

Fee-paid Specialist Member of the First-tier Tribunal, Social Entitlement Chamber, Criminal Injuries Compensation

Job Description

Jurisdiction

The Criminal Injuries Compensation Act 1995 provides for the payment of compensation to people who have sustained injuries from crimes of violence. Entitlement to compensation is governed by schemes approved by Parliament. The schemes are administered by the Criminal Injuries Compensation Authority, an executive agency of the Ministry of Justice.

There is a right of appeal against the Authority's decisions to an independent, judicial body – the First-tier Tribunal.

Appeals are heard by a panel, which typically comprises a judge and 2 members. Members are either medically qualified or persons with substantial experience of dealing with victims of violent crime. That experience may have been acquired in a professional or voluntary capacity. Members and judges play an equal part in the proceedings.

The proceedings are inquisitorial in nature, which means that the tribunal actively manages the hearing. Given that many appellants are not legally represented, the tribunal takes on an enabling role to ensure that everyone is able to participate fully and cases are dealt with fairly and justly.

Main activities

Preparing for hearings

Reading and assimilating appeal papers in advance of the hearing. The papers are frequently voluminous and complex. All members of the panel are expected to have identified the salient factual and legal issues in the case through preparatory reading, in order to make efficient use of the time at the hearing.

Conduct of hearings

Taking an active part in the hearing by demonstrating conversancy with the key facts and issues, asking questions of witnesses, taking notes, minimizing stress by avoiding unnecessary formality and using the tribunal's expertise effectively.

Decision making

Evaluating the evidence and applying the relevant law to produce a decision that is legally sound and just. The member does not have an advisory role but rather plays a full and equal part in the deliberations of the tribunal and the making of the decision.

Training

The Tribunal will provide induction training and continuing training in the law and practice of the Criminal Injuries Compensation jurisdiction. Attendance at training events and participation in the appraisal scheme are mandatory.

Members are expected to familiarize themselves with information and reference materials supplied by the Tribunal and to maintain expertise in their own area of specialism.

Availability

The frequency of sittings depends upon the workload of the Tribunal. Members are expected to be available up to 30 days a year for tribunal business. The Tribunal will endeavour to offer at least 15 days' sittings a year.

Sittings are usually arranged in blocks of a week at a time. Sittings are held at a number of venues across Great Britain and are likely to involve overnight stays.

Restrictions

The recruitment of medical practitioners is dealt with through separate channels.

Because many of the cases that come before the Tribunal involve evidence given by police officers, the Tribunal is unlikely to deploy persons who are serving police officers. Those who have previously been police officers must be able to demonstrate that their particular circumstances are such that limitations on their deployment are no longer relevant.

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