

# These statistics demonstrate the total failure of Tories' punitive social security regime – Debbie Abrahams

**Debbie**

**Abrahams MP, Labour's Shadow Work and Pensions Secretary**, commenting on the Social Security and Child Support tribunal statistics, said:

"These statistics show that two thirds of contested PIP and ESA assessment decisions are being overturned by the courts, demonstrating the total failure of the Tories' punitive social security regime.

"This follows the news last week that the Government is ignoring a court ruling and denying 160,000 disabled people the support they need.

"We cannot allow disabled people to bear the brunt of failing Tory austerity. Labour will transform the social security system to ensure that, like the NHS, it is there for us all in our time of need."

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## News story: Fisherman and owner fined £38,201 for fisheries offences

Klaas Kramer and Island Fishing Company Limited (master and owner of the vessel Eben Haezer GY57) pleaded guilty to breaching fisheries regulations at North Tyneside Magistrates Court.

The court heard how between November 2015 and January 2016 the vessel repeatedly fished in the North Sea 'Cod Recovery Zone' despite having exceeded the maximum number of days at sea which the vessel was allowed to spend in that area with regulated fishing gear under the regulations. Investigations by the MMO found that the vessel exceeded the 200 day limit by over 37 days over eight separate fishing trips, contrary to section 4(9) of the Sea Fish (Conservation) Act 1967. The MMO had sent the vessel owners a letter reminding them that they were within 1 day of the limit in November 2015, but the vessel continued to fish, which resulted in the prosecution.

Mr Kramer was fined £3,200 with a victim surcharge of £120 for his role as master of the vessel on seven of the trips.

Island Fishing Company (of which Mr Kramer is a Director and shareholder) was fined an initial £9,200, with an additional fine of £24,000 which the magistrates indicated represented the net profit of the illegal fishing, costs of £1,561 and a victim surcharge of £120.

A spokesman for the MMO said:

“The fines issued by the magistrates in this case send a clear message to the small minority of fishermen who seek to put profit first by failing to comply with the regulations. By issuing an additional fine of £24,000, which the bench indicated that they felt represented the profit from the illegal fishing in this case, the court has made it clear that sentences for unlawful behaviour should deprive offenders of the economic benefit of offending.

The MMO is clear that the vast majority of fishermen operate lawfully and in compliance with regulations which exist to protect fisheries from overfishing and are in place to ensure healthy, sustainable fisheries for this and future generations of fishermen. In the rare instances that non-compliance is detected, MMO uses a risk-based enforcement strategy and operates a graduated and proportionate system of sanctions, with prosecution reserved for the most serious offences.”

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## **News story: Crime news: 2017 contract upload**

2017 crime contracts have been uploaded into Contracted Work and Administration (CWA).

We have begun to upload crime contracts for acceptance into CWA for all organisations that have now completed verification.

If this applies to your organisation then you will receive an email notification through the Bravo messageboard when your contract is ready for you to accept.

Other organisations will see their contracts uploaded once they have completed verification. Advice on this is available on the 2017 crime tender page – see link below.

A copy of the 2017 standard crime contract is available on gov.uk – see link below.

### **April rotas**

The latest duty solicitor rotas covering the period from 1 April to 30 June 2017 will be published shortly.

Revised members' lists on which the rotas are based will also be published shortly.

## Further information

[Standard Crime Contract 2017](#) – final version of 2017 standard crime contract

[Legal aid crime tender 2017](#) – process for accepting contract offers

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## [Press release: Pubs Code Adjudicator makes first arbitration awards](#)

Paul Newby, the Pubs Code Adjudicator, has today announced the completion of the first cases referred to the PCA for arbitration, indicating that the new framework is working to achieve fairness and choice for tenants.

The first cases have been decided and the Adjudicator has made five awards. The numbers of awards will continue to rise as parties conclude their negotiations. Currently over half the accepted cases are at a stage where parties are agreeing procedure between themselves before the process reaches the final stages.

Mr Newby said:

This represents an early milestone for arbitration under the Pubs Code. The bulk of the first referrals for arbitrations were received in October and November and cases have been moving through the arbitration process.

As part of arbitration, parties are encouraged to continue to negotiate and I am pleased to see this process is bringing pub-owning businesses and tenants to the negotiating table. In many cases this is leading to the narrowing of issues, a stronger negotiation position for tenants and swifter settlement.

It shows that arbitration is fulfilling its purpose: tenants and pub-owning businesses are talking and coming to agreement between themselves.

Arbitration awards remain private unless all parties to the dispute agree to release details. As more cases reach award stage I will see where we can identify general principles and make information and advice available to tenants and pub-owning businesses to guide their future relationships.

Some big issues such as what a Market Rent Only compliant tenancy looks like are in the arbitration process. All cases will be considered on an individual basis.

The PCA has robust systems and resources in place to deal with the number of referrals we have received. My team and I are working very hard to progress all referrals.

However, the parties in any dispute have significant control on timing because at each stage of arbitration both tenants and pub-owning businesses have to respond with information or views, or take action independently of the PCA, to allow the process to move forward.

The Code is also new, and inevitably many of the issues raised are the first of a kind and take some time to resolve.

Mr Newby added:

I am also continuing to gather information from tenants, other individuals including MPs, and representative organisations about the Code.

This information is beginning to build up and I am focusing on analysing the information so I have good intelligence to support action I will take. I urge any individual or organisation with information about potential Code breaches to bring that information to me. It will be treated in the fullest confidence.

For further information contact Sheree Dodd [office@pca.gsi.gov.uk](mailto:office@pca.gsi.gov.uk)