

STATES OF JERSEY



INCOME SUPPORT MEDICAL APPEAL TRIBUNAL: APPOINTMENT OF MEMBERS

**Lodged au Greffe on 29th January 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 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 Zoë Blomfield	Chair
Miss Kate Doherty	Deputy Chair
Dr. Sylvia Milner	Medical Practitioner Panel Member
Dr. Brendan Loane	Medical Practitioner Panel Member
Mr. Andrew Green MBE	Panel Member
Mrs. Barbara Bedford	Panel Member
Mr. David Moody	Panel Member
Mrs. Sandra Le Monnier	Panel Member

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 is a new Tribunal body that will hear appeals on the award of the Impairment Component under the Income Support system. Appeals on all other aspects of Income Support will be heard by the Social Security Appeal Tribunal, which is already established.

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. The Tribunal hearings will be held in public. 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 U.K.'s General Medical Council. The role of the medical practitioner will be 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 will 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 knowledge or experience of, or interest in, matters relating to care, mobility and clinical care.

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:

Chair of the Medical Appeal Tribunal:

Advocate Zoë Blomfield was born and educated in Jersey. After studying business and finance she then completed a law degree at London University.

After gaining 10 years of varied practice experience in Jersey, Advocate Blomfield was sworn in as an *Écrivain* of the Royal Court (Jersey Solicitor) in 2003. For several years she has specialised in family law and is also qualified to practice collaborative law. Advocate Blomfield was instrumental in introducing this practice to Jersey and is a member of the U.K. body Resolution, which advocates a constructive, non-confrontational approach to family law matters.

Zoë Blomfield was made a Partner of Viberts in 2006 and in November 2006 was sworn in as an Advocate of the Royal Court.

Her experience of disability matters comes from her appointment as a Curator to a person with Cerebral Palsy who is completely paralysed.

Deputy Chair of the Medical Appeal Tribunal:

Miss Catherine (Kate) Doherty qualified as a solicitor in 1995 and has been employed by Bedell Cristin since 2003 as a Senior Lawyer.

Miss Doherty was a trustee of Age Concern in the U.K. from 1998 until 2003 developing the Charity's services and advising on legal issues. Throughout this time Miss Doherty also provided free monthly surgeries to give advice on legal issues to the elderly.

Miss Doherty has been appointed as Attorney by a number of older and disabled clients to manage their affairs: a role which includes advising on potential entitlement for benefits. Miss Doherty also writes articles for a local Carers' newsletter advising on legal issues.

Miss Doherty also has experience of the management of disability on a personal level, giving further insight to the potential issues faced by benefit claimants.

Medical Practitioner Panel:

Dr. Sylvia Milner's medical career spans over 40 years, she is used to meeting people from varied backgrounds with a wide range of disabilities and medical problems. Past employment has included Nursery School Medical Officer and Family Planning Clinic Doctor.

She has been a Member of the Attendance Allowance Board since 1985, including deputising for the Chair in her absence, and has also acted as a Medical Appeal Tribunal member for Incapacity benefits.

Dr. Milner's involvement with local committees has included the Advisory Panel on Adult Education (Member and Chair), JCG PTA (Vice-President) and Children's Sub Committee for Children in Care (Member).

Dr. Brendan Loane has been a General Practitioner at the Laurels Medical Practice since 2002 and is used to regularly assessing patients for fitness to work as well as providing information to aid Medical Board Doctors.

Dr. Loane has recently completed the Faculty of Occupational Medicine's Diploma in Occupational Medicine, which augments his work as an Occupational Physician for several local companies; supporting employers in assisting disabled employees in a work environment.

Lay Members Panel:

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), Scot 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, he has gained wide understanding of the difficulties faced by people who have suffered brain injury.

Mr. Green is the carer of a 28 year old who suffered a brain injury after a traffic accident 19 years ago.

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

Mrs. Barbara Bedford has worked with disabled and elderly clients since 1983 and has been employed by

Health and Social Services since 1998, holding the position of Senior Nurse at the Rehabilitation Clinic at Overdale. Prior to this she was employed at Jersey Cheshire Homes: a role which included assisting clients with their finances and benefit claims. Mrs. Bedford retired in December 2007.

Mrs. Bedford has also been involved with young MS patients, helping and educating them with their drug therapy.

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.

He works as a member and Treasurer of the Jersey Association for Spina Bifida & Hydrocephalus. On a personal level, he has first-hand experience in caring for someone with severe disabilities, covering issues likely to be considered by the Tribunal.

Mr. Moody is used to dealing with a wide variety of situations and people from varied backgrounds.

Mrs. Sandra Le Monnier has wide experience of disabilities and benefit claims from her own experience. Mrs. Le Monnier gave up employment as a sales assistant in March of 2007 to become a full-time carer, including management of personal finances and benefit applications.

Mrs. Le Monnier has been a member of the Social Committee for St. Martin's Football Club since 1994, assisting the club with fund-raising activities.