



EMPLOYMENT TRIBUNALS (England and Wales)

Case Nos: 1700853/2007 & others

Judge Latham
President

SECOND DIRECTION OF THE PRESIDENT

In the matter of claims involving the application of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

BETWEEN:

CLAIMANTS

**Mr R Miller
and others (see attached schedule)**

AND

RESPONDENTS

- (1) Ministry of Justice**
- (2) Department for Communities & Local Government**
- (3) Residential Property Tribunal Service**
- (4) Welsh Assembly Government**
- (5) Transport & Environment Committee of London Councils**

IN THE MATTER of claims registered in different regions of the Employment Tribunals in England and Wales involving the application of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and lack of entitlement of part-time judicial office holders to a judicial pension on retirement.

AND having made a Direction on 2 February 2011 combining and staying all claims raising the same or similar issues, and transferring these claims to the London Central region.

AND having regard to the Judgment of the European Court of Justice given on 1 March 2012 in the case of *O'Brien v Ministry of Justice* [C-393/1].

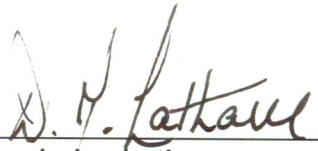
AND upon consideration of representations received from Treasury Solicitors on behalf of the first Respondent on 28 February 2012 seeking confirmation that the stay applies to all future claims brought by part-time fee-paid judicial office holders.

AND having regard to the overriding objective under Regulation 3 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004.

IT IS ORDERED THAT:

1. All claims in England & Wales identified as raising the same or similar issues to *O'Brien v Ministry of Justice*, be transferred to the London Central region.
2. And it is further Ordered that, in order to ensure that these claims are efficiently managed together at this stage, all such claims be considered together under Rule 10 of Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulation 2004 and be automatically stayed on receipt of the ET1 without further application by the Claimant or the Respondent and an extension of time given to the Respondent to file an ET3 with grounds of resistance 28 days after the stay has been formally lifted.
3. A copy of each ET1 will be served upon the Respondent with confirmation that the claim has been automatically stayed.
4. Any party or representative wishing to make representations for the further conduct of these claims should do so upon application to the President.
5. A copy of this Direction be sent to ACAS and to all known interested parties, and be published on the Tribunals Service website at www.tribunals.gov.uk.

SIGNED: _____


Judge Latham
President

DATED: 23 March 2012

To: All parties and/or their representatives
All Regional Employment Judges (England & Wales)
ACAS

Schedule of Judicial Part-Time Pension Claims

<u>Case Number</u>	<u>Claimant Name</u>
1700853/2007	Mr R Miller
2201374/2007	Mr J Ferris
2203628/2007	Mr CC Wright
2302638/2007	Mr P Hampton
1400807/2008	Mr DM Simpson
1402604/2008	Mr AC Markham David
1402706/2008	Mr JM Norris
1603493/2008	Mr DJ Boyd
2200149/2008	Mr JR Varcoe
1901429/2009	Mr RA Male
2222208/2009	Mrs HR Sarkany
2704302/2009	Mr A Strowger
2202969/2010	Mr JM Edge
2203936/2010	Mr SL Batiste
2204183/2010	Mr C Ash
2204311/2010	Mr C White
2204378/2010	Mr I McLaren
2204475/2010	Mr IE Vellins
2204488/2010	Mr P Willans
2204604/2010	Mr RS Hobbs
2204606/2010	Mr AW Stevenson
2204469/2010	Mr RH Burns

2204712/2010	Mr NN Weiniger
2205388/2010	Mr A Bolger
2202593/2010	Ms E Gilliland
2205786/2010	Mr CR Hall
2650099/2010	Mr AC Lord
3200505/2010	Mr P Wallington
1313664/2011	Mr AJ Engel
1316102/2011	Mr DS Borsada
1316521/2011	Mr N Davison
1501278/2011	Mr D Skinner
1801490/2011	Mr D Chandler
2200145/2011	Mr GM Pettigrew
2200148/2011	Mr RE Barrowclough
2200153/2011	Mr JD Hobson
2200429/2011	Sir G Nice
2200431/2011	Mr CR Bear
2200433/2011	Mr RA Harper
2200644/2011	Ms J Newton
2200687/2011	Mr JE Goodman
2200822/2011	Mr B Mordsley
2200833/2011	Mr B Morron
2200962/2011	Mr S Levene
2201144/2011	Ms A Isaacson
2201247/2011	Mr SE Jones
2201306/2011	Mr L Guyer

2202377/2011	Mr J Simpson
2202711/2011	Mr WJ Reed
2202981/2011	Mr J Livesey
2203161/2011	Mr B Livesey
2203199/2011	Mrs B Hindley
2203305/2011	Mr P Gillibrand
2203624/2011	Mrs FR Burton
2203715/2011	Miss SJ Dowell
2203765/2011	Mr DD Banfield
2203786/2011	Mr A Jack
2203801/2011	Lady M Wilson
2203947/2011	Mr KW Brown
2203858/2011	Ms C Bell
2204004/2011	Mrs J McGrandle
2204160/2011	Ms A Abernethy
2204161/2011	Mr LC Allen
2204163/2011	Ms R Bawden
2204164/2011	Mr TW Blewitt
2204165/2011	Mr J Brown
2204166/2011	Mr G Cairns
2204167/2011	Ms S Capper
2204168/2011	Ms V Clare
2204169/2011	Ms A Collins
2204170/2011	Mr MD Cooke
2204171/2011	Ms K Cooper

2204172/2011	Mr DW Coupland
2204173/2011	Ms VT Dsane-Idowu
2204174/2011	Ms N Fearon
2204175/2011	Mr WM Gardner
2204177/2011	Mr J Garrard
2204178/2011	Mr D Grey
2204179/2011	Ms F Green
2204180/2011	Ms RA Guest
2204181/2011	Mr RJ Hawes
2204182/2011	Ms B Healy
2204183/2011	Mr BJ Henderson Smith
2204184/2011	Ms MC Hendry
2204185/2011	MrJM Jerman
2204186/2011	Mr MA Jones
2204186/2011	Miss E Jones
2204188/2011	Ms HA Linsey
2204190/2011	Ms A Lobey
2204191/2011	Mr GI Marsh
2204192/2011	Ms MB Mbatha
2204193/2011	Mr G Newman
2204195/2011	Mr JC Parker
2204196/2011	Ms R Postle
2204197/2011	Ms J Robertson
2204198/2011	Ms A Ruff
2204200/2011	Miss L Sandiford

2204201/2011	Mr B Selby
2204202/2011	Mr I Smith
2204203/2011	Ms GC Solly
2204205/2011	Ms DM Staton
2204206/2011	Ms PM Suchak
2204207/2011	Mr JM Symington
2204208/2011	Ms FM Walker
2204209/2011	Ms W Woodward
2204234/2011	Mr BW Dawson
2204238/2011	Mr GN Otten
2204239/2011	Mr R Henderson
2204240/2011	Mr AE Thorndike
2204241/2011	Ms J Buckle
2204242/2011	Mr I Soulsby
2204243/2011	Mr M Hankey
2204244/2011	Mr C Hughes
2204246/2011	Miss D Fewlass
2204248/2011	Mrs N Bircher
2204250/2011	Miss HR Sansam
2204251/2011	Mr HC Buchanan
2204252/2011	Ms LK Chudleigh
2204291/2011	Mr G Ritchie
2204300/2011	Ms KR Miller
2204304/2011	Ms FM Jolley
2204305/2011	Mrs CA Lewis

2204494/2011	Mr AN Moss
2204512/2011	Mr HW Turcan
2204545/2011	Mr PM Mitchell
2204548/2011	Mr I Robertson
2204553/2011	Ms BM Crisell
2204555/2011	Ms JA Trigger
2204557/2011	Mr P Petheridge
2204565/2011	Mrs M Auld
2204585/2011	Mr MR Oliver
2204586/2011	Mr WJ Rolt
2204583/2011	Mr LA North
2204592/2011	Mr MD Oakley
2204597/2011	Mr PE Kyte
2204612/2011	Ms EJ Silverman
2204619/2011	Mrs CP Searby
2204615/2011	Mr M Jabbitt
2204684/2011	Mrs A Murray Smith
2204686/2011	Mr J Marston
2204688/2011	Ms MK Gill
2204714/2011	Mr A McNeill
2204735/2011	Mr R Callender Smith
2204787/2011	Mr PL Leaver
2204895/2011	Miss JC Gort
2204850/2011	Mr RF Morrison
2204851/2011	Ms EI Harty

2204852/2011	Mr R Ashton
2204854/2011	Mr P Featherington
2204863/2011	Ms CM Bradley
2204866/2011	Mr TP Fagg
2204875/2011	Ms CM Wood
2204881/2011	Mr F Burton
2204885/2011	Ms CM Phillips
2204889/2011	Ms AL De Vos
2204919/2011	Mr MJ Hemborough
2204932/2011	Miss A Somal
3102415/2011	Mr D Edge
3201327/2011	Mr P Wain
1600132/2012	Dr M Hession
2200007/2012	Ms C Asketer
2200080/2012	Mr CR George
2200081/2012	Mr A Engel
2200087/2012	Mr JH Angel
2200088/2012	Ms CJ Liddington
2200090/2012	Mr IM Strongman
2200092/2012	Mr P Causton
2200093/2012	Mr JN Holden
2200163/2012	Ms PD Desai
2200165/2012	Mr DA Brennan
2200167/2012	Mr GA Hargreaves
2200168/2012	Mr AP Gore

2200170/2012	Mr AF Dean
2200171/2012	Mr PJ Norman
2200172/2012	Mr JA Spiers
2200174/2012	Mrs G McLachlan
2200179/2012	Ms C Andrews
2200180/2012	Mr M Ball
2200181/2012	Ms R Bawden
2200182/2012	Mr P Bellshaw
2200183/2012	Mrs J Briggs
2200184/2012	Mr J Brown
2200185/2012	Miss S Capper
2200186/2012	Mrs F Clift
2200187/2012	Ms J Collen
2200188/2012	Mrs J Gale
2200189/2012	Mrs D Gibson
2200190/2012	Mr D Harding
2200191/2012	Ms B Healy
2200192/2012	Mrs J Holman
2200193/2012	Mr R Holt
2200194/2012	Mr JM Jerman
2200195/2012	Ms G Johns
2200196/2012	Mrs D Johnson (Thatcher)
2200197/2012	Ms M Kane
2200198/2012	Mr K Martin
2200199/2012	Ms T Munby

2200200/2012	Mr P Sheldrake
2200201/2012	Mr I Smith
2200202/2012	Ms C Taylor
2200204/2012	Ms KM Rea
2200215/2012	Mr M Griffiths
2200227/2012	Ms SC Hawks
2200274/2011	Mr RH Davison
2200276/2012	Mr JP Cameron
2200278/2012	Mr AB Langley
2200282/2012	Mrs JS Pacey
2200286/2012	Mr SJ Pacey
2200309/2012	Ms JA Talbot
2200310/2012	Mr PA Broome
2200352/2012	Ms JB O'Hara
2200394/2012	Ms SM Daldry
2200396/2012	Mr JE Baird
2200555/2012	Mr OM Hyams
2200610/2012	Ms C Jarvis
2200731/2012	Mrs MJ Jeffreys
2200733/2012	Ms AM Dawson
2200738/2012	Mr NK Kumrai
2200743/2012	Mr PB Bell
2200746/2012	Mr NH Neary
2200747/2012	Ms AL Rivers
2200750/2012	Ms KE Chamberlain

2200762/2012	Mr JM Newey
2200766/2012	Ms AB Coaster
2200767/2012	Mr CJ Deavin
2200772/2012	Mr SR Wilson
2200781/2012	Mr DN Harris
2200794/2012	Mr A Gordon-Saker
2200796/2012	Mrs LH Gordon-Saker
2200797/2012	Mr RD Grosscurth
2200799/2012	Ms MH Pooley
2200801/2012	Ms A Joshi
2200802/2012	Mr RA MacMillan
2200805/2012	Mr PC Rhodes
2200807/2012	Mrs RM Vasmer
2200808/2012	Mr RD Miles
2200809/2012	MS MD Williams
2200810/2012	Miss S Jhirad
2200811/2012	Mrs DR Allan
2200813/2012	Mr MG Caplan QC
2200814/2012	Ms SC Beech
2200815/2012	Mr DL Edwards
2200847/2012	Ms JE Gribble
2200874/2012	Mrs CM Hawden-Beal
2200878/2012	Mr PJ Clarke
2200879/2012	Mr P Haworth
2200885/2012	Mr R Battersby

2200902/2012	Mr MA Khan
2200921/2012	Mr JA Denniss
2200933/2012	Mr IG Coutts
2200935/2012	Ms JE Wyman
2200938/2012	Mr JM Simons
2200939/2012	Ms MT Curran
2200940/2012	Ms CF Collier
2200949/2012	Ms AD Clarke
2200950/2012	Mr ID Grant
2200951/2012	Mr CS Hacking
2200953/2012	Mr JH Josephs
2200961/2012	Mr JS Hunter
2200962/2012	Mr R Hedgeland
2200963/2012	Mr NC Craft
2200964/2012	Mr JN Dent
2200965/2012	Ms BA Elgot
2200966/2012	Mr EC Bradley
2200967/2012	Ms JH Birbeck
2200968/2012	Ms CM Graham
2200970/2012	Mr DG Brooks
2200971/2012	Mr MJ Hamlin
2200972/2012	Mr EJ Hess
2200973/2012	Ms DD Weaver
2200974/2012	Mr BM Herwald
2201013/2012	Mr S Shaw

2201043/2012	Ms DM Kloss
2201045/2012	Mr RN Mitchell
2201063/2012	Mr S Worthington
2201067/2012	Ms AE Aitken
2201072/2012	Mr CJ Hodgkinson
22001096/2012	Mr PS Aujla
2201120/2012	Mr RH Trickey
2201121/2012	Mr G Pearson
2201123/2012	Ms JR Kelly
2201155/2012	Mr K James
2201158/2012	Ms PA Moultrie
2201159/2012	Mr LB Saffer