

THE FIRE BRIGADES UNION

MEDIA RELEASE: 3 March 2008

ADVANCE NOTICE OF JUDICIAL REVIEW HEARING ON 6 AND 7 MARCH IN THE HIGH COURT IN LONDON

INJURED FIREFIGHTERS START LEGAL CHALLENGE TO GOVERNMENT PENSION RULES THAT LEAVES THEM SACKED AND WITH NO PENSION

Firefighters have started legal moves to challenge new Government pension rules that are leaving badly injured and disabled firefighters sacked and without a pension. The Fire Brigades Union described their treatment as 'totally unacceptable'.

A Judicial Review hearing challenging the legality of the guidelines and the process will start in the High Court on Thursday 6 March and last 2 days. The review started after three disabled firefighters had their pensions removed by the London Fire Brigade.

These are the first three cases which highlight new Government rules that attempt to end all ill-health or injury retirements in the fire service. A Nottinghamshire firefighter who was seriously injured in an assault while tackling a fire also faces being sacked without a pension.

These rules will hit any firefighter who suffers serious injury or ill-health. The Scottish Government say they will not implement the same rules.

FBU General secretary Matt Wrack said: "The incidents we work at are treated as deadly hazards by everyone else. It is totally unacceptable to expect firefighters to take risks others wouldn't then sack them if they are injured or become disabled.

"Firefighters test the limits of health and safety to save lives whether in a fire or at a terrorist incident. The deal was if we were injured or suffered ill-health we were looked after and the Government has ripped up that understanding."

Under pensions guidelines issued in 2004 a disabled or badly injured firefighter would be given an ill health pension unless they be redeployed to a job within his or her role. New guidance issued in September 2006 means if they are capable of doing any single part of their work, even answering the phone, they would not get a pension regardless of whether they are, in fact, redeployed to those restricted duties.

This effectively makes it impossible for any firefighter to get an ill health pension even if they are seriously disabled. And if there is no job to which they can be re-deployed the rules force fire authorities to sack them with no pension or other payment.

The three London firefighters taking the legal action are Martin Marrion, Neil Burke and Andrew Scott. They have had their pensions re-instated for the time being.

All three will be at the High Court hearing. The legal action is against the Secretary of State for Communities and Local Government, the London Fire Brigade and the Board of Medical Referees.

For more information go to www.fbu.org.uk and click on the Justice for Firefighters Pensions panel on the front page.

CONTACT: Duncan Milligan 0208 541 1765 Mobile: 07736 818100