

STATES OF JERSEY



INCOME SUPPORT MEDICAL APPEAL TRIBUNAL: APPOINTMENT OF MEMBERS

Lodged au Greffe on 25th May 2012
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 15 of the Income Support (General Provisions) (Jersey) Order 2008, further to a process overseen by the Jersey Appointments Commission, the following persons as members of the Income Support Medical Appeal Tribunal for a period of 5 years –

Advocate Elaine Millar	Deputy Chair
Dr. Michael Richardson	Medical Practitioner

MINISTER FOR SOCIAL SECURITY

REPORT

The Income Support (General Provisions) (Jersey) Order 2008 provides for the composition of the Income Support Medical Appeal Tribunal and the terms of appointment of its members.

The Medical Appeal Tribunal hears appeals on the award of the Impairment Component under the Income Support system. Appeals on all other aspects of Income Support are heard by the Social Security Tribunal.

The Impairment Component has 3 elements of subsidy: personal care, mobility and clinical cost. The clinical cost provides financial support towards the cost of general practitioner fees in Jersey. The Tribunal will review all facts placed before it by the Appellant and the Minister for Social Security (or his representative) and make a determination within the appropriate aspects of the Law.

Tribunal Panels

The Tribunal Chair must be legally qualified to ensure legislation is correctly interpreted. Should the Chair decide to convene a Tribunal, the Chair is joined by a member from each of 2 Panels.

The first Panel consists of Medical Practitioners. The Medical Practitioners must be currently registered to practice medicine with the UK's General Medical Council. The role of the medical practitioner is to help the Tribunal interpret and understand specific clinical information and its relevance or not in the determination.

The second Panel consists of Members with an experience in disability. Members of this Panel have experience either through their work, from having cared for someone, or because of their own situation, of the needs of someone with a disability. Panel members use this experience to interpret the information provided and consider whether a reasonable assessment of abilities had been made.

Following a period of open recruitment and structured interviews, which involved a representative of the Jersey Appointments Commission, who also sat on the recruitment Panel, the Minister for Social Security is satisfied that the individuals proposed for the respective positions have the appropriate qualifications.

Recruitment

The Deputy Chair position became vacant due to the previous appointee leaving the Island. The legislation allows for a Panel of up to 5 medical practitioners to ensure a sufficient number of people are available to sit on a Tribunal: currently there is only one practitioner available.

Terms of appointment

The Income Support (General Provisions) (Jersey) Order 2008 provides that members of the Tribunal will be allowed to hold office for 2 terms, each not exceeding 5 years. The terms also allow a member to resign at any time and provide for the other circumstances in which he or she will cease to hold office, such as bankruptcy or misconduct.

It is proposed that each of the following new members is offered an initial term of 5 years, to begin from the date of States approval.

Further details of the proposed new members are provided below:

Advocate Elaine Millar

Advocate Millar qualified as a solicitor in Scotland in 1987 and spent 6 years working with two of Scotland's biggest commercial law firms before joining The Royal Bank of Scotland Group in 1993. She moved to RBS International in Jersey in 1996, where she was latterly Director, Legal and Regulatory Services, having responsibility for the RBS International Group's legal, compliance and company secretarial functions across 4 jurisdictions. She joined Mourant du Feu & Jeune in 2002 and became a partner of the firm in January 2007, specialising in mergers and acquisitions, data protection, competition law and financial services law and regulation. Advocate Millar qualified as a solicitor in Jersey in 2005 and became an Advocate in 2007.

She left Mourant du Feu & Jeune in July 2009 and has since then worked as a consultant with Mourant Limited and Standard Bank.

Dr. Michael Richardson

Dr. Michael Richardson trained in Edinburgh and graduated in 1982. After completing training in various parts of England, he was appointed a consultant in the North-East of England in 1991, moving to Jersey to take up his current position in 1993. His special areas of interest are General Internal Medicine, Care of the Elderly, Rehabilitation, Rheumatology and Osteoporosis. He is currently Clinical Director of Medicine for the General Hospital and a Royal College Tutor. He supports The Parkinson's Disease Society and is the President of the Jersey Branch.

Financial and manpower implications

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