6,000.

The Canadian government were an interested party, as were the Australian government. The cost to bring the case to the ECHR was expected to be around half a million dollars, so, not insignificant.

"Early Day Motions" is another tool that can be used in the UK Parliamentary system – if you have some interest in that step across to the **[British State Pension History](#)** EDM 366 was filed (which was filed on 20 June 2005 and was signed by 137 MPs). EDM 1001, which was raised in November 2005, and was signed by 121, was intended to appeal to a wider audience.

In the House of Lords, Baroness Greengross raised a Motion of Regret, disappointment and anger that the Government has not unfrozen the annual State Pension increase. Had the Select Committee on Social Security's recommendations in their 1996[/97] report been allowed a free vote in the House of Commons, there would have been a different report. Baroness Greengross noted that it appeared to her (and many others) that it is only the DWP that is wedded to the freezing of the UK state pension annual increase across over 100 countries. At the same debate, Lord Goodhart, the vice President of the International Commission of Jurists, made the following observation:

***"The Government has singled them out for the denial of uprating. That means that the value of their pensions goes down in real terms from year to year. There is no possible justification for that. It means that some elderly pensioners who got pensions 20 or 30 years ago in periods of high inflation are now only receiving only a tiny fraction of the pension that they would receive if they were still resident in this country....The Government gives the full pension that has been earned by the contributors at pension age and then slices a little bit off year by year. It is death by a thousand cuts. That is not just unfair; it is immoral"***