

STATES OF JERSEY



SOCIAL SECURITY TRIBUNAL: APPOINTMENT OF MEMBERS

**Lodged au Greffe on 26th June 2008
by the Minister for Social Security**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to appoint, in accordance with Article 33A of the Social Security (Jersey) Law 1974, further to a process overseen by the Jersey Appointments Commission, the following persons as members of the Social Security Tribunal for a period of 5 years –

Advocate Charles Thacker	Chair
Advocate Alan Binnington	Deputy Chair
Advocate Marion Whittaker	Deputy Chair
Mr. Andrew Green MBE	Panel Member
Mr. David Moody	Panel Member
Mrs. Sandra Le Monnier	Panel Member

MINISTER FOR SOCIAL SECURITY

REPORT

The Social Security (Determination of Claims and Questions) (Jersey) Order 1974, as amended, provides for the constitution of the Social Security Tribunal.

The Social Security Tribunal has been in place since 1974 and hears appeals on a range of benefits under the Social Security Law. However, with the implementation of the Income Support Scheme in January 2008, appeals on determinations under this benefit will also be referred to the Social Security Tribunal. The exception is questions arising from the Impairment Component which are referred to the Income Support Medical Appeal Tribunal already established.

The constitution of the Social Security Tribunal comprises a Chair, and one or more Deputy Chairs holding a qualification in law, and a panel of up to 12 other members. For the purposes of a hearing, the Tribunal consists of the Chair, (or Deputy), and 2 panel members.

Due to the resignation of former panel members, a recruitment process, in conjunction with the Appointments Commission, is now underway to enlist new panel members. However, the Appointments Commission has agreed that recently appointed members of the Medical Appeal Tribunal may be proposed immediately having already gone through a similar recruitment process.

There are no financial or manpower implications regarding the appointment of the Tribunal Members.

Terms of appointment

All Tribunal members are appointed by the States on the recommendation of the Social Security Minister, following consultation with the Appointments Commission.

It is proposed that members are offered an initial term of 5 years, to begin from the date of States approval. Members are then eligible to apply for re-appointment.

Further details of the proposed members are provided below:

Chair of the Social Security Tribunal:

Advocate Charles Thacker

Advocate Charles Thacker was born and raised in Jersey. He studied law at Oxford prior to being called to the Bar in the U.K. in 1970. He was sworn in as an Advocate of the Royal Court of Jersey in 1974 and appointed Notary Public in the same year.

Charles is a Senior Partner in the legal practice of Viberts and specialises in probate, property law and litigation.

He was elected President of the Jersey Law Society in June 2008. He is currently Chair of the Social Security Tribunal, having been a member of the panel since 1993, and Chair of the Health and Safety at Work Tribunal.

Advocate Thacker's experience is essential to the continuity of process of the tribunal hearings.

Deputy Chair of the Social Security Tribunal:

Advocate Alan Binnington

A Mourant partner, Alan Binnington was admitted to the English Bar in 1981 and qualified as a Jersey advocate in 1984. As well as being a member of the editorial boards of the Jersey Law Review and Spitz & Clarke's Offshore Service he is a member of the Society of Trust and Estate Practitioners (STEP), one of Jersey's Law Commissioners and an Academician of The International Academy of Estate and Trust Law. He is also Belgian Consul for the Channel Islands.

Alan is a frequent conference speaker and article writer on specialist subjects including philanthropy, trust administration, formation and Sharia trusts. He is one of the contributors to Sweet and Maxwell's publication "Capital Taxes and Estate Planning in Europe". In Chambers Global 2008 Alan receives plaudits for his "high degree of professionalism", with peers unanimously reaching the conclusion that they "would happily refer clients to him" and is described as "a steady hand on the tiller".

Advocate Marion Whittaker

Born locally, Advocate Marion Whittaker qualified as a barrister in 1975 and as an Advocate in March 1977. Having practiced locally, her experience is broad, but more recently includes private client, family and criminal law.

Advocate Whittaker has participated in working parties advising the States of Jersey on changes to Family Law, both matrimonial and children, and on Sex Discrimination.

Currently, she is Chair of the Jersey Family Law association, Vice Chair of Relate and Chair of the Jersey Family Mediation Service.

Panel Members:

Mr. Andrew Green has been employed by Health and Social Services since 1982, holding the role of Manager, Hotel and Catering Services since 2000. He manages a range of services and 400 staff.

Mr. Green currently holds voluntary posts in the Scout Association (Chair of the Appointments Committee), Scott Gibaut Homes Trust (Chair) and Youth Court (Panel Member) and was the founder Chairman for Headway in Jersey, holding that role for the past 10 years.

In June 2006, Mr. Green was awarded an MBE for his services to the community.

Mr. David Moody is currently employed at the States Ambulance Service, commencing in 1989 as an Operational Ambulance Paramedic and now oversees several paramedics, Ambulance Technicians and support staff. His role as Association Representative requires him to represent colleagues at disciplinary hearings.

Mr. Moody also works as a member and Treasurer of the Jersey Association for Spina Bifida and Hydrocephalus.

Through his work and private life, Mr Moody is used to dealing with a wide variety of situations and people from varied backgrounds and can bring this experience to the Tribunal process.

Mrs. Sandra Le Monnier has wide knowledge and understanding of the various benefit systems from her own experience. In March 2007, Mrs. Le Monnier gave up employment as a sales assistant to become a full time carer including the management of personal finances and benefit applications.

In her spare time, Mrs. Le Monnier, a member of the Social Committee for St. Martin's Football Club since 1994, assists the club with fund raising activities.