

Chairman's Report

In the last 6 months the political scene has not become any clearer. In Australia we are just moving into the pre-election mode when nothing really happens and in UK they have been suffering from “*Brexititis*” for the last 2 years with apparently no cure.

Your team has been busy and we have achieved a few steps forward but there is still a long way to go. Tendo (our PR consultants in Westminster) continue to make slow but sure progress in UK. They have ignited greater interest in the All Party Parliamentary Group on Frozen Pensions which has around 80 MPs in support.

We had planned a return visit by Anne Puckridge following up on last October in Westminster but the political scene is far too busy with Brexit to enable any benefit at this stage.

7.30 Report ABC TV

In Australia our major achievement was the 7:30 Report on ABC on 11th March. Jim Tilley had been pressing the ABC to get the “frozen pension” discrimination aired on TV. This finally happened just after we got the great support of Miriam Margolyes. You can read a summary of the program on page 4 or go to the website to view it on line:

<https://www.abc.net.au/7.30/brexit-offers-glimmer-of-hope-to-british-retirees/10890814>

Publicity in printed media

There has also been recent publicity in the Seniors Magazine which once again is due to the continued badgering by Jim Tilley:

<https://www.seniorsnews.com.au/news/brit-ex-pats-in-battle-to-get-pension-upgrade/3659554/>

Another step forward was an article in *This is Money* on line publication which reported the latest move by Sir Peter Bottomley in UK parliament to raise another Early Day Motion objecting to the continued freezing of UK pensions paid to residents in Commonwealth countries such as Australia and Canada:

<https://www.thisismoney.co.uk/money/pensions/article-6918841/MPs-plan-revolt-against-rules-hit-pensions-older-British-citizens-living-abroad.html>

This has been followed by an article in the Guardian drawing attention to this move by Sir Peter Bottomley:

<https://www.theguardian.com/money/2019/apr/14/frozen-state-pensions-mps-call-for-vote-on-cruel-policy>

There has recently also been an article in the Daily Express concerning the failure to increase pensions to recipients overseas:

<https://www.express.co.uk/life-style/life/1107185/State-pension-UK-how-much-is-state-pension-2019-amount>

After opening the link scroll down until you get to a semi greyed out picture of a couple of pensioners with text across it saying ‘*Does living abroad mean you're unable to get state pension amount rise from April 6th 2019?*’ You can vote immediately below that text.

Questions in Westminster

There was also a written question in Westminster by Greens member, Caroline Lucas raising the issue of unfair freezing of pension payments to expatriates in countries such as Australia and Canada. The question and reply can be seen below:

<https://www.theyworkforyou.com/wrans/?id=2019-04-02.239930.h&s=caroline+lucas>

Unfortunately we are unable to reproduce these articles in full in this document so I have provided website addresses. If you are not very good with these things you may have a friend who can look them up on line for you.

Help boost our campaign in London

If you haven't signed & shared the petitions in these websites, please do so now:

- www.endfrozenpensions.org
- <https://www.change.org/p/theresa-may-please-meet-my-mum>

Please get your friends and Family in UK to view:

- <https://endfrozenpensions.org/family-member-sign-up-form/>

These websites feature Anne Puckridge, for whom ICBP paid to travel to Westminster from Calgary in Alberta Canada, to promote our “stop frozen pensions” campaign.

Getting our Cause better understood by MPs in Canberra

With the Federal election fast approaching on 18th May 2019 we thought you should know how much support the people who may be seeking re-election have given our cause. We are pleased to inform you that two members of the House of Representatives made speeches in the Parliament supporting our cause – these were:

- Julian Leeser MP for Berowra, NSW
- Ian Goodenough MP for Moore, WA

In the last 6 months we have written 2 letters to all members of the House of Reps and Senate urging them to take action and to put pressure on the UK Government to change their unfair policy.

We had 20 replies. Eric Abetz, Senator representing Tasmania was the most supportive.

All the other replies expressed some sort of support and advised that Australian Governments have continued to seek changes to this policy, but emphasised that the matter is the responsibility of the UK Government. The fact that these representatives replied shows that they are aware of the situation and take an interest in this matter.

Replies were received from:

House of Representatives		Senate	
Cathy McGowan	MP for Indi	Eric Abetz	Senator TAS
Don Tehan	MP for Wannan	Arthur Sinodinos	Senator NSW
Susan Lamb	MP for Longman	Sarah Hanson Young	Senator SA
Ben Morton	MP for Tangey	Barry O’Sullivan	Senator QLD
Trent Zimmerman	MP for North Sydney	Amanda Stoker	Senator QLD
Stuart Robert	MP for Fadden	James McGrath	Senator QLD
Tony Zappia	MP for Makin	Rachel Siewert	Senator WA
Kevin Andrews	MP for Menzies	Linda Reynolds	Senator WA
Steve Irons	MP for Swan	Kristina Keneally	Senator NSW
Julie Bishop Min for Foreign Affairs	on behalf of Michael McCormick MP for Riverina	Dougal McInnes, Asst Sec, European Trade	on behalf of Marise Payne

PLEASE HELP US GET THE MESSAGE ACROSS TO YOUR CANDIDATES!

If you are in their constituencies and you come across Ian Goodenough in WA or Julian Leeser in NSW please say “Hello”, introduce yourselves as UK frozen pensioners and thank them for their efforts in Parliament speaking on our behalf.

If your local candidate did reply to the letters please, if you get the opportunity introduce yourself as a frozen UK pensioner and say thank you for taking an interest in our cause.

If your candidates did not reply we would still urge you to approach them. If you have the opportunity why not shake their hand, identify yourself as a frozen UK pensioner and tell them how your frozen pension affects you.

We will be very interested to hear about how you get on speaking to any of the candidates. Please drop us a line by email to bpia@people.net.au or on our Facebook page.

STOP PRESS: At our committee meeting on 24th April it was agreed to appoint Fifty Acres as our local PR advisors to assist with getting our message heard in Canberra – see www.fiftyacres.com.au

Brian Owles (Chairman/President)

UK Government's blot on British “fairness”

Britain likes to be known as a supporter of democracy and a nation which promotes *fairness*, and non-discrimination; Article 14 incorporates non-discrimination into its Human Rights Act. *Fairness* features in many statements and speeches by both major political parties over the years.

At the Labour Party Annual Conference in 2008 Prime Minister, Gordon Brown littered his keynote speech with several references to *fairness*. He said: “We will be the rock of stability and *fairness* upon which people stand”
“And why do we strive for *fairness*? We do it because it is in our [Labour's] DNA.”
“We fight hard for *fairness*, we don't give in, we never will. *Fairness* is treating others as we would be treated ourselves. In a *fair* society the fact that older people are living longer should be a blessing for their families and not a burden.”
“That's the *fairness* that older people deserve and the *fairness* that every Labour party member will go out and fight for. The *fair* society, *fairness* at home and *fairness* in the world. That's the new settlement for new times. The mission of our times, the *fair* society is the cause that drives us!”

When elected into power in May 2010 the then new Conservative Prime Minister, David Cameron continued this obsession with *fairness*, saying: “*Fairness* is at the heart of everything we do”

So why have both Political Parties failed to apply *fairness* to the issue of frozen pensions? If we talk about the subject of frozen pensions in the UK most people say “That's not *fair*, that's discrimination!”

Members often ask why we didn't succeed at the ECHR in Strasbourg. My reading is that for a technical legal reason we were unable to claim discrimination. This was our main argument. We had to be seen as a legally acceptable comparator with recipients of the indexed UK pension in the unfrozen areas. We legally failed in proving this comparator status, as Governments in the frozen countries such as Australia and Canada do not have reciprocal bilateral social security agreements with the UK Government relating to pensions, unlike Governments of unfrozen countries. Consequently, no similarity comparison could be claimed, so no legal discrimination existed.

After the ECHR decision Dame Joan Bakewell said: “Aside from the niceties of the law, this is a matter of a social injustice. By what sense of social justice can such discrimination exist?”

All attempts to negotiate bilateral reciprocal agreements with Britain by Australian or Canadian Governments have met with uncompromising defiance for over 60 years. We also claim that Britain's Governments are now in default of the 2013 Commonwealth Charter, which states “we are

implacably opposed to all forms of discrimination”, but nothing has been done about this default.

I once tried to elicit a response about this default from the UK's then Foreign Minister, William Hague, when he was in Sydney in 2011 only to be put down like a naughty school boy.

We comment there is no equality by indexing the UK pensions in 7 of the 53 Commonwealth nations but freeze them in 48 of the others.

It was reported in a Parliamentary Select Committee Report in 1996-7 that “*Britain was alone among the OECD countries in discriminating between pensioners in different overseas countries, rejecting any suggestion of compromise.*”

This report also hinted at the UK Governments' embarrassment at this situation by concluding “*Surely no one would have deliberately designed a policy of paying pensions to people living abroad intending to end up in the position we are at today. A simple change of British law could enable up-ratings to be paid in any or all overseas countries provided the political will was there to do so.*” Their recommendation of a free debate and vote in prime Parliamentary time was not acted upon.

We have Hansard evidence of a previous Pension Minister, Steve Webb, debating this matter in 2004 in Committee, and when in opposition commenting on the morality of “*Britain having a contributory pension system asking people to make contributions all their lives to accrue an entitlement. Why should this entitlement vary according to where they choose to live?*”. He commented that “*The British Government is free-riding on the welfare states of countries which British citizens are moving to.*”

Later as Pensions Minister 2010-2015 he responds to media questions with “*All legal decisions have found in favour of the Government*” and “*We have no plans to negotiate new social security agreements with other countries where annual up-ratings are not paid at present.*” So he changed his mind once he was in Government!

All this indicates an uncompromising British Government regarding the frozen pension issue, practising their political antics, demonstrating a reluctance to comply with reasonable, *fair* Government practices, some of which are incorporated into agreements, thus showing the UK Government's hypocrisy, blotting and tainting the country's societal values and its moral reputation.

“*All that's necessary for the forces of evil to win in the world is for enough good men to do nothing.*”

Edmund Burke

The British Government's pension policy is regarded by many of us as “evil”.

Jim Tilley Vice Chairman

Brexit offers glimmer of hope as Miriam Margolyes joins British retirees' fight for fair go on pensions

ABC's 7.30 Report presented by Peter McCutcheon

Up to a quarter of a million Australian residents are hoping Brexit could help them in a long-running dispute over frozen pensions.

Key points:

- British pensions indexed for residents of many countries around the world
- Australia and Canada among a small number of countries where pension is frozen
- British retirees in Australia hoping Brexit could change government's attitude

For more than 70 years, the UK has refused to index pensions for retirees living in Australia, a policy many, including the Federal Government, consider to be unfair and discriminatory.

Leading a new campaign to unfreeze UK pensions is Harry Potter actor Miriam Margolyes, who now lives in Australia. *"I think it's something like 250,000 people in Australia who are not getting a fair suck of the sauce bottle," she told 7.30.*



Supplied: Melbourne Theatre Company

Ms Margolyes has just finished performing a season of the play *The Lady in the Van* in Melbourne. She is now switching roles from a destitute English woman to a champion for the Australian fair go. *"I'm not one of the people who is suffering but I know plenty who are"* she said. *"These people paid into the pension scheme in England, and they should get it back now."*

Pension frozen at £17 a week for 40 years

Ms Margolyes is representing people like Valerie Rumball's mother, Delia Wilmott. When Ms Wilmott migrated to Australia in the late 1970s, her pension was £17 a week. The 97-year-old

was still receiving the same amount when she died last year!



Valerie Rumball and her mother, whose pension was frozen for 40 years. (ABC News)

"It was still £17 [a week]" Mrs Rumball explained. *"It costs me \$35 a night to put my dog in kennels, which is about the same amount, which is not good, is it? Unfair, completely immoral and totally unequal."*

The UK only indexes pensions for emigrants living in countries that have signed a bilateral social security agreement. It means retirees living in the Philippines, the United States or within the European Union can enjoy a fully indexed pension, but if they choose to live in places like Canada or Australia, the pension is frozen.

Vice President of British Pensions in Australia Jim Tilley says the freeze is discrimination



"It is discrimination, because people in some countries are paid indexation and some people aren't."

With Brexit looming, the policy is about to be put under the spotlight. Up to half a million UK pensioners currently living in the European Union could in theory also have their pensions frozen if Britain leaves the EU without any formal agreement.

The UK Government has indicated it will negotiate a deal to ensure those pensioners are not penalised, raising hopes of a breakthrough in Australia. The Federal Government in Australia

has already indicated it is willing to talk. "Australia must reassess many aspects of its bilateral relationship with the UK" a Department of Social Security spokesperson said. "[Brexit] presents an opportunity to engage the UK on a range of matters."

'It feels like I'm being defrauded'

UK retiree Derek Woodall came to Australia with his wife six years ago to join his children and grandchildren and is certain "Brexit will help". "Brexit is going to highlight the problem a lot closer to home" he said.

Mr Woodall needs to drive an Uber five days a week to earn a little extra money, because his British pension is slowly losing value.

"Maybe fraud is too strong a word, but that's the way it feels" he said. "It feels like I'm being defrauded of something I'm entitled to."

'It is cost-shifting'

Retired doctor Don Ingham has seen his UK pension effectively halve in value since he came to this country with his Australian wife in 1970.

He has to rely on a full Australian pension. "It is cost-shifting" he said. "The Australian Government picks up the difference between my non-indexed pension and what it should be. We expats have contributed to these pensions through the National Insurance scheme, we've paid our dues there, and we're simply not getting what we've paid for."

Margolyes said the time was right to put more pressure on the British Government. "What I hope to do is to make such a fuss and draw such attention to it that they are squirming with embarrassment" she said.

Dame Joan Bakewell

Previously Dame Joan Bakewell had expressed interest in backing our cause against the "frozen pension" discrimination. We are hoping that now with the strong support of Miriam Margolyes she may renew this interest.

We just have to keep the pressure up.

Highland Festival at Bundanoon 6th April 2019



Jim Tilley together with Ken Jeffrey (member 21) and Bob Carson (member 360) attended this annual event in Bundanoon where the BPiA stall attracted a good number of retirees with UK pension. The team managed to sign up 20 new members on the day and a further dozen or so who promised to sign up on line.

BPiA Committee and Admin Volunteers

If you feel you have something to offer to our cause please let us know if you would like to join our committee.

We would certainly like to hear from you if you have computer and IT skills or you have had professional experience in dealing with politicians.

We are also in need of more volunteers to assist with administration duties such as data entry, managing emails, opening and sending mail, and general help for our team in Edgecliff on Wednesday mornings.

Please call Brian Owles on 0416 495 399 or email bowles@bigpond.net.au

Do you have an email address?

Members without email addresses do not receive all our regular updates due to increasing postage costs. We encourage everyone to provide us an email address at bpialaptop@outlook.com even if it is a friend, neighbour or relative who would be willing to receive bi-monthly updates on your behalf. Please state your name and number.

The issue of frozen pensions does not only affect white expats in Australia, Canada and South Africa, it is also relevant to people from Asia, Africa and the Caribbean who chose to work in UK



By Yasmin Qureshi MP; Bolton South East

Barely a week goes by without another story in the press about changes to the government's pension policies. And yet the one issue that the government seems unwilling to address is its archaic and unjust frozen pension policy.

Given the lack of government information about this issue, you could be forgiven for not being aware of its existence. Yet as an MP who receives countless letters from those affected, I feel strongly that this is not a situation the government can continue to ignore.

A 'frozen pension' means that the state pension received at retirement age remains at the same amount for the rest of retirement, without any annual inflationary uprating. This means that the real term value of the pensions of those affected declines throughout their lifetime. As time goes on they become progressively worse off and in many cases we hear of people living off a pittance each week – which is totally unacceptable.

520,000 British pensioners currently have their pensions frozen because they have chosen to spend their retirement in countries around the world, mainly in countries of the Commonwealth. The impact is loss of independence, loneliness and even poverty, where pensioners are prevented from living with family overseas.

What makes this policy most outrageous is that it is not applied consistently. Move to anywhere in Europe or the US for example, and your pension will be uprated as it would be had you stayed in the UK, but move to Pakistan, India or Bangladesh and find your pension frozen.

This is even more ironic when you consider the values of inclusiveness and implacable opposition to all forms of discrimination' espoused by the Commonwealth Charter on Equality. Indeed, the UK is the only country in the OECD that discriminates against certain pensioners because of their choice of country in retirement.

Currently the largest proportion of frozen pensioners live in Canada and Australia, but this is going to change. Migration to these countries has slowed and increasingly those of us from black and Asian communities, who have lived and worked in the UK for decades, are choosing to retire to our countries of birth in the Caribbean, Africa or South Asia.

The case of Abhik Bonnerjee, 72, is a prime example. He returned to Kolkata after working in the UK for nearly 40 years to be with his two sons. He is now living on a state pension 24% lower than if he had stayed in the UK. Abhik, who paid National Insurance contributions and taxes for nearly four decades is now being forced to seriously consider returning to Britain as the financial strain becomes too large to bear. Ironically, by doing so he would cost the UK government an average of £3,000 per year in healthcare and other benefits – this simply makes no sense.

And this is far from an isolated example. Research commissioned by the International Consortium of British Pensioners (ICBP), who are campaigning for the unfreezing of pensions, asked those from a Black, Asian and Minority Ethnic background about their retirement plans and found that more than a third (38%) are considering returning to their country of cultural origin, of which one in nine said they will definitely do so. Shockingly, nearly two thirds (61%) were unaware of the frozen pension policy and the fact they would be affected, with nearly half stating it would influence their decision.

With more than two million people of a BAME background approaching retirement age in the UK, this is no small issue and one I certainly think is worthy of more attention than it currently receives.

This is an issue of fairness and I can only hope that common sense will prevail, and the UK government will soon overturn this ridiculous policy once and for all.

A significant part of your committee's time is taken up with boosting BPiA's membership and funds to keep our fight on track

To help with this strategy we seek publicity in various seniors' newspapers and social media sites, like Facebook and Twitter. Below is an example of our efforts to attract more members.

Brit ex-pats in battle to get pension upgrade

by Gail Forrer 19th March 2019 12:00 AM

Feeling ripped off

That's how Jim Tilley feels, but he's not leaving it at that. He's up and fighting to see that all British ex-pats living in Australia understand the legalities of the UK state age pension.

As the spokesperson for British Pensions in Australia [BPiA], he wants every person who has paid into compulsory National Insurance contributions when working in the UK, to have the same pension rights as any other British citizen - living in the country or not.

He aims to change the laws that freeze the UK age pension payment to Australian ex-pats from their year of relocation. He believes that regardless of location, people who paid into the British system should be entitled to the same annual yearly increases as any other British citizens.

The British overseas residents pension situation has anomalies, which BPiA are seriously challenging.

Firstly, according to the BPiA, the UK pensions are up-rated annually for citizens living in the USA, Israel, the EU, the Philippines, Turkey etc. but they are not uprated in 48 of the 53 Commonwealth nations, including Australia.

Indeed, when Mr. Tilley put pen to paper, he was scathing of the system that is allowing the current pension scheme to continue.

"Freezing pensions of British ex-pats is an example of blatant miserly British Government discrimination from a nation which believes in and promotes itself as being fair minded, respecting equality, sound ethics and moral behaviour," he wrote.

Mr. Tilley said there are many reasons people leave their country, but it's not usually for a grand holiday, moreover it's often to support their family in other countries, and it is likely they have paid a lifetime of taxes into the British system.

The BPiA has recently been supported by stage and screen actor Miriam Margolyes, who is no less

scandalised and warns that the policy "*plunges the most vulnerable into poverty*".

BPiA is there to support anyone who is interested in finding out about their eligibility for the UK age pension.

Either phone 1300 308 353 or visit www.bpia.org.au and in return for a small annual membership fee, BPiA will provide as much help as they can.

HISTORY OF BRITISH PENSIONS

- Late 1940s: UK state pensions were first payable abroad. At the same time the UK began negotiating reciprocal agreements on a country by country basis.
- 1980s: The government stopped signing new agreements and the situations has not changed since.

COUNTRIES WHERE THE BRITISH PENSION IS INDEXED

- Iceland, Liechtenstein, Norway, USA, Israel, Turkey, Jamaica and Barbados,
- EU countries Germany, France, Spain, Italy etc.

COUNTRIES WHERE THE BRITISH PENSION IS NOT INDEXED

- There are about 100 countries (many in the Commonwealth) including Australia, Canada, New Zealand, India and Pakistan.

Planning a holiday in UK/Europe?



To have your UK pension uprated for the duration of your stay, contact DWP Newcastle on **0011 44 191 218 7777** no earlier than 4 weeks prior to departing Australia. The uprating benefit increases the further you are past pension age! e.g. A pension that started in 2003 was increased by 46% during travel to Europe and the UK in Nov 2014.

Need to hire a car in UK/Europe?

Contact: Crown Holiday Cars International
Tel: 1800 139 747

Website: www.earthcarhire.com.au

Email: crownholidaycars@bigpond.com

Mention BPiA for great service and a good deal!

FROZEN PENSION ISSUE AT A GLANCE

There are 12 million UK State pensioners all of whom contributed similarly to the compulsory British National Insurance pension scheme.

- Of this 12 million, just over 1.2 million live abroad.
- About 53% [650,000] of these pensioners living abroad in countries like Spain, the USA, Israel and Turkey, receive the same indexed, annual cost-of-living increases [indexing] as the pensioners still living in the UK.
- For the other 47% [550,000] their pensions are ‘frozen’ simply because of where they have chosen to retire.
- It’s in most Commonwealth countries and British overseas territories that over 90% of these ‘frozen’ pensioners are retired, including 250,000 in Australia.
- Affordability is the main reason given by the UK government for freezing 550,000 UK pensioners, notwithstanding this Supreme Court case O’Brien [Appellant] v Ministry of Justice 2013 UKSC 6, in which the judge said, “*budgetary considerations [costs] cannot justify discrimination*”.
- The latest cost to index the pensions of these frozen pensioners is reported by The UK’s Dept of Work & Pensions as £590 Million, which is less than 0.7% of the UK’s annual pension bill.
- The UK Government’s Actuary reported that at end March 2017 the National Insurance account had a forecast credit balance of over £21 Billion. This is many £ Billions more than the actuarial balance required to support the national pension scheme.
- The UK Government has recently announced it has sent £12 Billion overseas for foreign aid.
- An old British law requires a bilateral agreement to exist between Britain and the countries in which UK pensions are indexed. The UK has no such agreement with Australia, refusing to negotiate one with Australia.

BPiA COMMITTEE 2018/19

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Please ensure you renew your BPiA membership!

BPiA sends you a Renewal Notice prior to your anniversary joining date.

Your subscriptions help fund our UK activities, especially in Westminster to pursue our cause for fair payment of UK Pensions to Australian residents. **Fees can now be made with Visa or MasterCard via the website.**

BPiA together with our counterpart in Canada (CABP) established the International Consortium of British Pensioners (ICBP). Through this organisation we employ a firm of PR campaigners Tendo Consulting.

Tendo acts as a Secretariat to the All-Party Parliamentary Group (APPG) on Frozen British Pensions.

Tendo maintains an informative APPG website. ICBP and therefore BPiA pays for Tendo’s much appreciated services, without which our campaign would not have progressed as far as it has.

British Pensions in Australia Inc

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BPiA is a non-profit volunteer association of expats who have contributed funds to help force the British Government to index the UK State pension for all recipients of this pension, irrespective of the country in which they reside.