

Ministry of Justice statement in fee-paid judicial litigation: September 2020

This update to the Employment Tribunal provides a further progress report on interim payments in lieu of pension for eligible retired claimants in respect of their pre 7 April 2000 service. It also addresses the fee rates used in calculating interim payments and explains what we are doing to improve the information that is provided to retirees.

Government responds to Gender Recognition Act consultation

- The requirements necessary to legally change gender will remain the same, but the process will be modernised
- The application fee for a Gender Recognition Certificate will be significantly reduced to ensure cost is not a barrier for anyone
- Government is also taking action to ensure transgender people can access the appropriate healthcare they need

Following a considerable amount of consultation with the public and representative organisations, the government has decided that the current provisions within the Act allow for those that wish to legally change their sex to do so safely and fairly.

However, the process of applying for a Gender Recognition Certificate will be modernised – the application will be digitised on gov.uk, and the fee for the application will be significantly reduced to make it more user-friendly.

Minister for Women and Equalities, Liz Truss, said:

“We believe in individual liberty and in the humanity and dignity of every person.

“It is my view that the balance struck in the existing legislation is correct. There are proportionate checks and balances in the system, alongside support for people that want to change their legal sex.

“To make the application process as straightforward as possible, we are bringing it into one place on gov.uk, and ensuring cost is not a barrier for anyone.”

The Government is taking action to ensure transgender people can access the appropriate healthcare they need.

Funding for gender identity services has increased by 50% over the last three years, with at least three new gender clinics established over 2020/21. The UK's first National LGBT Health Advisor is also supporting Government to improve transgender people's patient experience, and take meaningful action to address historical problems that have resulted in long waiting times to access specialised gender identity services.

In order to apply for a GRC, applicants will continue to need:

- A medical diagnosis of gender dysphoria from an approved medical practitioner;
- A medical report from an approved medical professional providing details of any treatment they have had;
- Evidence they have lived in their new gender for at least two years;
- Agreement from their spouse/civil partner to the marriage/civil partnership;
- Make a statutory declaration that they intend to live in the acquired gender until death (making a false statement is a criminal offence).

This is then sent to a Gender Recognition Panel, made up of four judges and four medical professionals, for assessment. Each application is assessed by one judge and one medical professional, who decide whether to issue the GRC. The applicant is not required to meet the panel.

Further Information:

- The GRA consultation, launched in 2018 by the previous administration, saw more than 100,000 responses submitted. And, alongside today's announcement, the government has published an analysis of those responses.
- Alongside the consultation responses, Officials and Ministers have met with more than 140 organisations and representative groups to hear their views on the GRA.
- Consultation analysis was handled independently by Nottingham Trent University.
- No robust estimate exists for the size of the transgender population in the UK.
- The Government has asked the Law Commission to review the coverage and effectiveness of current hate crime legislation, which includes exploring whether transphobic hate crime should be considered an aggravated offence.
- In July 2018 the previous administration published the [National LGBT Survey](#). The survey received over 108,000 valid responses, making it the largest national survey to date of LGBT people anywhere in the world
- Read the [analysis of consultation responses](#)
- Read the Minister for Women and Equalities' [written statement to Parliament](#)

Record numbers offered flu vaccine as those with flu and COVID-19 more likely to die

Three of the nation's senior medics – Dr Yvonne Doyle, Professor Jonathan Van-Tam and Dr Nikita Kanani – are calling on all eligible people to get vaccinated against flu, as new research from Public Health England (PHE) suggests the risk of death more than doubled for people who tested positive for both flu and COVID-19, compared to those with COVID-19 alone.

The research, looking at cases between January and April this year, also found that those with co-infection of the 2 viruses were more at risk of severe illness. Most cases of co-infection were in older people and more than half of them died.

Flu is a serious condition that kills, on average, 11,000 people in England each year and hospitalises many more. Adults at high risk from flu are also most at risk from COVID-19. The free vaccine is more important than ever to help protect the nation from a double threat this winter.

This year, the programme is being expanded to help protect people from flu and ease pressure on the NHS and urgent care services.

The health system is working to provide the free flu vaccine to 30 million people, the highest number on record.

All primary school children and, for the first time, Year 7 children will be offered the flu 'nasal spray' in schools to reduce community transmission. Two- and three-year-olds will be offered the vaccine through their GP.

The most vulnerable, including adults aged 65 and over, those with long-term health conditions and pregnant women, will be offered the flu vaccine first through their GP or pharmacy.

It will also be offered to household contacts of people on the [NHS Shielded Patient List](#) and all health and all social care workers who have direct contact with the people they care for.

Once uptake has been maximised in the most at-risk groups, the newly eligible 50- to 64-year-olds will be invited for vaccination later in the season. Anyone who is 50 to 64 years old with long-term health conditions should be vaccinated earlier in the season, in line with all others in risk groups.

As part of England's biggest ever flu campaign – alongside adverts across the media and posters in GP surgeries, pharmacies and hospitals – eligible people will receive additional direct reminders prompting them to book their

appointment, supporting the hard work of local GP practices and pharmacies in driving uptake among their registered eligible patients.

To help increase uptake in the social care sector, for the first time, pharmacists will be able to vaccinate residents and care home staff at the same time.

Employers of frontline health and social care workers also have a responsibility to ensure their staff can get the free vaccine. A record number of NHS staff – three-quarters of a million (74.3%) of frontline healthcare workers – took up their workplace vaccination last year.

Overall, nearly two-thirds of eligible people received their free vaccine last year, making uptake rates in England among the highest in Europe.

Dr Yvonne Doyle, Medical Director at Public Health England, said:

It is dangerous to dismiss influenza as 'just' the flu – it can be extremely serious and can lead to hospitalisation, permanent disability or even death.

The flu vaccine is more important than ever, to help reduce transmission of flu and protect the nation from the double threat of flu and COVID-19. You may be offered it for the first time this year – it is important that you take up the offer to protect yourself and others.

Deputy Chief Medical Officer Professor, Jonathan Van-Tam, said:

Flu can be deadly and it is easily spread in children and adults. The vaccine is the best way to protect yourself from becoming ill with the flu, especially if you are in a vulnerable group.

This winter with COVID still circulating, and the increased risk to life if you are ill with both viruses simultaneously, it is even more vital to get the free jab as soon as you can.

Dr Nikita Kanani, London GP and NHS medical director for primary care, said:

My frontline NHS colleagues across England are working harder than ever to prepare for winter, including expanding and adapting services to ensure people can get the care and vaccinations they need safely and conveniently.

So if you are eligible, please help us help you and get your free flu vaccine as soon as possible. It could save your life, or someone you love.

Secretary of State for Health and Social Care, Matt Hancock, said:

This year more than ever, it's vital that those eligible for the flu jab get it this winter, so you can protect yourself, your family and the NHS. We're pulling out all the stops to prepare for this uniquely challenging winter and we have enough vaccines for 30 million people this year, more than we've ever done before.

With the simultaneous risk of flu and COVID-19, make sure you get your flu jab if you're eligible, don't gather in groups larger than 6 and remember 'Hands Face Space', so we can look after each other.

The unprecedented vaccine drive will be supported by a scaled-up marketing campaign across TV, radio and digital advertising. The 'Just' The Flu campaign, launching in early October, will reinforce the seriousness of flu, urge people to re-evaluate their own risk to the virus and remind people that vaccination is the best protection for themselves and those around them.

For further information please contact:

[Apply to the Attorney General's Civil Panel Counsel – Regional A, B and C Panels](#)

The Attorney General is seeking to appoint new members to three of her panels of junior counsel, the Regional A, B and C Panels, to undertake civil work for government departments.

Membership of the Regional Panels is open to both barristers and solicitors with the appropriate qualifications.

Regional A Panel

Members of this Panel deal with the most complex Government cases in all kinds of courts and tribunals. Those previously appointed to the A Panel have generally had in excess of 10 years advocacy experience in actual practice (from end of 2nd six months' pupillage for barristers, date of commencement of advocacy for solicitors).

Regional B Panel

Members of this Panel deal with substantial cases but not in general as complex as those handled by the A Panel. They will generally be instructed

where knowledge and experience of a particular field is required. Those previously appointed to the B Panel have generally had between 5 and 10 years advocacy experience in actual practice (from end of 2nd six months' pupillage for barristers, date of commencement of advocacy for solicitors).

Regional C Panel

Members of this Panel will be expected to have at least two years' experience in actual practice (from end of 2nd six months' pupillage for barristers, date of commencement of advocacy for solicitors). Those appointed to the C Panel will often (but not exclusively) provide the A and B Panel members of the future and so should have the potential to join the A Panel.

In choosing which of the panels to apply to, candidates will want to make a careful decision based on which best suits their level of expertise and experience.

Appointments will be for 5 years.

As is the case every year, the Attorney General is looking for applicants with experience in general public and administrative law; employment; or personal injury. For the 2020 exercise, the Attorney is also looking to deepen the capacity of the panels by appointing specialists in the following areas:

- Admiralty
- Agriculture
- Competition and State Aid
- Construction
- Contract/Commercial
- Corporate
- Costs
- Education, including teacher regulation proceedings
- General Tax Work – Direct and Indirect, Personal and Business
- Human Rights
- Industrial Relations
- Information Law and Data Protection
- Inquests
- Insolvency
- Land and Planning/Environmental
- Mental Health/Mental Health Capacity Act 2005
- Pensions
- Procurement
- Property
- Rating and Valuation
- Social Security
- VAT and Duties

The Attorney General is also looking to appoint applicants capable of advising departments on the interface of public and commercial law issues, and also where criminal or regulatory issues arise in public law cases.

Public International Law and Trade specialists are also eligible to apply for appointment to the Public International Law (PIL) Panel, and there is no bar to being a member of both panels.

Application

To obtain details about the application process, we recommend reading our [Information for candidates](#) (MS Word Document, 60.4KB) document and the [Frequently Asked Questions](#) (MS Word Document, 57.3KB) sheet.

To make an application, please email panelcounsel@governmentlegal.gov.uk and register an interest in applying. Please note that registering an interest does not commit you to making an application if you later decide not to do so.

Once you have registered, you will be provided with a link to access our online portal to obtain the full application pack.

Completed applications must be submitted by noon on Friday 30 October 2020.

We will be hosting two virtual sessions for interested candidates to find out more about the application process and panel work, the first of these is on 6 October for candidates in the North and North East regions and on 12 October for candidates in the Midlands, South West and Wales regions. Both sessions will be by Zoom between 17.00 and 18.30. To reserve a place, please contact panelcounsel@governmentlegal.gov.uk stating which session you would like to attend.

Further information and mentoring

If you have any queries, please feel free to raise them in the first instance with the Government Legal Department Panel Counsel Secretariat via email panelcounsel@governmentlegal.gov.uk or on 020 7210 1506.

We wish to encourage applications from as wide a range as possible of those eligible to apply. We will therefore endeavour to put advocates who are considering applying and who want to discuss the application process in touch with an established Panel member. The mentor will discuss either by telephone or in a meeting the application process, the eligibility criteria and the presentation of relevant information on the application form.

If you are considering applying and want a mentor please contact the Panel Counsel Secretariat via email: panelcounsel@governmentlegal.gov.uk on or before Friday 9 October 2020.

Holiday parks boss receives 14-year ban

Harlow-based Simon Moir (58) has been disqualified from acting as a director for 14 years, one year below the maximum term.

From 22 September, the holiday parks boss will be banned from acting as a director or directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Walsham Chalet Park Limited was incorporated in 1966 and operated 8 holiday parks located across several sites in England, including: Bury St Edmunds, Suffolk; Thorpe-le-Soken, Essex; North Walsham, Norfolk; Ely, Cambridgeshire; Honiton, Devon; Newbury, Berkshire; Whitstone, Cornwall; and Westfield, East Sussex.

Trading as the Dream Lodge Group, Walsham Chalet Park also ran an investment scheme where people could invest in part or an entire holiday chalet and would receive returns based on the holiday rental income.

Simon Moir was appointed as a director of the company in 1998. But the company eventually began to struggle and by January 2019, Walsham Chalet Park entered into administration before being placed into creditors voluntary liquidation in the following September, owing just over £23 million to creditors.

The holiday parks company was brought to the attention of the Insolvency Service by Walsham Chalet Park's liquidators, Deloitte, before investigators established that £19.4m was owed to investors after the company's insolvency.

£14.2 million of investments made was owed to 161 people who had paid Walsham Chalet Park to invest in holiday chalets that were never built. Despite securing funds from investors, Simon Moir should have been aware that the lodges hadn't been built and that there was little or no prospect of them being completed.

Further enquiries established that 30 investors had paid the holiday park company £1.8 million to invest in chalets at Coleford Park, Whitecliff, Gloucestershire. Simon Moir, however, should have been aware that the company did not own this site.

Simon Moir caused further misconduct when he instructed Walsham Chalet Park's employees to send false accounts to the company's bank in order to secure the bank's continued support.

On 1 September 2020, the Secretary of State accepted a disqualification undertaking from Simon Moir after he did not dispute that he caused the company to trade with a lack of commercial probity.

Sue Macleod, Chief Investigator for the Insolvency Service, said:

Simon Moir presided over a scheme where people thought they were investing in holiday chalets with the promise of generous financial returns. But it was nothing more than a ruse and Simon Moir's actions have caused substantial losses to investors, many of whom have lost their life savings.

Thanks to Deloitte's assistance with our investigations, Simon Moir has been banned for 14 years. This is a significant period of disqualification, just a year under the maximum term, and will ensure no more investors will be victim to his schemes.

Simon Moir is from Harlow, Essex, and his date of birth is December 1961.

WALSHAM CHALET PARK LIMITED (Company number 00871417)

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings.

Persons subject to a disqualification order are bound by a [range of restrictions](#).

[Further information about the work of the Insolvency Service, and how to complain about financial misconduct.](#)

You can also follow the Insolvency Service on: