



Small Firms Legal News Update

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Cases

Employment

Aderemi v London and South Eastern Railway Ltd. 2012 WL 6774469

Employment Appeal Tribunal (EAT)

Langstaff, J. (President); BV Fitzgerald; M Singh, December 06, 2012

A tribunal had taken the wrong approach in determining that a station attendant's disability did not have a substantial adverse effect on his ability to do normal day-to-day activities. The focus of a tribunal had to be upon what a claimant maintained that he could not do as a result of his impairment, not on what he could do.

Legislation

Criminal law

Age of Criminal Responsibility Bill 2013 (HL Bill No.74)

A bill to raise the age of criminal responsibility; and for connected purposes.

[Read the full text here](#)

Legal Advice and Funding

The Civil Legal Aid (Costs) Regulations 2013 (Draft)

The Stationery Office

These Regulations make provision about costs orders in civil proceedings in favour of or against a legally aided party to those proceedings and, in certain circumstances, against the Lord Chancellor.

[Read the full text here](#)



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Regulatory Developments

Legal Profession

Ministry of Justice publishes final DBA and success fee cap regulations

By Litigation Futures, January 23, 2013

The Ministry of Justice has published two draft statutory instruments that will come into force on April 1, 2013, which deal with: damages-based agreements (DBAs); and the 25 per cent cap on the success fee lawyers can take from personal injury clients' damages, excluding those for future care and loss.

[Read the full text here](#)

News

Family Law

Divorce tycoon jailed over missing millions

By Fay Schlesinger, Times, January 17, 2013, 19

Also Reported in Financial Times, January 17, 2013, 4; Independent, January 17, 2013 (Online edition); Guardian, January 17, 2013, 15; Daily Telegraph, January 17, 2013, 15

Scot Young, a property tycoon involved in one of Britain's biggest divorce cases, has been jailed for six months for contempt of court and his "deliberate" refusal to prove that he lost a GBP 400 million fortune, as he had claimed. His estranged wife Michelle Young has been awarded a GBP 27,000 a month package but has not yet received any of the GBP 1 million she is now owed.

Further Reading

Administration of Justice

Reviewing tribunal decisions. IDS Emp. L. Brief 2013, 965, 12-19

Examines, with reference to relevant case law, the circumstances in which parties can apply for a review of an employment tribunal decision. Explains the different procedures which apply to: (1) default judgments including the grounds for revoking a default judgment and determination of liability and remedy; and (2) other judgments and decisions including grounds for review on the basis of the absence of a party, new evidence, the interests of justice and review on the tribunal's initiative.

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