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Pre Minutes:

*This will not give
Patrick Cormack
much comfort*

Dr
7th December 1984

7/12

MS

*Dr Patrick,
Redundant*

REDUNDANCY MINERS UNEMPLOYMENT BENEFIT

Thank you for your letter of 26 November about the unemployment benefit position of redundant miners during the current dispute and the hardship this is causing.

First of all I should like to confirm that the legal basis of this issue is as you correctly described it. Although mineworkers who work normally up to their redundancy date have been allowed benefits those who, at the date their redundancy took effect, had already lost employment because of the dispute and had been disqualified from receiving benefit continue to be so disqualified, in the words of the Act "..... so long as the stoppage continues" As the law stands this position is unaffected by their returning to work in the meantime. What counts is whether the stoppage of work has ended or not.

As you know, decisions on individual cases are made neither by Ministers nor by officials who are under their control. They fall to be dealt with by the independent adjudicating authorities who are, firstly, an Adjudication Officer, on appeal a Social Security Appeal Tribunal and, on further appeal, the Social Security Commissioner. The independence of these authorities prevents Ministers from intervening or even commenting on their decisions. I am sure you will understand that, as far as interpretation of the existing law is concerned, I cannot say anything further, nor can I comment on the appeals against continued disqualification in the circumstances you described which are currently awaiting decision by the Social Security Commissioner.



As the law stands I cannot intervene in the decision-making process but I do recognise that the cases you have mentioned raise important questions of policy as well as difficult issues of interpretation. As you know, Norman Fowler is responsible for social security policy and he will want to respond to you himself on this aspect of the matter.

I am sending a copy of this letter to the Prime Minister and to Norman Fowler.

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