

GAD's support on pension entitlements for fee-paid judges

News story

GAD has worked closely with the Ministry of Justice on its consultation in response to a legal judgment. Our expertise has included remedy design and technical issues.



Pensions experts at the Government Actuary's Department (GAD) have been working closely with the Ministry of Justice (MOJ) on its consultation in response to a legal judgment.

This collaborative approach has helped MOJ to publish a detailed consultation document on proposed amendments to the [Fee-Paid Judicial Pension Scheme](#).

The worked examples shown in Appendix A of the consultation document illustrate some of the support GAD has provided. They aim to present complex remedy principles in a way that affected scheme members can easily understand.

Consultation

This consultation has been issued as part of MOJ's response to the 7 November 2018 judgment from the [Court of Justice of the European Union](#) (CJEU) in the case of O'Brien v Ministry of Justice.

The consultation sets out MOJ's proposed pension remedy for fee-paid judges with service before 7 April 2000. It is aimed at people who were not previously eligible for pension benefits in respect of service before this date.

GAD's role

Since the CJEU judgement GAD has provided support to MOJ in several different areas, including (but not limited to):

- remedy design
- the appropriate treatment of technical issues, such as service caps and variable accrual rates
- the implementation of the proposed remedy, including the calculation of payments in lieu of pension to affected judges

In addition, following the initial judgment [GAD set out 6 scenarios](#) to support the MOJ in its response to the case. This work centred around pension entitlements for specific fee-paid members of the judiciary who were not previously eligible for the judicial pension scheme. (We previously published information about [GAD's work in this area](#), in September 2019.)

Consultation responses

The consultation, which has been launched today (24 June 2020) will close on 18 September with a response set for January 2021.

Published 24 June 2020

[ESFA Update: 24 June 2020](#)

[unable to retrieve full-text content] Latest information and actions from the Education and Skills Funding Agency for academies, schools, colleges, local authorities and further education providers

[Pubs Code deadlines affected by the Covid-19 emergency – What tenants need to know](#)

News story

The PCA has published a table which sets out how tied tenants can access their Pubs Code rights when the period covered by the Covid emergency declaration ends on the 30 June 2020.



Pubs Code rights have been paused and protected during the Covid emergency period by stopping the clock on many of them. The ending of the declaration period on 30 June means that tenants now need to know when they must act to activate their Code rights, for example to request and receive a Market Rent Only (MRO) option or to obtain a Rent Assessment Proposal due under the Code.

Fiona Dickie, Pubs Code Adjudicator, said: “The opportunity to reopen their pubs will bring a range of challenges for tied tenants. So it needs to be as clear as possible what their Pubs Code rights are and what they need to do to access them. To provide that clarity the PCA has produced a [table](#) setting out the effect of the declaration on Pubs Code rights, including the deadlines that now apply to tenants pursuing them.

It is now more important than ever that tied tenants are free to exercise these rights as Parliament intended, and that pub-owning businesses demonstrate the Pubs Code principles of fairness and transparency in all dealings with their tied tenants. I will ensure that this happens.”

The declaration was established on the 16 March to protect important Pubs Code rights for the duration of the Covid-related closure. While the declaration has not prevented tied tenants who wished to do so from continuing to exercise their Code rights as normal, it has meant that individual tenants did not have to do so at a time when their focus was likely to be on more immediate pressures impacting their business and their employees.

End

[Emergency Period Limitation Table](#)

[Declaration Announcement](#)

[PCA Covid-19 information collection](#)

Published 24 June 2020

Protecting children in conflict and ensuring access to education

Thank you, Mr President, for hosting this year's annual debate. And our thanks also to Special Representative Gamba and Executive Director Fore. Thank you in particular to Mariam for your very powerful briefing.

The UK is committed to protecting children in conflict. We remain one of the largest donors to the Office of the Special Representative and support its efforts to carry out its mandate. As an active member of the Security Council Working Group on Children and Armed Conflict, we work to ensure the Council provides pragmatic recommendations to parties to conflict, to address child rights concerns and encourage systematic follow-up to its conclusions. We call on parties to conflict to adopt and implement action plans to end and prevent grave violations against children and urge governments to hold perpetrators to account.

Since their establishment 15 years ago, the Working Group and the UN's Monitoring and Reporting Mechanism have achieved great successes, including by contributing to the release of more than 155,000 children associated with parties to conflict. However, 15 years later, it is clear that more work is needed to ensure that these mechanisms remain transparent and credible vehicles for accountability. The Secretary-General's 2020 Annual Report on Children and Armed Conflict makes for somber reading. The vast numbers of violations committed against children is abhorrent, and must serve as a rallying call to the international community. We must do more.

The parameters for this year's report means COVID-19 is not covered. But as we heard from Ms Fore, its impacts will have a devastating effect on children in conflict. Ensuring child protection actors are able to continue to monitor, report and respond to grave violations during this pandemic is paramount. The United Kingdom reiterates its strong support for the Secretary-General's call for a global ceasefire and urges Member States to collectively enable humanitarian access. The Secretary-General's annual report and annexes provide a valuable tool for strengthening compliance with international law, promoting accountability and influencing improvements in the behaviour of parties to conflict.

The strength of this tool, however, depends on a standardised approach to listing and delisting based on MRM collected data and consistent application of the criteria set out in the SG's 2010 Annual Report. The United Kingdom calls on the UN to review its approach and work with Security Council members to reinforce our global commitment to supporting children in armed conflict. We will call on Council colleagues to make greater use of the Working Group's tools and mechanisms to promote the protection of children and ensure there is sufficient child protection capacity in UN peace operations and political missions.

The UK supports the emphasis on education at this Open Debate. Access to

safe, quality education for children affected by armed conflict has an important role in reintegration, as well as providing a route to a better future. Schools can often protect these highly vulnerable children. Education also contributes to a safer and more prosperous world and reduces conflict and increases stability.

We are thus concerned by the Annual Report's findings that in 2019, state actors were responsible for more than half of all attacks on schools. In 2018, the UK endorsed the Safe Schools Declaration, committing to reduce the impact of conflict on education. We strongly support the SG's call for other states to sign up to this declaration, to strengthen the protection of education from attack because, as Mariam reminded us, children have a right to their childhoods and to an education free from conflict.

Mass school closures across the world as a result of COVID-19 have the biggest impact on girls' lives. Globally, girls were already more likely than boys never to receive any type of education, and their access is even lower in times of crisis and emergency. They are least likely to return to school following a crisis, facing increased risks of child marriage, teenage pregnancy, gender-based violence, sexual exploitation and the loss of vital sexual and reproductive health services. In this regard, we would like to conclude with a call on the UN to continue to improve the collection of gender disaggregated data on grave violations in order to strengthen its gender sensitive response to child protection.

Mr President, we need to do better because as Ms Fore says, when we fail children, we fail the future. And so we owe it to Mariam, the children of Mali and children across the world to redouble our efforts.

Thank you, Mr. President.

[Urging a negotiated two-state solution between Israelis and Palestinians](#)

Thank you, Mr President, and thank you to Special Coordinator Mladenov and to the Secretary-General of the League of Arab States for their respective briefings.

Mr President, I address the Council today at a critical juncture.

Like many, I am troubled and frustrated by the lack of progress towards a two-state solution.

In 1947, at the end of the British Mandate over Palestine, the General Assembly confirmed the international community's view of the need for partition into two states.

In 1993, the Palestine Liberation Organisation recognised Israel and accepted the 1967 lines as the basis for the future boundary between Israel and the Palestinian Territories.

It was a moment of great optimism.

It marked Palestinian agreement to the solution Israel itself had accepted in 1947, and confirmed the only solution that the world could see.

Despite moments of optimism, both parties have struggled to find the common ground needed for a lasting, peaceful settlement.

It has always been true that any peace settlement needs the support of both peoples.

Because a settlement, and peace, must be agreed and not imposed. But it also needs pragmatism and flexibility from both sides.

The Secretary-General, in his report on implementation of Resolution 2334, and the Special Coordinator in his briefing to the Council today, have outlined the many elements that have stalled the peace process.

We have heard about settlement expansion, increases in demolitions, seizures, and worsening settler violence.

The UK has long urged Israel to end these counterproductive activities.

Meanwhile, Palestinian militants have fired rockets and launched incendiary devices from Gaza, threatening Israel's security.

Israelis have suffered from the scourge of terrorism and anti-Semitic incitement.

Let me be clear: the UK is committed to Israeli security. We condemn all forms of incitement and anti-Semitism wholeheartedly.

Most critically, Israel's plans to annex parts of the West Bank pose a significant and possibly existential threat to the peace process.

The UK has been clear, in this Council and beyond, that unilateral action is unacceptable.

Annexation risks signalling Israeli rejection of the very solution Israel and the international community agreed in 1947.

As my Prime Minister said on 16 June, the UK strongly opposes annexation, which would breach international law. The United Kingdom will not recognise any unilateral attempt to change the border. Such a step would go against the rules-based international order and the UN Charter. Annexation could not go unanswered, and we implore Israel to reconsider.

Such a step has the potential to trigger regional instability, threatening Israel's own security. It could have a real impact on Israel's relations with

the region, as well as the international community.

And let us not forget the consequences for those most directly affected: the Palestinian people.

We cannot predict the implications as a loss of hope. But we can say with some degree of certainty that it is the extremists who would benefit most.

Mr President, we have to find another way.

A lasting agreement will only be achieved by real movement towards renewed peace by negotiation; negotiations that create a viable and sovereign Palestinian state, living in peace and security side-by-side with Israel, based on the 1967 borders with agreed land swaps, Jerusalem as the shared capital of both states, and a just, fair, agreed and realistic settlement for refugees.

I address this Council today to express the United Kingdom's willingness to stand with the Israeli and Palestinian leaderships in choosing the path of dialogue.

We do not underestimate the challenges, but firmly believe that with bold leadership, peace is possible. The UK stands ready to support all efforts to achieve a lasting and peaceful solution.

We recognise that the United States retains a key role in the Middle East Peace Process. So we urge the United States, Israel and the Palestinian leadership to find a means of restarting discussions, supported by the international community.

As I have said, flexibility, pragmatism and indeed compromise will be needed on all sides.

We understand this path is not easy, but we must do all we can to pursue a negotiated outcome.

Mr President, a peace imposed is no peace at all. It will achieve no more than to sow the seeds of future mistrust and instability. Both Israelis and Palestinians deserve better.

Despite the setbacks, the UK continues to believe profoundly that a negotiated, genuine two-state solution is the only viable means of bringing peace and stability to Israelis and Palestinians.

It is the only way to preserve Israel's Jewish, democratic identity and realise Palestinians' rights, including self-determination. And it is the only way to permanently bring an end to this conflict.

Thank you.