

# STATES OF JERSEY



## SOCIAL SECURITY MEDICAL APPEAL TRIBUNAL: APPOINTMENT OF MEMBER

---

Lodged au Greffe on 27th February 2018  
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 34 of the Social Security (Jersey) Law 1974, and further to a process overseen by the Jersey Appointments Commission, Dr. Benjamin John Griffiths, Medical Practitioner, as a member of the Social Security Medical Appeal Tribunal for a term of 5 years.

MINISTER FOR SOCIAL SECURITY

## **REPORT**

### **1. Background**

Article 6 of the [Social Security \(Determination of Disablement Questions\) \(Jersey\) Order 1974](#) provides for the constitution of the Social Security Medical Appeals Tribunal (“SSMAT”).

The SSMAT hears appeals regarding the award of Long-Term Incapacity Allowance following assessments regarding loss of faculty made by a Medical Board. The Tribunal will review all facts placed before it by the Appellant and the Minister for Social Security and may confirm, reverse or vary the decision made by the Medical Board.

The constitution of the SSMAT comprises a Chairman (or Deputy Chairman) holding a qualification in law, and 2 Medical Practitioners (selected from a panel of up to 8 members).

The Medical Practitioners to the SSMAT must be currently licensed to practice medicine with the UK’s General Medical Council. The assessment of award for Long-Term Incapacity Allowance is based on the determination of a loss of faculty, the degree of loss of faculty and the period of the award.

Because of the medical nature of the test, it requires the knowledge and experience of a medical practitioner. In the Tribunal, the medical practitioner is there to interpret and understand specific clinical information and its relevance in the determination.

This report recommends the appointment of a medical practitioner.

### **2. Tribunals**

The Minister is responsible for the constitution of 3 different Tribunal Panels, the Social Security Medical Appeal Tribunal, the Social Security Tribunal (“SST”) and the Income Support Medical Appeal Tribunal (“ISMAT”). Where appropriate, Panel members are appointed to other Tribunals, ensuring a stronger pool available for each Tribunal.

### **3. Terms of appointment**

The Social Security (Determination of Disablement Questions) (Jersey) Order 1974 provides that members of the Tribunal are appointed by the States on the recommendation of the Minister, after consultation with the Jersey Appointments Commission.

The Minister therefore recommends the appointment of Dr. Benjamin Griffiths.

The initial term of office is 5 years. An appointed member is then eligible for re-appointment for a further 4 years to comply with Appointment’s Commission guidance of a maximum of nine years served.

The Minister is confident that the individual proposed has the skills necessary to uphold the fairness and integrity of the tribunal system.

#### **4. Member proposed for appointment**

##### **Medical Practitioner to the Social Security Medical Appeal Tribunal:**

Dr. Benjamin John Griffiths was born and schooled in Jersey. He worked for the Chief Minister's Department from 2006 to 2008 and qualified in Medicine in London in 2012. Dr. Griffiths covers anaesthetics, peri-operative medicine and intensive care medicine. He has, separately, been appointed as a Medical Member of the First Tier Tribunal of England and Wales.

##### **Collective responsibility under Standing Order 21(3A)**

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Minister for Social Security, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers ([R.11/2015](#) refers).

##### **Financial and manpower implications**

There are no financial or manpower implications for the States arising from the adoption of this Proposition.