Basic information

2016/2087(IMM) IMM - Members' immunity	Procedure completed
Request for the defence of the privileges and immunities of Jane Collins **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	ZWIEFKA Tadeusz (PPE)	24/05/2016

Key events

Date	Event	Reference	Summary
12/10/2016	Vote in committee		
18/10/2016	Committee report tabled for plenary	A8-0297/2016	Summary
25/10/2016	Decision by Parliament	T8-0396/2016	Summary
25/10/2016	Results of vote in Parliament		
25/10/2016	End of procedure in Parliament		

Technical information

Procedure reference	2016/2087(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 7
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/06548

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A8-0297/2016	18/10/2016	Summary

Text adopted by Parliament, single reading		T8-0396/2016	25/10/2016	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the defence of the privileges and immunities of Jane Collins

2016/2087(IMM) - 18/10/2016 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Tadeusz ZWIEFKA (EPP, PL), and recommended that the European Parliament waive the immunity of Jane COLLINS (EFDD, RU).

Members recalled that the issue involves the defence of Jane Collins' parliamentary privileges and immunities in relation to civil proceedings for libel against her before the Queen's Bench Division of the High Court in London.

Firstly, the request concerns the defence of the right of Members of the European Parliament, under Article 7 of the Protocol, not to be subject to administrative or other restrictions on their free movement when travelling to or from the European Parliament. This part of the request relates to the fact that Jane Collins has allegedly been prevented from travelling to parliamentary meetings by the scheduling of the court proceedings being brought against her. However, bearing in mind the applicable jurisprudence (*Mote* case), it appears that Article 7 of the Protocol does not apply to restrictions arising out of legal proceedings. The request for defence of parliamentary privilege is therefore inadmissible in respect of Article 7.

The request also concerns Article 8 of the Protocol, whereby Members are defended from any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties. In this respect, it appears that the claim of libel and slander concerns accusations that Jane Collins made at a party conference. However, the committee stated that there is no direct, obvious connection between the contested statements and Jane Collins's duties as a Member of the European Parliament. Furthermore, they do not relate to her activity as a Member of the European Parliament or to the policies of the European Union, and were made in the context of national political debate. It appears that the contested statements are, therefore, not covered by Article 8 of the Protocol.

Bearing these factors in mind, Members called on the European Parliament **not to defend the privileges and immunities of Jane Collins.**

Request for the defence of the privileges and immunities of Jane Collins

2016/2087(IMM) - 25/10/2016 - Text adopted by Parliament, single reading

The European Parliament decided to waive the privileges and immunity Jane COLLINS (EFDD, RU).

Parliament recalled that the issue involves the defence of Jane Collins' parliamentary privileges and immunities in relation to civil proceedings for libel against her before the Queen's Bench Division of the High Court in London.

The request concerns, firstly, the defence of the right of Members of the European Parliament, under Article 7 of the Protocol, not to be subject to administrative or other restrictions on their free movement when travelling to or from the European Parliament. This part of the request relates to the fact that Jane Collins has allegedly been prevented from travelling to parliamentary meetings by the scheduling of the court proceedings being brought against her. However, it appears that Article 7 of the Protocol does not apply to restrictions arising out of legal proceedings.

The request also concerns Article 8 of the Protocol, whereby Members are defended from any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties. In this respect, it appears that the claim of libel and slander concerns accusations that Jane Collins made at a party conference. The contested statements do not relate to Jane Collins's duties as a Member of the European Parliament. Furthermore, they do not relate to her activity as a Member of the European Parliament or to the policies of the European Union, and were made in the context of national political debate.

Bearing these factors in mind, the European Parliament decided **not to defend the privileges and immunities of Jane Collins.**