

Statement to Parliament: Announcement on probate fees

I have today laid before Parliament new legislation to implement a new, banded structure of fees for a grant of representation, commonly known as a grant of probate.

Fees are an essential element of funding an effective, modern courts and tribunals service, thereby ensuring and protecting access to justice.

The Government is investing £1 billion to modernise and upgrade the courts system so that it works even better for everyone, including victims, witnesses, litigants, judges and legal professionals. This includes introducing changes to our Probate Service, who offer an important service to those who are bereaved.

The reform of the service allows people to apply for a grant of probate online, access assisted digital support for those who many not necessarily have the skills or access to engage digitally and empowers individuals to make applications themselves instead of needing to instruct and pay for solicitors. This aims to reduce the burden on applicants, by providing a more efficient and simpler application process.

But such a courts system is simply not possible without proper funding. Since the previous Government set out its intentions to introduce a banded fee structure for grants of probate in February 2017, a number of concerns were raised. We have listened to these very carefully, and under today's proposal we have revised fees so they will never be more than 0.5% of the value of the estate.

Moreover, by raising the estate value threshold from £5,000 to £50,000, we will be lifting around 25,000 estates annually out of fees altogether. For those who do pay, around 80% of estates will pay £750 or less, and all income raised will be spent on running the courts and tribunal service.

It has long been the case that the users of our courts make a contribution to its costs, and we believe this remains both relevant and reasonable – minimising the burden on other taxpayers. Crucially, by asking those who use the courts to pay more, where they can afford to do so, we are able to fund areas where we charge no fees to vulnerable victims and users, including for example domestic violence and non-molestation orders, and for cases before the First-tier Tribunal concerning mental health.

This new banded fee model represents a fair and more progressive way to pay for probate services compared to the current flat fee and reflects our commitment to protecting access to justice by ensuring we have a properly funded and resourced courts system. We are also confident these fees will never be unaffordable. The cost of the fee is recoverable from the estate and executors have several options to fund it. Moreover, the Lord Chancellor

retains a power to remit a fee if he considers there are exceptional circumstances.

We will also publish a guidance document before the Statutory Instrument comes into force, entitled Guidance on Ways to Pay for Probate Fees. This will benefit from external stakeholder input, and will help applicants to choose the option to pay which most suits their circumstances, providing reassurance at a difficult time.

Press release: Universal Credit managed migration: reducing the risk to claimants

The Secretary of State for Work and Pensions (the Rt Hon Esther McVey MP) today presented to Parliament SSAC's independent advice to reduce risk for millions of claimants on 'legacy' benefits when they are due to be moved onto Universal Credit. The government's response, also published today, accepted most of the committee's recommendations.

The original proposal required millions of claimants on 'legacy' benefits to make a claim to Universal Credit, presenting a huge operational challenge for the Department for Work and Pensions (DWP), and leaving claimants at risk of financial hardship as they move from fortnightly to monthly payments.

Professor Sir Ian Diamond, Committee Chair, said:

We are delighted that both the Chancellor of the Exchequer and the Secretary of State for Work and Pensions have listened to the advice of this committee – and to the views of the 455 stakeholders who submitted evidence to our consultation – and taken steps to reduce risk for millions of people.

When we put our advice to government on their proposals for migrating existing claimants to Universal Credit we welcomed the fact that they ensured the vast majority of claimants would not lose out financially at the point of migration. But in several other respects we were concerned that too much risk was being loaded on to individuals. Our advice made clear that needed to be addressed, especially for those out-of-work claimants whose circumstances have not changed and who will be forced to move from fortnightly to monthly payments. It was clear that there were steps that the government could, and should, have been taking in preparing for managed migration that would reduce the risk to claimants. We are pleased that the government has largely accepted

our advice – in particular by introducing a 2 week run of payments to out of work claimants to bridge the gap before Universal Credit is paid, by taking more time over the testing phase, by ensuring those whose claim is late or who make a mistake in their initial claim don't lose protections, and by agreeing to publish operational readiness tests which have to be met before the main migration begins.

Nonetheless, a lot of detail still has to be worked out. We are disappointed that the DWP continue to expect that everyone must make a claim to Universal Credit in order to be migrated to it. And we remain concerned about the degree to which the department will in practice demonstrate the openness and flexibility to which they have committed. We look forward to working with them on more detailed plans.

Liz Sayce, the Committee's Vice-Chair, added:

The sheer scale of the operational challenge facing DWP cannot be underestimated. Millions of individuals are relying on the government to get this right. The department estimates that at least one-third of this group will be disabled people currently dependent on Employment and Support Allowance. Many with, for instance, serious health conditions or learning difficulties will struggle to complete a claim online. We welcome the government's commitment to ensure that disabled people are supported through the claims process, including taking claims during home visits and over the telephone, and we are keen to work with the department on the detail of these plans to ensure they work well for all disabled people.

When the committee looked at the government's proposals it recognised that the challenge facing DWP is exceptionally difficult. It is a huge logistical task to contact millions of people, who may be receiving up to 4 different benefits administered by 3 different organisations, collect any additional information needed to determine entitlement, and seamlessly terminate legacy benefit awards (with different rules and definitions) as Universal Credit awards start, without leaving any gaps or overlaps in entitlement.

Many of the committee's concerns focussed on the claims process itself and on the move to monthly payments. It is of the firm view that the migration plans should, as far as is possible, minimise the risk to claimants. The proposals presented to the committee in June did not do that. In fact, in some respects, the department had chosen to reduce its own risk by transferring it to claimants – most obviously, through the proposal to require all existing claimants to make a fresh claim for Universal Credit. While in some circumstances that approach may be unavoidable, but in many it should be possible to make migration less burdensome, and less risky, for claimants.

In examining each of the proposals, the committee considered the following questions:

- is it deliverable – is it likely to work or would it be too complex or unwieldy?
- is it explicable – will those affected understand it and what they must do?
- is it proportionate to the problem it is trying to solve?
- is it fair – for example, does it impose disproportionate burdens on particular groups of people?

The committee's 12 recommendations focussed on those aspects of the proposals that did not meet the above criteria. In particular it called on the government to undertake a rigorous and transparent assessment of its operational readiness – including the potential impact on different groups of claimants – and to engage delivery partners and claimants in developing its detailed delivery plans and communications. Its recommendations also made clear that the responsibility for ensuring that claimants are moved safely onto Universal Credit rests with the government.

The committee therefore welcomes the Chancellor of the Exchequer's [2018 Budget statement](#) on 29 October which made clear the government's intention that the migration to Universal Credit should be as smooth as possible. In particular, it welcomes the Chancellor's announcement that out of work claimants who are currently reliant on fortnightly benefits will receive a 2 week run on of benefit.

The committee also welcomes the Secretary of State's positive response to the majority of our recommendations, and looks forward to continuing to work with her in ensuring that these proposals are delivered safely and without putting vulnerable customers at risk.

The committee also thanks the many individuals and organisations who responded to its request for advice. This informed and enriched its own understanding of the likely effects of DWP's proposals. The committee is indebted to them for their help.

Read the [committee's report on the Universal Credit managed migration proposals](#).

More information

At the point at which the draft proposals were presented to the committee in June, the department estimated that, over a 4 year period from 2019 to 2023, 2.09 million households (2.87 million individuals) will have been migrated. It was also estimated that the majority of claimants being migrated are currently in receipt of tax credits (54%) and Employment and Support Allowance (36%).

SSAC is an independent advisory body of the Department for Work and Pensions.

The committee's role is to give advice on social security issues; scrutinise and report on social security regulations (including tax credits) and to consider and advise on any matters referred to it by the Secretary of State for Work and Pensions or the Department for Communities in Northern Ireland.

The committee membership comprises: Sir Ian Diamond (Chair), Bruce Calderwood, David Chrimes, Carl Emmerson, Chris Goulden, Philip Jones, Jim McCormick, Grainne McKeever, Dominic Morris, Seyi Obakin, Judith Paterson, Charlotte Pickles, Liz Sayce and Victoria Todd.

Further enquiries should be directed to Denise Whitehead, Committee Secretary, on 020 7829 3354.

[News story: HMCTS sign lease for the Civic Centre with Newcastle City Council](#)

Work to bring civil, family and tribunal hearings into one accessible building in Newcastle city centre have taken a step forward with the signing of a new lease.

The development will provide a modern, fit for purpose building for local people, legal professionals, judiciary, and courts and tribunals staff. The new courthouse is expected to open by 2020.

We have been working in partnership with Newcastle City Council to develop plans and designs for the Civic Centre, which is being fully refurbished and will include the new Civil, Family and Tribunals (CFT) courthouse.

Linda Ventress, HMCTS regional estates strategy lead, said:

This new court will help provide a modern, fit for purpose building for the people of Newcastle. We are delighted to see the next stage of the project begin and look forward to bringing civil, family and tribunal work into one location, making it easier and more efficient for people to access justice.

This is the first part of a wider plan for the courts in Newcastle, which will also see conversion of the existing Newcastle Combined Court into a Criminal Justice Centre.

The government is investing £1bn in reforming courts and tribunals, including making significant improvements to the condition and design of court buildings. This will improve the experience of visiting or working in a

court, and lead to better value for taxpayers by reducing operating costs and increasing the efficiency of the estate.

[News story: UK leading Europe for FDI as Fox hunts future investors in China](#)

International Trade Secretary Dr Liam Fox will attend China's biggest international import show alongside a 50-strong UK business delegation. He will be beating the drum for UK businesses during the inaugural China International Import Expo (CIIE).

Taking place in Shanghai from 5-10 November, Dr Fox will push for British firms to secure tens of millions of export wins and investment at the show.

He will hope to build on the recent success highlighted in the United Nations Conference on Trade and Development (UNCTAD) [report](#), which indicated the UK achieved the second highest level of Foreign Direct Investment (FDI) in the world during the first six months of 2018.

Championing UK business, Dr Fox will tour the UK Pavilion in China as it showcases world-leading companies including Jaguar Land Rover and British Airways, as well as promoting a range of sectors popular in the Chinese market such as healthcare, education and the creative industries.

International Trade Secretary Dr Liam Fox MP said:

As we leave the European Union, we have a once in a generation opportunity to put the UK at the centre of the world's fastest growing market – and increasing trade with China is at the heart of this vision.

Greater global trade links not only deliver a better deal for consumers and businesses but create jobs for people back in the UK. Whether you are an armchair exporter or a growing firm looking for international investment – this event will help drive prosperity in the UK.

Over recent months China has started to open up its markets for UK goods and services, [including dairy products](#), potatoes and petrol stations. DIT's presence at the show will help create even more exciting opportunities for British companies.

The International Trade Secretary will be joined by the Minister for Trade and Export Promotion Baroness Fairhead and His Royal Highness The Duke of York.

The UK, which has been named a “Country of Honour” at CIIE, is seeing the event as a major opportunity to grow bilateral trade which is already worth more than £65bn.

UK Pavilion at CIIE

The UK’s presence at CIIE will feature revolutionary technology and industry best practice from a range of sectors including healthcare and life sciences, financial and professional services, creative industries, energy and mining, ICT, education, aviation, FMCG and sport.

The theme of the Pavilion is Innovation is GREAT and will include cutting-edge Virtual Reality and Augmented Reality technologies from ground-breaking British companies such as Mi Hiepa Sports, who promote Global Elite Football VR – a market leading VR training & cognitive development tool for elite football, which is already used by world leading football clubs.

The pavilion will also feature companies such as WorldFirst, ACCA, Lloyds Bank, Alibaba Cloud, the University of Buckingham, Rio Tinto, Baosteel and Anstee, GSK and Boots.

Notable British contributions to the Expo include:

- BP who have been operating in China since the early 1970s and are one of the leading foreign investors in the oil and gas sector in China
- HSBC who will showcase the bank’s heritage in China and its central role in linking China with the world through trade and investment
- Global healthcare company GSK, who are fostering exchange between Chinese and British universities in the fields of health and economy, and developing advanced medical solutions that are most relevant to Chinese patients

Speech: Helping people from ethnic minority backgrounds into work

Thank you Kirsty and the Employment Related Services Association (ERSA) for inviting me to speak today. It is an absolute pleasure.

But more importantly – thank you for publishing this interesting [Race, Ethnicity and Employment report](#).

We have made huge progress in recent decades to improve the opportunities for ethnic minorities in the UK.

But its studies like this that help us identify where the challenges still lie.

And what we in government can do to tackle them.

I'm going to start by talking about Doctor Who.

For those of you who have heard me speak before you will know it is my go-to programme for anecdotes.

In a recent episode the new Doctor, and what a pleasure it is that we finally have a female Doctor, she and companions travelled back to 1950s Alabama.

On the eve of Rosa Parks' historic bus protest that sparked the Civil Rights movement.

What was remarkable was not only Rosa Parks' personal bravery.

But it was the incomprehension of the characters from 2018 when faced with the institutional racism of 1950s America.

This well-loved family programme brought the subject of racial injustice to Sunday night viewing, making it something to be talked about and not ignored.

And it showed how different the experience of ethnic minorities now is from decades past.

But let's be clear, discrimination does still exist.

And as a recent incident on Ryanair sadly showed, so does racism.

On a personal level, when my father settled in the UK in the 70s, he was not easily able to find a job in line with his experience and qualifications.

There may have been many reasons for this. But I expect his experience may not have been dissimilar from that of others, from an ethnic minority background.

So he set up his own business and, thankfully, made a success of it.

But that was then, of course.

Now we have cause for celebration, as those from an ethnic minority background share in the booming jobs market we have created. Ethnic minority employment is at a record high.

And the employment gap between ethnic minorities and white groups is below 10% for the first time ever on record.

In fact, we are almost three quarters of the way to achieving the government's target of increasing ethnic minority employment by 20% by 2020.

Since 2010 we have seen 3.3 million more people in work overall, of those 1.15 million were from ethnic minorities.

That means growth in ethnic minority employment of 36% – 3 times the growth in overall employment – closing the gap faster than ever before.

Cause for celebration, but not inaction.

The ethnic minority employment rate is 65.5%.

A record high, but that's still the same level as the overall UK employment rate was in 1984.

So I welcome progress, and I welcome the increasing rate of progress.

But when people from ethnic minorities face the same employment prospects that others enjoyed decades ago, that progress will never be enough.

Tackling injustices is at the heart of the Prime Minister's agenda.

When she launched the Race Disparity Audit (RDA) last year it was the first time a UK government looked overall at the impact of race across many aspects of life.

And we are leading the world in this approach.

The RDA has raised a lot of issues.

But above all, it has shown that we cannot treat ethnic minorities as one single group, with the same challenges.

Something I am glad to see ERSA's report also highlights.

To give some examples.

The British black employment rate is lower than that of the British Indian community, at 67.6 per cent.

In the British Chinese community it's 60.6 per cent, while the average rate in the British Pakistani and British Bangladeshi communities is just 54.8 per cent.

British Pakistani and British Bangladeshi workers are far more likely to be in the lowest skilled occupation groups and receive the lowest average hourly pay.

While the British Chinese community has a gender employment gap of just 6.6 percentage points, lower than the white British or UK average, among the British Indian community it's 12.3 percentage points.

And that's exactly why our approach is tailored to the specific challenges of different communities.

My department has identified 20 'challenge areas' across the country.

These are areas where the employment gap is highest and the ethnic minority population is the greatest.

We are targeting these places with specialist support, trialling new interventions.

Including mentoring programmes and targeted projects building on existing community networks.

Youth

Overall youth unemployment may be at a record low, but it is still hard for young people to see themselves in jobs which are effectively invisible to them.

Jobs where they do not see people like themselves succeeding.

That is why our network of mentoring circles helps open their horizons, bringing young people from ethnic minorities together – voluntarily – in their local jobcentre.

These young people are being mentored in our jobcentres by major employers like HSBC and Fujitsu, giving them the self-confidence and skills and aspiration they need.

I have visited one of these mentoring programmes in north London.

And saw for myself how transformative they can be for youngsters.

Particularly when the mentoring is provided by someone from a similar background to them.

So far, 63 mentoring circles have taken place in 21 jobcentres, and more are being prepared for next year.

A lack of expectations can do more than just drain ambition and hope – it can drive young people onto the wrong path.

That is why proactive intervention can be so important in fuelling their success.

Women

British Pakistani and British Bangladeshi women have some of the lowest employment rates in the UK.

Part of the reason for this may be cultural expectations of caring responsibilities in the home.

Determining what is a choice, and what may be the result of a cultural pressure is not straight forward.

But we must ensure that women know that when they choose to work, they can and will be valued.

That is why in Birmingham Yardley, an area with low employment rates for women from Pakistani and Bangladeshi backgrounds, we are reaching out to them to build a trusted relationship for the first time.

By building the women's confidence, and their knowledge about job opportunities.

And by working in existing community networks, we can bring them closer to the labour market so they can make a choice about their future in it.

Creating full employment among ethnic minorities communities is not just the right thing to do.

It makes good business sense.

As ERSA's members already know, an inclusive employer is also a successful employer.

And that includes the bottom line.

Full representation of ethnic minority individuals across the labour market, through participation and progression in their careers, would boost the economy by an estimated £24 billion a year.

And it's something the whole of government is acting on.

Take my colleagues in the Department for Education.

They are working with thousands of employers and the National Apprenticeship Service to get more young people from ethnic minorities into apprenticeships, a route into almost any career from nuclear engineering to law.

We have pledged to increase the number of apprentices from an ethnic minority background by 20 per cent by 2020.

And last year 55,000 apprentices came from such backgrounds.

Conclusion

The more we understand about where inequality exists, the more we can do to tackle it.

So again I thank ERSA for this thought -provoking report.

It joins a huge bank of evidence, including the Race Disparity Audit and the future findings from the consultation on the Ethnic Pay Gap.

Our work to tackle inequality is ongoing, and will be for some time yet.

But arming ourselves with this evidence means progress will be quicker.

So that when the Doctor Who of the future travels back to our own time, and she and her companions find it difficult to comprehend the injustices which still exist today – that will be because we have tackled them and created a future where everyone has the same opportunity to succeed in life.