
Email correspondence of 18th August 2014.

Personal details redacted. To allow easy understanding of the direction of communications a heading has been added [From: To: Cc:] to each message with the following key –
SSD: Social Security Department, JGR: Judicial Greffe

From: SSD Cc: JGR

From: [REDACTED]
Sent: 18 August 2014 09:32
To: Registrar Tribunal Service
Cc: [REDACTED]
Subject: Changes to the constitutions of the SSMAT

Dear Registrar

The draft changes to the Social Security (Jersey) Law 1974 have now been lodged by the Minister for Social Security and have been scheduled for debate by the States on 22/9/14.

The draft changes are to amend the Law so that the constitution of the Social Security Medical Appeals Tribunal is moved to the Social Security (Determination of Disablement Questions) (Jersey) Order 1974. This will then enable the Minister to change from the present panel of 3 doctors to a situation of a legal chair and 2 doctors.

Subject to States and Privy Council approval I will advise again when the change to the Order is likely as this will then require recruitment for a Chair and Deputy Chairs and Doctors.

Regards

[REDACTED]

From: JGR To: SSD

From: [REDACTED]
Sent: 18 August 2014 09:35
To: [REDACTED]
Cc: Registrar Tribunal Service
Subject: RE: Changes to the constitutions of the SSMAT

Dear [REDACTED]

If this is agreed by the States in September how long will it be before it comes into force and we can begin the recruitment process.

Kind regards

[REDACTED]

From: SSD To: JGR Cc: Registrar

From: [REDACTED]
Sent: 18 August 2014 09:45
To: [REDACTED]
Cc: Registrar Tribunal Service
Subject: RE: Changes to the constitutions of the SSMAT

Hi [REDACTED]

Unfortunatley this is part of the primary Law that cannot be changed by Regulation. So as you know this means it has to go to the Privy Council first and I am not sure how long this is taking these days. I am aware that in the past this has been known to take many months.

The draft change P144/2014 stipulates that it will come into force 1 month after it is registered. This is to allow enough time for the Order to be drafted and signed by the Minister and also for the recruitment process.

Regards

[REDACTED]

Email correspondence of 18th March 2015.

Personal details redacted. To allow easy understanding of the direction of communications a heading has been added to each message with the following key –
SSD: Social Security Department

From: SSD

From: [REDACTED]
Sent: 18 March 2015 16:52
To: Registrar Tribunal Service
Cc: SS Governance
Subject: Appeals to the Royal Court on a point of Law

Dear Registrar

As you are aware previously an appellant and the Department had a right of appeal to the Royal Court against a decision of the Social Security Tribunal or Income support Medical Appeal Tribunal on a point of law only, however the relevant pieces of legislation did not stipulate a time period or mechanism in which this was to be done.

I can now advise that changes to the relevant legislation were recently agreed by the Minister and came into force on 6 March 2015. The wording of the revised legislation is copied below for your reference;

Appeals and references to Royal Court

- (1) A person aggrieved by a decision of the Tribunal may, on a point of law only, appeal to the Royal Court.
- (2) An appeal under paragraph (1) may be made –
 - (a) in the first instance, only with leave of the Tribunal; or
 - (b) in the second instance, only with leave of the Royal Court where the Tribunal has in the first instance refused leave to appeal.
- (3) The Tribunal shall, if it is unable to reach a decision as to whether or not to grant leave to appeal, refer the application for leave to appeal, to the Royal Court.
- (4) Subject to paragraph (5), an application for leave to appeal under paragraph (2)(a) must be made before the end of the period of 4 weeks beginning with the date of the Tribunal's decision or order.
- (5) The Tribunal may vary the period specified in paragraph (4) if, in the circumstances of the case, the Tribunal is satisfied it would be fair and just to do so.
- (6) An application for leave to appeal under paragraph (2)(b) shall be made within such period as may be specified by Rules of Court (within the meaning of Article 13 of the Royal Court (Jersey) Law 1948⁽ⁱⁱⁱ⁾).

