

STATES OF JERSEY



INCOME SUPPORT MEDICAL APPEAL TRIBUNAL: APPOINTMENT OF MEMBERS

Lodged au Greffe on 10th January 2020
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 9 of the Income Support (Jersey) Law 2007, further to a process overseen by the Jersey Appointments Commission, the following persons as members of the Income Support Medical Appeal Tribunal for a 5 year period –

Dr. Martin Barrett	Medical Practitioner
Mr. Robert Douglas	Lay member
Mr. Keith Graham	Lay member.

MINISTER FOR SOCIAL SECURITY

REPORT

1. Background

Article 15 of the [Income Support \(General Provisions\) \(Jersey\) Order 2008](#) provides for the composition of the Income Support Medical Appeal Tribunal (“ISMAT”) and the terms of appointment of its members.

The ISMAT hears appeals on the award of the Impairment Component under the Income Support system and any other decisions made on medical grounds. It may also hear appeals regarding care requirements for Home Carer’s Allowance and the care assessments for Long-Term Care. 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 Determining Officers.

The ISMAT consists of a Chair (or a Deputy Chair) holding a qualification in law, a medical practitioner and a lay member.

Medical practitioners appointed to the ISMAT must be currently licensed 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 lay member must 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 has been made.

This report recommends the reappointment of a medical practitioner and 2 lay members.

2. Tribunals

The Minister is responsible for the constitution of 3 different Tribunal Panels, the Social Security Medical Appeal Tribunal (“SSMAT”), 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 Income Support (General Provisions) (Jersey) Order 2008 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. Martin Barrett
- Mr. Robert Douglas
- Mr. Keith Graham.

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 the Appointments Commission’s guidance of a maximum of 9 years served.

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

4. Members proposed for appointment

Medical Practitioner to the Income Support Medical Appeal Tribunal

Dr. Martin Barrett trained in Birmingham and graduated in 1979. After hospital appointments in various parts of the United Kingdom, he became a General Practitioner (G.P.) in Jersey for 10 years, before moving to a position in the Head Office of the National Health Service. He received training from the Benefits Agency in respect of Incapacity Benefit, before returning as a G.P. to Jersey in 1998.

Dr. Barrett has a special interest in Forensic Medicine, regularly giving evidence in the criminal courts in England and Wales and he has a role in the examinations held by the Faculty of Forensic and Legal Medicine.

On retiring from general practice, he was appointed Relief Coroner within the Viscount's Department of the Royal Court of Jersey.

Lay members to the Income Support Medical Appeal Tribunal

Mr. Robert Douglas was previously a Director of a leading Trust Company, where he was mainly employed as a Trustee, a position he held for approximately 12 years.

Prior to that, Mr. Douglas worked in law, banking and finance in Jersey since 1988, including undertaking a 5 year period as a Greffier Substitute with the Royal Court.

In addition, Mr. Douglas is one of the founders of the Jersey Marathon, and he continues to serve as a Trustee.

Mr. Keith Graham has worked in the financial services industry for over 30 years, holding senior board positions for the majority of that time. Mr. Graham now holds non-executive director positions for both B.G. Romeril and Fiduchi, including acting as Chair for a Compliance & Risk Committee, as well as being a member of a Nominations Committee.

Mr. Graham has also served as a Trustee for MS UK, a charity that was established for anyone affected by Multiple Sclerosis by improving the understanding of MS and providing support where it is needed most.

Mr. Graham has also been involved with the Jersey Employment Trust, recognising the importance of providing support services that will assist people with a disability to find employment.

Financial and manpower implications

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