

## **News story: Enforcement Landscape**

### **Review: tender specification**

The IPO is inviting fresh bids for research into the effectiveness of the UK's enforcement framework.

The Intellectual Property framework provides a number of different protections and remedies for creators and rights holders. The IPO is commissioning research which aims to construct a snapshot of the current UK enforcement framework for each IP right. It is important for rights holders to have the necessary means to protect their IP and this is reflected in the commitment made in the [IPO's Enforcement Strategy](#)

We are now inviting fresh bids for this research into the effectiveness of the UK's enforcement framework. We have split the research into distinct parts:

- Part A will focus on developing evaluation criteria to assess the processes needed to enforce IP rights and the consequences of infringement.
- If taken forward Part B will focus on identifying recommendations for changing the enforcement framework.

We are inviting bids from stakeholders interested in undertaking Part A only at this stage. The decision to proceed with Part B of the research will be taken after the results from Part A have been considered.

An open meeting to discuss the research tender will be held at the IPO's London Office on 5th July at 2pm. Teleconference facilities will also be available. If you are interested in attending please contact [enforcement@ipo.gov.uk](mailto:enforcement@ipo.gov.uk) by close on 3rd July.

The deadline for receiving completed applications is 5pm on Wednesday 26th July. If you have any questions or to receive the tender document please contact [Robert.Mould@ipo.gov.uk](mailto:Robert.Mould@ipo.gov.uk)

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## **News story: UK Space Conference 2017**

## is a huge success

The three day event was titled 'inspire, enable, connect' and featured 28 sessions on subjects ranging from international growth and security, to launchers and Mars exploration.

More than 180 speakers took to the stage, including UK Space Agency CEO Graham Turnock, Director General of the European Space Agency (ESA) Jan Woerner and British ESA astronaut Tim Peake.

The conference included an exhibition hall, where a record 109 organisations took stands, and a parallel event of hands-on interactive exhibits and educational activities that welcomed 1,500 visitors.

See official pictures from the conference [on Flickr](#)

Graham Turnock, CEO of the UK Space Agency, said:

The UKSpace Conference was a fantastically successful three days. I'm confident it will have sparked collaborations and partnerships that will strengthen our sector and our community. I'm sure we will all look back on the conference as one of the milestones on the road to a very bright future for space in the UK.

New for 2017 was a 'Space 101' programme, a series of informative sessions for newcomers to the sector intended to offer a chance to learn all the details needed to operate effectively.

There was also an opportunity for the young winners of the UK Space Agency's SatelLife Challenge competition to give presentations on their ideas, which looked at how satellite data could be used to improve life on Earth.

The overall winner, 13-year-old James Pearson, even got to meet his hero Tim Peake.

This years' Sir Arthur Clarke Awards for outstanding achievements in space activities were presented at a gala dinner. Kathie Bowden, the UK Space Agency's National Space Skills and Career Development Manager, was presented with the Individual Award for Education and Outreach in recognition of her work helping young people get their foot in the door of the space industry.

Kathie won the award for her work on SPIN (Space Placements In Industry), linking industries and organisations working within or alongside the space sector, with talented undergraduates to undertake a funded project or to work alongside industry colleagues for at least eight weeks.

The Agency's Chris Lee, Head of International Space Partnerships, was a finalist for The Award for International Space Achievement while the CMIN 2016 Team made the shortlist for the team Award for Space Achievement –

Industry or Project.

There was also a posthumous Special Lifetime Space Achievement award for British-born NASA astronaut, Piers Sellers, who died in December from pancreatic cancer.

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## **Press release: June Labour Market Statistics for Scotland**

The Scottish unemployment rate has fallen to 4.0 per cent, which is below the rate of 4.6 per cent for the whole of the UK.

The labour market statistics also show that employment in Scotland increased by 14,000 over the three months to April 2017. The number of those in employment in Scotland now stands at 2,624,000.

The Secretary of State for Scotland, David Mundell, said:

Today's figures show that Scotland's labour market continues to improve and I am pleased that the unemployment rate has fallen to the lowest rate on record. But a number of significant challenges remain and I want to see Scotland's economic performance improve, catching up with the rest of the UK.

This is why it is more important than ever that Scotland's two governments work together to help ensure Scotland's prosperity.

### **Headline statistics for the February to April 2017 quarter:**

- Employment in Scotland increased by 14,000 over the quarter, and increased by 44,000 over the year, to stand at 2,624,000.
- The Scots employment rate increased by 0.3 percentage points over the quarter to 74.1 per cent. The rate is below the UK average of 74.8 per cent.
- Unemployment in Scotland fell by 17,000 over the quarter and is down 49,000 over the year. The level now stands at 109,000.
- At 4.0 per cent, the Scottish unemployment rate is below that of the UK at 4.6 per cent.

- Economic activity fell by 3,000 over the quarter and now stands at 2,733,000. The economic activity rate decreased over the year to stand at 77.3 per cent.
- In May 2017, the number of people out of work and claiming Jobseeker's Allowance was 48,200 and claimant count, including Universal Credit, was 80,300.

## **Latest Data for Scotland:**

### **Employment**

The Labour Force Survey indicates that the number of people in employment in Scotland from February to April 2017 was 2,624,000. Employment was up by 14,000 compared to the previous three months, and up by 44,000 compared to the same quarter last year. The employment rate was up 0.3 percentage points on the previous quarter, and up by 0.9 percentage points compared the same quarter last year. By comparison, the Scottish employment rate is 74.1 per cent below the UK average of 74.8 per cent.

### **Unemployment**

Unemployment in Scotland was down by 17,000 over the quarter February to April 2017 at 109,000. The level was down 49,000 on the same quarter last year. The unemployment rate was down 0.6 percentage points on the previous quarter at 4.0 per cent, which is down 1.8 percentage points over the year.

### **Jobseeker's Allowance and Universal Credit**

The number of people claiming Job Seeker's Allowance (JSA) fell by 200 to 48,200 in May 2017. The level is down by 8,900 on May 2016. The claimant count level (JSA and Universal Credit) is unchanged over the month and up 3,700 over the year at 80,300. The rate is unchanged over the month and up 0.1 percentage points over the year to 2.9 per cent.

### **Economic Activity**

The number of economically active (defined as those in employment or ILO unemployed, and seasonally adjusted) in Scotland in the February to April 2017 quarter was 2,733,000. This was down 3,000 on the previous quarter, and down by 5,000 on prior year levels. Among those aged 16-64 the economic activity rate was 77.3 per cent, down 0.2 percentage points on the previous quarter, and down 0.4 percentage points over the year.

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# News story: Civil news: faster payment of travel claims and evidence

Remember to include justification for any travel when submitting claims through the Client and Cost management System (CCMS).

The requirement for this detail is uniform across both the old paper-based claiming system and CCMS. Under CCMS, 13% of all secondary requests for information on billing issues are because we have not received an appropriate travel justification.

## **How to justify your claim**

Here are some reasons you can use to justify your claim:

### **1. There is no local bar**

Where there are no local chambers, or the number of chambers is small, counsel must provide details that there is no local bar.

'There is no local bar' would be an acceptable justification.

### **2. Continuity of counsel**

The use of counsel already familiar with the case or the client will be considered reasonable justification for counsel to travel provided the nature of the hearing requires it.

'Continuity of counsel' with further details is an acceptable justification.

### **3. Counsel specialism**

You should explain counsel's specialism and why this case required such a specialist.

### **4. This list is not exhaustive**

If none of these reasons apply you should detail the reasons why you were instructed instead of a more local counsel.

## **How much to tell us**

Reasons provided only need to be two or three sentences long. They do not require a detailed description.

However, they must satisfy our billing requirements as laid out in the Electronic Handbook – see link below.

The justification can be handwritten in the response to the document request CCMS will send out or attached as a document within the task.

This does not change LAA's rules on 'local travel' at chapter 3.15 of the Cost Assessment Guidance – see below.

## **Further information**

[Family Graduated Fee and Family Advocacy claim forms](#) – to download documentary evidence checklist for CIV CLAIM5A

[Legal aid guidance](#) to download:

- 'electronic handbook' – chapter 6.8 for specific details
- 'cost assessment guidance' – general guidance on travel claiming

[Civil news: local travel claims from 1 September 2014](#) – what is and is not allowable for 'local travel'

[CCMS training website](#) – guidance on how to submit CCMS claims

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## **[Press release: CMA outlines emerging concerns in care homes market](#)**

The [market study](#) was launched in December 2016 to examine whether the residential care homes sector is working well for elderly people and their families. Having reached the halfway point of the study, the Competition and Markets Authority (CMA) today published emerging findings and announced that, as a result of information received during this work, it has opened a [consumer protection case](#) to investigate its concerns that some care homes may be breaking consumer law.

This is focused on concerns about certain care homes charging families for extended periods after a resident has died, and homes charging large upfront fees.

The [initial findings](#) of the market study highlight wider concerns about the sector, which will form the focus of the next phase of its work. These include:

- People are struggling to make decisions about care: Prospective care home residents and their families need to be able to make informed choices, often under stressful and time-pressured circumstances. However the CMA's initial findings suggest that many people find it difficult to get the information they need, are confused by the social care system and funding options, and do not know how to find and choose between homes.
- Complaints procedures are not functioning well: It is not realistic for many residents to move home if they are dissatisfied with the care they

are receiving, as to do so would be distressing and harmful to their health. It is therefore essential that effective systems are in place for them to be able to complain and, where necessary, have these concerns acted upon. Our initial findings, however, indicate that redress systems often do not work well, and residents can find it very challenging to make complaints.

- While many care homes offer a good service, there are concerns that some might not be treating residents fairly and that certain practices and contract terms might break consumer law. As well as the issues on large upfront fees and fees charged after death, which we are investigating in the consumer protection case, we are concerned about other consumer protection issues such as a lack of information about prices on care home websites, and care homes' contracts giving homes wide-ranging discretion to ask residents to leave, at short notice.
- The sector is not positioned to attract the investment necessary to build greater capacity needed for the future: Demand for care home services is expected to increase substantially, with the number of people aged 85 and over projected to more than double by mid-2039. The level of care they require is also expected to increase as, having spent longer in their own homes, they will be more frail when they do move to a care home. At present, short-term public funding pressures and uncertainty mean the sector is not incentivised to undertake the investment necessary to meet future demand.

Acting Chief Executive, Andrea Coscelli, said:

Some of the most vulnerable people in our society use care homes, often moving to them under extremely difficult circumstances. It's therefore essential they are able to make informed choices, understand how services will be paid for, and be confident they will be fairly treated and able to complain effectively if they have any concerns.

We also have particular concerns that some care homes might be breaking consumer law and have opened a consumer protection case to investigate further.

Demand for care home places is expected to surge over the next 2 decades. To make sure the additional capacity this requires is available, it needs to be built in good time. At present, short term funding pressures and uncertainty mean that the sector is not attracting investment. We will be focusing on finding ways to deal with these, and other concerns identified.

The CMA has already begun to develop recommendations to protect residents and their families, which will be expanded over the next half of the market study. These include examining how:

- People can be actively supported in making choices
- Complaints and redress systems can be significantly improved to help

people feel more comfortable reporting concerns

- Residents and their families can best be protected, and how to encourage fair treatment by care homes
- Local authorities can be encouraged to share best practice in procuring care home services and planning, and developing provision in their areas
- To encourage investment for the future

The next phase of the CMA's study will focus on developing and refining these recommendations to ensure they are robust and practicable, and can help make real improvements to the way the sector works. CMA will be seeking views from national and local government, as well as regulators and the industry in each country of the United Kingdom, to ensure these recommendations can be effectively implemented.

The CMA will continue to look at the consumer protection issues identified during the first half of the market study and will consider how best to address these, including by extending the scope of its consumer protection case.

## Notes to editors

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated industries and enforcing competition and consumer law. For more information on the CMA see our [homepage](#), or Twitter account [@CMAgovuk](#), or [Flickr](#), [LinkedIn](#) and [Facebook](#) pages. Sign up to our [email alerts](#) to receive updates on markets cases.
2. Read the full text of the CMA's [update report](#).
3. The CMA [announced](#) on 1 June 2017 that it would not make a reference under section 131 of the Enterprise Act for a market investigation (an additional 18 month in-depth examination).
4. The CMA has now [opened a case](#) into a number of care homes providers whose contract terms and/or practices, in relation to charging large upfront fees or requiring the payment of fees for an extended period after a resident's death give, in its view, rise to compliance concerns under consumer law. Currently, the CMA is issuing Information Notices under consumer protection legislation requiring information from some care homes in order to decide whether enforcement action is required. The fact that the CMA is seeking information from a number of care homes, does not mean that the CMA has reached a final view that these care homes are in breach of consumer protection law and that enforcement action is required. In any event, ultimately only a court can decide whether particular conduct breaches the law.
5. Market studies may lead to a range of outcomes, including:



- clean bill of health
  - actions which improve the quality and accessibility of information to consumers
  - taking consumer or competition law enforcement action
  - making recommendations to the government to change regulations or public policy
  - encouraging businesses in the market to self-regulate
6. The size of the UK care home market is estimated at £15.9 billion, and there are currently more than 430,000 elderly people in care or nursing homes across the UK (Source: LaingBuisson, 'Care of Older People UK Market Report', 27th edition, September 2014).
7. The CMA isn't able to resolve individual complaints or provide individual help or advice. Go to the [reporting page](#) for information on which organisations to contact if you need advice about an issue with a care home.
8. Enquiries should be directed to Vikki Buxton-Helyer ([vikki.buxton-helyer@cma.gsi.gov.uk](mailto:vikki.buxton-helyer@cma.gsi.gov.uk) 020 3738 6790).