

# By TOM REILLY

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**MORE than a 250,000 expatriate Britons living in Australia have lost a legal battle to receive the same pension as seniors living in the United Kingdom.**

**A ruling by the European Court of Human Rights means their state pensions from Britain will not rise despite a cost-of-living increase and a decline in the value of the pound.**

**"It's very frustrating that, even though we've paid into the scheme all our working life, we are not getting a fair return on what we put in," said Isabel Jackson, who moved to Engadine with husband Brian in 2007.**

**Seniors who move to Australia and countries such as Canada and South Africa have their pensions frozen at the rate they were paid when they left Britain, with no adjustments made for inflation.**

**"I get a bit belligerent when I think about how migrants to Britain get so many benefits but, because we've moved to Australia, we're not receiving our proper pension after a lifetime of paying taxes," Mrs Jackson, 70, said. "It is depressing to think that this ruling will have an effect on our lifestyle. We're now having to budget and carefully watch every dollar."**

**The court decision on Wednesday came after an eight-year legal row between the British government and expatriate organisations including the British Pensioners in Australia (BPIA). The seniors argued for equal access to inflation-linked rises that are given to pensioners in Britain, those living in European Union countries and expatriates residing in other nations that have a bilateral social security agreement with Britain.**

**BPIA's chairman Jim Tilley said the British government was behaving like a miser and betraying hundreds of thousands of people entitled to a full pension rise.**

**"It makes absolutely no sense why pensioners in some countries are getting a rate rise and those living in mostly Commonwealth countries are denied it. It is grossly unfair. The ruling will have a devastating effect on many British pensioners who will have to do it very tough."**

**The Jacksons' joint state pension is now locked in at £150 (\$248) a week. The couple, both of whom worked as public servants, moved here to be closer to their only child, Andrew, and may have to return to Britain.**

**"At the moment we aren't considering going back but it's certainly something we might have to think about in the future and this decision certainly hasn't helped," Mr Jackson, 74, said.**

**Like many expatriates in Australia, the Jacksons, who also have a private pension, have been hit hard by the pound's collapse. "When we did our calculations coming out here a pound was worth \$2.35. Now it's \$1.65," Mrs Jackson said.**

**At present Britain pays £420 million to Australian-based expatriates, a sum that would have increased to £650 million had the court found in the seniors' favour.**

**Mr Tilley believes the court's ruling will tear apart many families. "A lot of pensioners come out to Australia to be close to their children and grandchildren ... but this decision may mean they have to go back."**