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PARLIAMENTARY  
DEBATES  
(HANSARD)

SIXTH SERIES—VOLUME 15

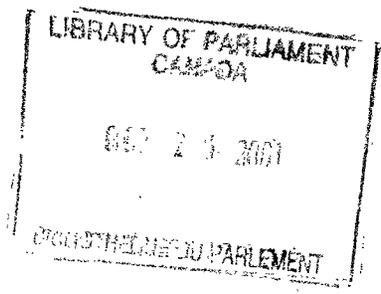
HOUSE OF COMMONS  
OFFICIAL REPORT

THIRD SESSION OF THE FORTY-EIGHTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTIETH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1981-82

COMPRISING PERIOD  
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[Mr. Biffen]

Community to make that a central feature of its negotiations and to hold the position open for the bilaterals.

In a sense, it is in the bilaterals that the real shape of the MFA successor will be determined, and we can see how tough and effective a successor it is. But, however tough the negotiations over the bilaterals may be, there can be no question of the issue being reopened with the 1982 quota levels as a starting point.

#### BILL PRESENTED

##### CANADA

Mr. Secretary Atkins, supported by the Prime Minister, Mr. Secretary Whitelaw, the Chancellor of the Exchequer, Mr. Frances Pym and the Attorney-General, presented a Bill to give effect to a request by the Senate and House of Commons of Canada: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 43].

## Police

### (Compensation for Dependants in Case of Death Off Duty)

4.5 pm

**Mr. Richard Page** (Hertfordshire, South-West): I beg to move,

That leave be given to bring in a Bill to enable the widows and other dependants of police killed off duty to receive full industrial injury compensation; and for related purposes.

The purpose of my Bill is to remove an unfairness within the social security legislation that gives the impression of machine-like cheeseparating by the State, besides causing unnecessary distress and suffering to the widows and dependants of police officers.

All employers are required under the employment liability insurance to cover employees for accidents that may occur at work, no matter from what cause, but the cover does not extend to when they are not at work. However, the situation of police officers is different. A police officer is never off duty. Not for police officers the luxury of completely relaxing, knowing that no calls will be made on their free time. Just because his shift is finished, a policeman cannot avoid getting involved if he knows that a crime is taking place, or being drawn into an incident, because he is a police officer. He cannot go to the station the next day for his next shift and say that, although he saw a crime being committed, he did nothing about it because he was off duty. We would not want it that way. If a police officer fails to take action, in certain circumstances he may be subject to disciplinary proceedings.

If, unfortunately, a police officer is killed when off duty, his widow will be awarded certain benefits under the social security legislation, but, if the insurance officer decides that death did not arise out of and in the course of the officer's employment, the rate of benefit is lower than the industrial death benefit. If the officer was on duty and he was killed in exactly the same circumstances, the full industrial death benefit would be paid.

Let me quote two examples to prove the point. The first is the case of Constable Quinn, who was shot in a public bar after coming off duty. According to the evidence, he was standing with his back to the door when terrorists burst in and shot him. The insurance officer accepted that the murder arose out of the constable's employment as a policeman but not that it arose in the course of his employment, as he was not on duty. Therefore, he disallowed the claim for benefit, so the widow has to go through the harassment of tribunals and appeals.

The second case concerns Constable Acheson, who was killed when a bomb exploded under his car when he was travelling home on a public road after completing duty at his station. Again, the insurance officer accepted that the murder arose out of Constable Acheson's employment as a policeman but held that it did not arise in the course of his employment, as he was not on duty.

I should have liked the matter to be dealt with by a policy decision by the Minister responsible but I understand that this is not possible, as cases have to be based on the interpretation of the law and on established precedents. This is not satisfactory. Therefore, the position must be set down by the House. Widows of police