

Ministry of Justice Statement in Fee-paid Judicial Cases

Update of 30 April 2020

This statement from the Ministry of Justice (MOJ) provides a further update on the work the department is doing to provide pension benefits to eligible judges for fee-paid service following the Court of Justice of the European Union's judgment of 7 November 2018 in O'Brien No.2 and the Supreme Court's judgment in Miller, handed down on 16 December 2019.

It should be read in conjunction with previous communications published on the *GOV.UK* website, links to which can be found below.

Progress Report on Interim Payments

In our statement of 8 April 2020 we explained that it was our intention to make interim payments by the end of May to the majority of retired claimants for whom a service record has been agreed.

As at 8 April, the Judicial Claims Team had agreed service records with around 475 judges, including 282 retirees. This is against a total cohort of approximately 1,800 O'Brien 2 claimants of whom around 700 are retired.

As at 29 April, the number of agreed service records had risen to 656, of which 371 relate to retirees. We have now made interim payments to 142 of these retirees, i.e. we have made 107 further payments since our update on 8 April. We aim to pay the majority of the remaining retirees for whom service records have been agreed by the end of May, at which point we will return to the tribunal with a progress report.

We continue to explore alternative options for making interim payments to ensure that we have the facility to increase the number of payments made should we encounter any further issues in bringing members' revised retirement benefits into payment.

Previous MOJ statements on this subject:

February 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-february-2019>

March 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-march-2019>

May 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-may-2019>

July 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-july-2019>

August 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-august-2019>

October 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-october-2019>

December 2019

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-december-2019>

January 2020

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-february-2020>

April 2020

<https://www.gov.uk/government/publications/ministry-of-justice-statement-in-fee-paid-judicial-litigation-april-2020>