



cicap

annual report and
accounts

2005/06



criminal injuries compensation appeals panel tenth annual report and accounts for the year ended 31 march 2006

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cicap
criminal injuries compensation
appeals panel



criminal injuries compensation appeals panel annual report and accounts 2005/06

To:
The Secretary of State for the Home Department
The Scottish Ministers

On behalf of the Criminal Injuries Compensation Appeals Panel I have the honour to submit our Report and Accounts for the year from 1 April 2005 to 31 March 2006.

Roger Goodier
Chairman, Criminal Injuries Compensation Appeals Panel

18 July 2006

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contents

1	Chairman's foreword	4
2	Introduction	8
3	Management commentary for 2005-06	10
4	Financial aspects	22
5	Remuneration report	24
6	Accounts	29
7	Annex a - Case studies	49
	Annex b - Panel members	51

1

chairman's foreword

The Tribunals Service

On 1 April 2006, the sponsorship of the Criminal Injuries Compensation Appeals Panel (CICAP) by the Home Office transferred to the Department for Constitutional Affairs (DCA), and CICAP joined with other tribunals to become part of the new Tribunals Service, an executive agency of the DCA. I welcome the move, which reinforces the need for tribunals to be seen to be impartial and independent of the government department that sponsors, in our case, the Criminal Injuries Compensation Schemes and has responsibility for paying the awards of compensation made under them. Our relationship with the Scottish Executive is preserved under the new arrangements.

The change of status has administrative consequences for the future. In particular, CICAP will no longer be required to account separately as a Non-Departmental Public Body, it will not have its own Accounting Officer, Audit and Finance Committees and it will no longer publish its own Annual Report. In future, an account of CICAP's activities will be included in a report covering all the tribunals under the jurisdiction of the Tribunals Service – this will be one of the many responsibilities of its first Senior President, Lord Justice Carnwath, and first Chief Executive, Peter Handcock who have most ably led structural and organisational reforms, supported by the tribunal judiciary and, not least, many committed and talented civil servants from DCA.

I wish here to pay tribute to those in the Home Office who, until 31 March 2006,

had responsibility for CICAP. They have never sought to influence CICAP's decision-making functions and have at all times recognised the independence of CICAP's business. CICAP will retain some of these links, for example, I will continue to advise the Home Office of any difficulties in the operation of the Schemes and suggest appropriate Scheme changes, and I will continue to be available to be consulted on all issues affecting the Schemes.

Consultation Paper: *Rebuilding Lives – supporting victims of crime*

In December 2005, the Home Office published this Consultation Paper (Cm 6705). I consider that CICAP adjudicators are in a unique position to assess the benefits and failings of the current Schemes affecting those whom the Schemes are intended to benefit, namely innocent victims of crimes of violence that occur in Great Britain.

Each year, at oral hearings held at hearing centres throughout Great Britain, CICAP adjudicators between them meet in the region of 3,000 appellants who have appealed paper decisions made by Criminal Injuries Compensation Authority. Accordingly, after consulting with adjudicators, CICAP made what I hope will be regarded as a helpful and full written response to the Consultation Paper – this can be viewed on the CICAP website at www.cicap.gov.uk/panel_chairmans_procedural_directions/documents/rebuilding_lives.pdf and a hard copy is available on written application to CICAP's Secretariat at Cardinal Tower.



Panel membership

All CICAP's adjudicators are appointed on a 'fee paid' basis. We started the year 2005-06 with 94 adjudicators, but will start 2006-07 with 74. The reduction is in the main due to the retirement on 31 March 2006 of seventeen long-serving and highly valued members who had already reached the retirement age prescribed by the Lord Chancellor for tribunal judiciary. A further thirteen legally qualified adjudicators with particular expertise in personal injury litigation would also have retired on 31 March 2006 on the same grounds, but the Lord Chancellor extended their appointments by 12 months on the grounds of business need. It is expected that a number of new legally qualified adjudicators will be appointed during 2006-07. On the basis of the current number of appeals being received, I consider that the optimum number of fee paid CICAP adjudicators is about seventy.

Training and continuing education for adjudicators

Early in the year, I appointed Bernard Whyte, one of our adjudicators with relevant experience, as the Panel's Training Adviser. This appointment has undoubtedly enhanced the structure and delivery of training and continuing education to CICAP's adjudicators.

Diversity issues

In January 2006, DCA published *Tribunals for diverse users*, the result of detailed research commissioned by DCA and undertaken by University College, London led by Professor Hazel Genn into the outcome of appeals made by ethnic minority appellants. This research looked at three tribunals, one of which was CICAP. A number of interesting and potentially far reaching conclusions were reached. CICAP welcomes the many points made in the research, all of which will benefit us and other tribunals. Further information is available on the DCA website www.dca.gov.uk/research/2006/01_2006.htm

Judicial Review applications and quality of decisions

In the year we received ten applications for judicial review and in only two cases did an appellate court decide at an oral hearing to set aside a CICAP decision on a point of law. In the last four years, only five appeals have been set aside by an appellate court at an oral hearing, testimony, I believe, to the high quality of decision making by CICAP.

I am very grateful to Rodney Huggins, one of our adjudicators, who, as CICAP's Acting Legal Adviser, has been immensely assiduous and supportive in the handling and monitoring of these applications.

I am pleased to report that my concerns about appeals mainly being determined by just two, rather than three, adjudicators due to financial reasons, about which I wrote in last year's Annual Report, have been addressed. I was particularly pleased that the Council on Tribunals lent its support to my concerns on this issue.

Delay

CICAP abhors delays in bringing appeals on for hearing. We are mainly dependent on the Criminal Injuries Compensation Authority certifying that appeals are 'ready to list', the number of which is at a worryingly low level. At the end of the year only 722 (1,102 last year) outstanding appeals were certified as 'ready to list'. I continue to be pro-active by making robust directions in cases where there is no obvious explanation for the delay.

In April 2004, the number of outstanding appeals stood at 4,970. By the end of March 2006, this number had fallen by 34% to 3,284. I am pleased to note that the number of outstanding appeals fell, from 4,058 at the beginning of the year to 3,284 at the end, a drop of 19%, and that CICAP made final decisions in more appeals than were received. So although the trend is in the right direction, I remain dissatisfied with

the time between receipt of the appeal and final decision in many cases and, overall, the current number of outstanding appeals. With the support of the Authority, I look forward to another substantial reduction in the number of outstanding appeals in 2006-07.

CICAP staff

Finally, my thanks to all the staff in CICAP's Glasgow and London offices. Jeanette Martin, CICAP's Acting Chief Executive and Accounting Officer, has admirably weathered a challenging first year since she joined CICAP in May 2005; the move to DCA inevitably caused uncertainty and was probably responsible for some staff shortages during the year as recruitment and retention proved difficult. The good news is that the number of staff within our complement is increasing to more acceptable levels. We all look forward to a strong working relationship with DCA.



Roger Goodier

6 June 2006



2

introduction

Until 31 March 2006 CICAP was a Non-Departmental Public Body (NDPB) sponsored by the Home Office. It was established from 1 April 1996 to determine appeals arising from claims for compensation for criminal injuries made on and after that date. It considers appeals solely on claims lodged under the 'Tariff' Schemes, but has from 1 April 2000 had responsibility for resolving the residue of 1990 (Old Scheme) cases with the winding up of the Criminal Injuries Compensation Board (the Board) on 31 March 2000.

The Secretary of State is required to make arrangements for the payment of compensation to, or in respect of, persons who have sustained one or more criminal injuries. These arrangements are set out in the Criminal Injuries Compensation Scheme 1995 which applies to all applications made on or after 1 April 1996 (the 1996 Scheme), later superseded by the 2001 Scheme for applications made on or after 1 April 2001.

Payments of compensation under the 1996 and 2001 Schemes (known as 'Tariff' Schemes) are made by the Criminal Injuries Compensation Authority (CICA / the 'Authority'). Appeals against decisions taken on review under this Scheme are determined by adjudicators. Persons appointed as adjudicators are appointed as members of CICAP. The Secretary of State also appoints one of the adjudicators as Chairman of the Appeals Panel.

There has been a Scheme in existence in Great Britain for payment of compensation to victims of crimes of violence since 1964. Until April 1996, the Scheme operated under the Royal Prerogative and awards were made on the basis of common law damages.

The 1996 Scheme made changes to both the administration and the substance of compensation for criminal injuries. The most significant are that a victim's general damages for pain and suffering and loss of amenity were replaced by a tariff of awards; and that the entitlement to and amount of awards are now assessed by claims officers, who are civil servants and the staff of the Authority, and not by the senior lawyers who formed the membership of the Board, with a right of appeal to the Appeals Panel. The rules as to eligibility for an award have, generally, not been altered.

Chairman

Roger Goodier completed the fourth year of his four year appointment as Chairman at the end of 2005-06. The Lord Chancellor extended Roger Goodier's appointment for two years to 31 March 2008. The position of Chairman is part time.

Chief Executive

After three years Roy Burke, full time Chief Executive and Accounting Officer, left CICAP on 29 April 2005 on promotion to a post in the Cabinet Office. Jeanette Martin took over the duties as Acting Chief Executive and Accounting Officer with effect from 23 May 2005.



Panel members

Panel members serving for part or all of the year, with their CVs, are shown in Annex B.

We started off the year with 94 panel members and will start the year 2006-07 with 74. As at 31 March 2006, 30 of CICAP's panel members had reached or exceeded the retirement age permitted by the DCA: six lay members, 15 legally qualified and nine medically qualified. All have given excellent service and their experience and commitment has been immense. The retirement of the lay and medically qualified members still enables CICAP to cover the planned 2006-07 hearing programme. However, the loss of so many legally qualified panel members with particular expertise would have meant that CICAP was unable to carry out the 2006-07 hearing programme as planned unless more panel members were recruited. In the circumstances, and following full discussions between Home Office, DCA and the Chairman, the Lord Chancellor agreed to extend the appointments of 13 legally qualified panel members until March 2007. One panel member, Sarah Nathan had to resign her position on her appointment to the Judicial Appointments Commission, and CICAP wishes her well in her new post.

Many informed and independent observers are impressed by the backgrounds, achievements and 'tip top' quality of CICAP's adjudicators. The commitment of panel members in: attending training courses; keeping up with developments in the tribunal arena generally; and in matters affecting CICAP in particular: their skills in preparing for hearings; taking evidence; making and giving fair and reasoned decisions; and, generally doing all that is necessary to be good adjudicators, is reflected in the fact that only two CICAP decisions were overturned by an appellate Court at a full hearing.

On rare occasions when he was satisfied that there had been an error of law made by a Panel resulting in manifest injustice,

the Chairman has exercised his implied inherent discretionary power to set aside a decision and direct a re-hearing.

CICAP's transfer to the Tribunals Service

On 1 April 2006, CICAP transferred from the Home Office to join the newly created Tribunals Service, part of the Department for Constitutional Affairs (DCA). In the run up to the move, the Chairman sat on the Tribunals Presidents' Group with the jurisdictional Presidents of the other 'Top Ten' tribunals, chaired by the Senior President of the Tribunals Service, Lord Justice Carnwath, a Lord Justice of Appeal and former Chairman of the Law Commission. The Acting Chief Executive sat on the Tribunals Service CICAP Implementation Board, attended by representatives of the Home Office and DCA.

For the whole of 2005-06, the Acting Chief Executive and other CICAP staff attended a wide range of strategic planning workstream groups covering the whole spectrum of CICAP business, the purpose being to effect a smooth transition to our new government department.

The future

Notwithstanding the transfer to the DCA, CICAP will maintain close links with the Home Office and Scottish Executive and colleagues at CICA in matters to do with the administration of the Criminal Injuries Compensation Scheme.

CICAP's targets for 2006-07 are in the Tribunals Service business plan available from the website at:
www.tribunals.gov.uk/publications/documents/tribunals_service_business_plan.pdf

3

management commentary for 2005-06

Aim

Our aim is to enable victims of crimes of violence to have their appeals decided sensitively, fairly and independently in accordance with the Scheme.

Performance during the year

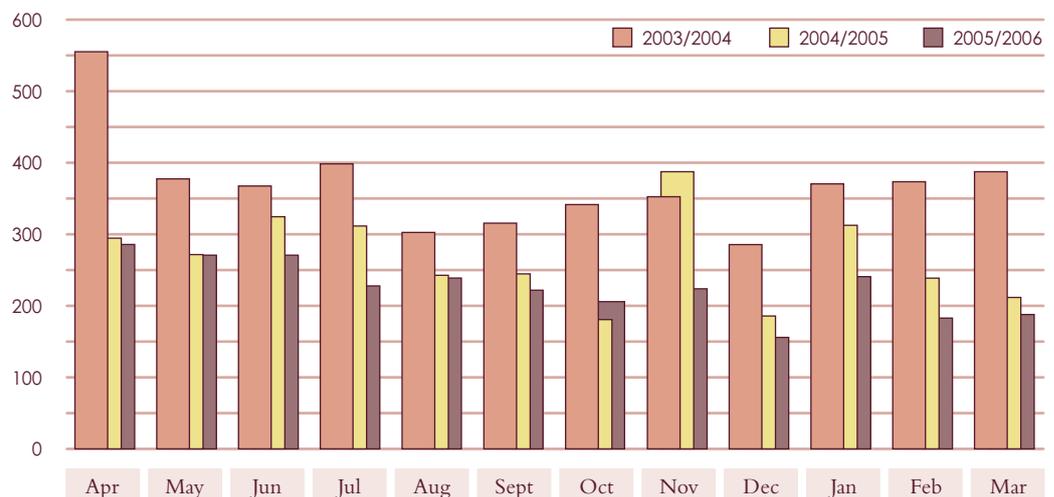
Tariff cases

Tariff cases are those cases where applications were received on or after 1 April 1996. CICAP continues to see a reduction in the levels of appeals from the Authority's review decisions. In fact, the number of new appeals received has fallen over each of the last three years and while this trend is expected to continue, exceptional events such as the London bombings on 7 July 2005, the victims of which who incurred injuries are entitled to claim under the Criminal Injuries Compensation Scheme, may give rise to additional appeals further down the line.

As the Scheme is currently administered, and if the number of new appeals continues at present levels, we need to sit on about 600 days a year to avoid an increase in the number of outstanding appeals. The Chairman would like to reduce the number of outstanding appeals to 2,500, this may be a realistic target if the appeal rate stays as it is and the Panel and the Authority both continue to work hard to get cases to 'ready to list' as quickly as possible. Over 2005-06 the stock of cases awaiting resolution fell by nearly 20% (more about this achievement below).

During the year, three planned hearing weeks had to be cancelled because there were insufficient 'ready to list' appeals at certain hearing centres; on each occasion the cancelled hearing was replaced by an additional hearing at another venue in the same week. Additionally, a half week

Tariff Cases – Appeals received by month



Tariff Cases

	2003/04	2004/05	2005/06
New appeals received	4434	3211	2715
Cases disposed of	4079	3655	3252
Sitting days	752	695.5	634.5

of hearings was cancelled in Dundee because of the lack of overnight accommodation due to the G8 summit!

Just under 8.5% (230) of appeals were withdrawn this year, 328 in 2004-05. The number of appeals outstanding at the beginning of the year was 4,058 and by the end of the year, this figure had reduced to 3,284.

The number of appeals recorded as 'ready to list' at the beginning of the year was 1,115 (1,102 in 2004-05), and at the end of the year it was 722. In fact, the stock of cases actually capable of being listed at the end of March 2006 was not 722 but just 444. There are a number of reasons why a case seemingly ready for hearing cannot be listed – they include:

- unavailability of key witnesses, in particular police officers;
- an ongoing parallel civil claim in respect of the same incident which can make it inappropriate for the appeal to be determined;
- an applicant suffering two or more separate criminal injuries, where it may be necessary for all cases to be linked and heard at the same time so that justice can be done;
- an impending criminal charge, which might have a bearing on the appellant's eligibility to receive an award;
- a group of like cases being stayed or 'sisted' due to on-going court proceedings.

We have to ensure availability of witnesses, wherever possible give six weeks, and in any event no less than three weeks, notice of the hearing date, reasonably balanced and full lists, assign some cases to specialist panels and take account of travelling times and arrangements. It is no one's fault that all of the factors just mentioned mean that, in reality, only 444 of the stock of 722 cases are capable of being listed. The Presenting Officers Unit (POU) at the Authority assure us of their continued co-operation to get cases 'ready to list' as quickly as possible.

The number of unresolved appeals, 3,284 at the end of the year, is still too high but the downward trend is in the right direction. The 634.5 sitting days in the year was spread between all our panel members. While the falling number of appeals has meant that many panel members have not sat as often as expected on appointment, with the reduced numbers of panel members going forward to 2006-07, it is likely that all will be sitting more frequently.

Key Performance Indicators (KPIs) and targets

KPIs and targets	2003/04	2004/05	2005/06
a) determine 90% of appeals on eligibility within 6 months of receipt of the 'ready to list' bundle from POU	69%	67%	68.6%
b) determine 80% of all appeals within 12 months of receipt of this bundle	88%	88%	90.9%
c) determine 100% of appeals within 2 years	96%	96%	97.3%
d) determine 6 appeals (eligibility and assessment) per hearing day	6	5	5

Data source; Statistics drawn from the CICA Oracle10g database

The Chairman regards high quality decision making as paramount. The Home Office and Scottish Executive have been made aware that some of the targets above are not achievable for reasons that are outside CICAP's control. Given the resource constraints this year and the downturn in the number of cases ready to list, it is a credit to all involved that CICAP has improved on last year's performance.

In common with last year, we continue to see a greater proportion of 'heavier', more complex, cases coming to appeal. Typically, these are cases where the victim has received serious injury, there is a claim for continuing financial loss (loss of earnings, loss of pension, special expenses) and a need for careful consideration and evaluation of medical records and experts' reports of different disciplines. We are also now hearing more 'linked' cases. These cases arise when, for example, an appeal is brought by victims who were resident in the same children's home. Such cases involve many different key people and take substantial hearing time. All cases need careful preparation and time on the hearing day for the issues to be dealt with so that our panels reach fair and reasoned decisions. Even so, such cases are dealt with far more quickly and efficiently than in an adversarial court environment.

Of the 3,482 appeals resolved 1,629 (or 46.8%) were successful, measured by the

appellant doing better than the review decision of the Authority that was appealed against. This is no criticism of the Authority as until a case reaches the appeal stage where most of our determinations are made at an oral hearing, the case will have been dealt with on papers alone.

Listing of appeals and accurate time estimates is not an exact science and some cases take longer than the best estimates. The Chairman does not find it acceptable for appellants, representatives and witnesses to be kept waiting at hearings for longer than is reasonable. In order to maximise the use of the hearing day, CICAP and the Authority have continued to work together to examine the time a case actually took at hearing against the time it was estimated to need. Despite best efforts, it is inevitable that some cases will not be called on for hearing on time but the aim is for every oral hearing to be called on time or shortly after the appointed time.

'Old Scheme' cases

These are cases where the application for compensation was received before April 1996. They are not tariff based and, subject to eligibility, awards are essentially based on common law principles, with no compensation cap.

The Authority administers these cases, the Appeals Panel resolves them. Only legally qualified panel members with experience



and expertise in personal injury law, of whom there are now only 18 on the panel, hear these cases.

A majority of the cases dealt with in the year, and most of the remaining unresolved cases, involve applicants who have suffered very serious injuries; typically the victim is a seriously injured baby or young child, who will often need to attain the age of 19 before a panel can properly assess the final amount of compensation. Where appropriate, the panel makes substantial interim payments on account of compensation in these cases.

There were just 68 'Old Scheme' sitting days in the year (120 in 2004-05 and 226 in the 2003-04), the reduction reflects the remaining cases currently capable of final resolution.

57 Old Scheme cases were resolved during the year (127 last year). Of these, an award was made in 46 cases (84%) compared with 78% in 2004-05 and 71% in 2003-04. In addition, 57 applications to medically re-open under paragraph 13 of the 1990 Scheme were made in the year (54 in 2004-05 and 84 in 2003-04). 46 medical re-opening requests were resolved (47 in 2004-05 and 100 in 2003-04) of which 15 were allowed (13 last year and 30 the year before) and 43 (44 last year and 70 the year before) were refused. The total

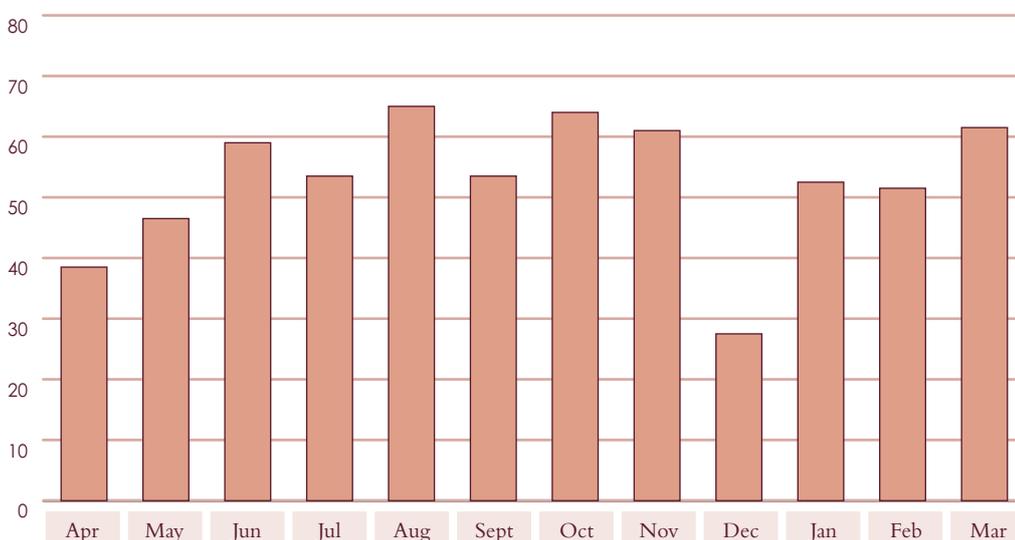
amount of compensation awarded in 'Old Scheme' cases was £14,051,711 (an average award of £305,472) confirmation that these cases are, in the main, very serious and tragic.

Interim payments on account of compensation were made totalling £4.28m compared with £5.3m in 2004-05 and £7.5m in 2003-04. These are often required when the age of the applicant and / or uncertain prognosis and future care needs make it inappropriate for a final assessment of compensation to be made.

The total compensation payments, including interim awards, made on cases resolved in the year, was therefore £18.3m.

By the end of the year, 273 'Old Scheme' cases (including applications to medically re-open under paragraph 13 of the 1990 Scheme) remained outstanding, compared with 306 at the same time last year and 425 in the previous year. Some applicants are, even now, just 11 years of age, and it is inevitable that a small number of 'Old Scheme' cases will not be capable of final resolution until about 2014. The Panel is pleased to pay tribute to the Authority's experienced advocates and case workers who have prepared these cases and been of great assistance to the panel, applicants and their representatives at hearings.

Hearing days month by month in 2005/06



Future performance, risk and uncertainty

The level of appeals received by CICAP is dependent on the quantity and quality of decisions made by CICA, both at original decision and review stage. The drop in the number of applications for an award under the Criminal Injuries Compensation Scheme and the continuing low appeal rate have meant that the number of appeals received has also remained low compared with previous years. Significant shortages of staff or other resources at the Authority could also affect the number of appeal applications received by the Panel.

CICAP joined the Tribunals Service on 1 April 2006. The immediate aim of the Tribunals Service is to continue to provide equivalent levels of service to its customers, the judiciary and other stakeholders whilst working to improve the efficiency across the new organisation. It is not yet clear how this transition will affect CICAP in the longer term.

Representation

39.5% of appellants were represented at oral hearings. Some others received advice in connection with their appeal but were not represented.

Representation can be by Victim Support, Counsel, Solicitors, Citizens Advice Bureau personnel, Welfare Rights organisations, specialist support agencies, or a friend or relation of the appellant. The quality of representation is variable, but experience at hearings shows that appellants generally appear to feel more comfortable if they have representation, whatever its quality.

The Scheme does not provide for the payment of legal costs of representation, in common with the policy of other tribunals. A lack of professional representation continues to cause some unease to panels, especially where the appeals concern seriously injured children or those who have a serious mental disorder. Unlike the adversarial system in the Courts, the Panel has an inquisitorial

function and, using all its experience and expertise, endeavours to make what is considered to be a fair and just determination.

CICAP is pleased to acknowledge the valued assistance given to applicants by representatives, often professionals, representing appellants for little or no charge.

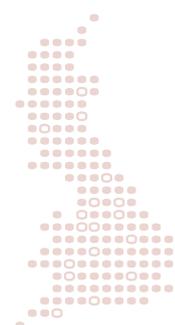
CICAP is very conscious of the need to try and achieve the same result whether or not an applicant is represented. This sometimes means that panels, as part of their inquisitorial function and in attempting to achieve a correct and fair outcome, have to be alert to introduce issues, which can be, but are not always, potentially favourable to appellants – such issues may not be obvious or referred to in the appeal papers.

The Chairman will continue to engage with interested parties, in particular those involved in 'pro-bono' initiatives, to discuss how to achieve higher levels of adequate representation, especially in the more serious cases.

CICAP's booklet *Your Panel Hearing* is issued to all applicants, either in English or Welsh as appropriate, after they have appealed in an effort to inform applicants how they might prepare and what they might expect at an oral hearing. Appellants with access to the Internet can access the CICAP website and view details of the Scheme, answers to Frequently Asked Questions and other guidance.

Equal Treatment, Cultural and Ethnic Diversity issues

All panel members and staff are committed to awareness of and respect for cultural and other differences among all who are involved at oral hearings and in all CICAP's work, including differences in age, beliefs, gender, race, religious customs, sexual orientation and lifestyles. Commitment to these issues is demonstrated by:



- provision to panel members of JSB publications "Equal Treatment Benchbook", "Fairness in courts and tribunals", "Equality before the Courts" and "Race and the Courts";
- panel members' appraisal, which includes the evaluation of equality and diversity issues;
- equality and diversity issues being a routine agenda item at senior management meetings;
- equality and diversity training at panel member Conferences;
- staff access to network groups for: carers; people with disability; minority ethnic staff; gay, lesbian, bisexual and transgendered staff; women.

CICAP, along with the Appeals Service (TAS) and the Special Educational Needs and Disability Tribunal (SENDIST) participated in a study designed to compare the experience of white, black and minority ethnic users to establish: how users perceive tribunals; how users are treated by tribunals; and, whether black and minority ethnic users experience any direct or indirect disadvantage in accessing and using tribunal services. In January 2006, Professor Hazel Genn of University College, London, published her findings in a report entitled *Tribunals for diverse users* (DCA Research Series 1/06). The report states: "All aspects of tribunal behaviour were analysed in relation to the ethnicity of tribunal users. Not a single analysis revealed any significant association between tribunal behaviour and the ethnic origin of users." Specifically in relation to CICAP the report found that: "... neither representation nor ethnicity had any impact on whether users felt their case outcome was fair or not."

Interpreters

CICAP provides for language and other interpreters in all instances where one is requested or required. Hazel Genn's report found that while "Cases in which interpreters assisted tribunal users tended to have a different style when compared

with hearings in which the parties engaged directly in a dialogue with the tribunal judiciary and any departmental presenting officers." "...use of interpreters revealed no significant difference in success rates. Indeed, the success rates were virtually identical."

Written reasons

Notwithstanding the fact that nearly all decisions made at oral hearings are given on the day, appellants have a right to request written reasons for a panel's decision. The availability to appellants of written reasons is good tribunal practice. This is publicised in the booklet issued to all appellants *Your Panel Hearing* – it is also on CICAP's website. The number of requests for written reasons in 2005-06 was 48 this compares with 57 in 2004-05, and 75 in 2003-04. That the numbers remain relatively small may be explained by the quality of the oral explanations of decisions given to appellants by the hearing panel chairman on the day. Indeed, Hazel Genn's report found that, where this was the case "Almost all CICAP users were able to say why their case was turned down."

Appraisal of panel members

Formal appraisal of all CICAP's adjudicators was completed in 2004-05, and a report was sent to the Home Office, DCA and JSB. Full details of the individual appraisals were received by the Chairman for his consideration and for him to address training and developmental needs. CICAP's appraisal scheme provides for adjudicators to be appraised twice every five years. The next round of appraisals will start in 2007-08.

The CICAP appraisal procedures are as follows: two appraisers attend a panel hearing and sit unobtrusively to observe panel members in action during a series of hearings. The panel members are appraised against a series of core competencies. The following day, there is a feedback session with each panel member, a report is completed and submitted to the Chairman, and there

is then an opportunity for discussion between the panel member and the Chairman at which future training needs and future development opportunities can be identified, ideas exchanged and advice given. Panel members recognise the benefits of having an appraisal process and CICAP will continue to use appraisals as a valuable tool in the development and enhancement of panel members' already considerable skills.

The nominated appraisers are: Lesley Clare, Richard Irwin, Erica Norton, Tony Summers, Thomas Ward, Bernard Whyte, Gillian Wild and Robert Wood. A number of other tribunals, committed to appraisal but not as far advanced as CICAP, are aware of our scheme and have sought our assistance in developing their own.

Training and education

All panel members continue to receive ongoing training, education and information on issues affecting their work as adjudicators.

CICAP's Benchbook for CICAP's panel members gives guidance to them on all aspects of the Scheme, relevant law, procedures, policy and interpretation. It continues to be updated as the law develops and needs change.

CICAP's annual residential conference for panel members was held in mid April 2005.

Advisory Committee

Six panel members sit on this Committee with the Chairman, Acting Chief Executive and Acting Legal Adviser, Rodney Huggins. The Committee meets every quarter. It is a very important conduit between the Chairman, Acting Chief Executive and panel members and its function includes the giving of advice on all matters affecting the Scheme and performance of the Panel. The panel members who were appointed to sit on this Committee for a two year period from 1 April 2005 are: Alma Hardie, Dr. Valerie Kaye, Dr. Angus MacCuish, Dr. Ahmed Mukhtar, Neville Radcliffe and Nalini Varma.

Audit & Finance Committees

Both Committees consisting of three panel members meet at least quarterly and are chaired by Alan Tripp, the other two being Mike Innes and Elaine Rassaby. With CICAP moving into DCA from April 2006, the role and function of the committees comes to an end once CICAP's 2005-06 accounts have been cleared.

The Audit Committee advises CICAP's Acting Chief Executive and Accounting Officer on matters of corporate governance by reviewing the scope and effectiveness of the organisation's systems and processes of internal control, both operational and financial. Others who have attended meetings of this Committee in 2005-06 are colleagues from the Audit and Assurance Unit at the Home Office (Internal Audit), DCA's Internal Assurance Division, the Tribunals Service Finance Director, the National Audit Office and CICA, the Panel Chairman and Acting Chief Executive.

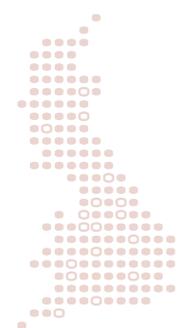
We wish formally to record our thanks to Alan Tripp, Mike Innes and Elaine Rassaby for their time, advice and guidance in CICAP's last year as a Non Departmental Public Body (NDPB) with the Home Office. We have valued their significant personal contributions to the work of the Committees.

Ad hoc panel member advisers

During the year, the Chairman benefited from advice and assistance from panel members on a number of important issues, including: freedom of information; data protection; loss of earnings; procedural rules; proposed Scheme changes; diversity; panel appraisal development and implementation; medical matters; and, the panel's continuing education and training programme.

Complaints

During the year the Panel made 3252 decisions and received 94 complaints (85 last year). 61% of complaints expressed displeasure at the outcome of their case, 20% were against people's conduct



and 19% were about procedural issues. All complaints were dealt with according to the published complaints procedure under the management of the Acting Chief Executive. 76% were fully responded to within the 15 working day target. 94% were rejected, 6% partially upheld and none was fully upheld. The Audit Committee scrutinised the handling of complaints and, where appropriate, made recommendations to improve the quality of complaints handling.

Administration development

During the year, the Acting Chief Executive, with a significant contribution from staff at all levels in the organisation, continually reviewed priorities and juggled resources to enable a full hearing programme to be run. We made changes to our business processes to improve our systems and continued the process of training staff at other centres to clerk our hearings; we will build on these links in the year ahead.

The Chairman and Acting Chief Executive congratulate the staff for their commitment and dedication to providing a quality service to assist victims of crimes of violence in this difficult year.

The Appeals Panel has undertaken no research this year, although we participated in research into diversity issues undertaken by University College London and a research project undertaken by MORI into users' experience of the tribunal process.

Hearing venues

CICAP will always endeavour to sit in a venue which is as convenient as possible to the appellant. However, where a police witness is required, we sit at the venue closest to his or her station base so as to make best use of police resources. In 2004-05 CICAP sat at 14 venues in England, Scotland and Wales. In 2005-06 CICAP sat at 24 venues. This was made possible due to a wider range of hearing centres coming into scope as a result of CICAP moving into DCA thus avoiding the need to hire expensive hotel accommodation.

CICAP is particularly grateful to the staff in the Clearing House based in the Asylum and Immigration Tribunal in Loughborough who have been exceptionally helpful in finding suitable hearing centres. We would also like to thank the Tribunals who made their accommodation available to us and HM Land Registry in Coventry for allowing us to use their state of the art facilities.

Website development

All decisions of the appellate Courts relating to the various Schemes since the first one was introduced in 1964 can be accessed on CICAP's website. For ease of reference, the case law is separated into:

- compensation
- eligibility
- procedure.

This facility continues to be of benefit to panel members and all users, in particular representatives and Presenting Officers.

Video links and 'vulnerable witnesses'

Although CICAP is not subject to the rules of evidence in the criminal court jurisdiction, we embrace the provisions of legislation to protect the interests of vulnerable witnesses. All appellants are informed in advance of the hearing that if there are any reasons why they feel they should be protected, they should contact us so that appropriate measures can be taken to enable them to have the best available opportunity of giving the evidence they wish to give.

We continue to use the video-link facilities at our London and Glasgow offices for oral hearings which has assisted not only vulnerable witnesses, but also appellants or other witnesses living abroad.

Cases of alleged sexual abuse require particularly skilled handling, often involving evidence from a young person for which video link technology can reduce the degree of inevitable stress to such persons.

The video link facility is also used for meetings between our London and

Glasgow staff who otherwise have little opportunity to meet each other 'face to face'.

Data protection / Freedom of Information; publication scheme

CICAP processes all personal data it receives in accordance with the Data Protection Act 1998 and is compliant with the Act.

CICAP has a publication scheme, created in response to the Freedom of Information Act 2000, which enables anyone to access CICAP's publications. This scheme, approved by the Information Commissioner in November 2002, is revised annually. During the year our procedures have been tested to the full by a variety of information requests and our procedures have been improved as a result to ensure requests are dealt with in accordance with the Act.

Advice to Home Office

The Appeals Panel's principal activity is determining appeals but the Appeals Panel is given the subsidiary duty (under paragraph 5 of the Criminal Injuries Compensation Scheme 2001) of giving advice to the Secretary of State both on matters on which he seeks advice and on such other matters as it considers appropriate.

During the year, the Chairman gave advice to the Home Office on a number of matters including:

- proposed amendments to the 2001 Scheme for greater clarity and efficiency
- interpretation of 2001 Scheme
- medical issues
- 'Old Scheme' issues
- CICAP funding and resources
- panel membership
- terms and conditions of panel membership
- assessment of panel membership needs from April 2006

- appraisals
- relationships with the police

Relationship with external stakeholders

CICA

CICAP continues to benefit from a co-operative and professional working relationship with CICA, built up over previous years. CICAP is pleased to acknowledge the contributions made by the Authority, especially its Chief Executive, Deputy Chief Executive, Senior Solicitor, Senior Presenting Officers and Advocates, in maintaining this good working relationship.

Judicial Studies Board (JSB)

As in previous years CICAP has been greatly assisted by the training materials provided by JSB. CICAP panel member training will be evaluated by JSB in this coming year.

Council on Tribunals / Scottish Committee of the Council on Tribunals.

We retained a healthy dialogue with the Council and Committee during the year. Members of the Council and Committee visited panel hearings at a number of venues. Their reports were very positive on the conduct and fairness of the hearings, but somewhat critical of the age of some appeals and the suitability of some hearing venues, a problem mainly caused by the need to use accommodation at no charge to CICAP.

CICAP Users Forum

A CICAP Users Forum was held in June 2005. Those attending included representatives of Victim Support, Citizens Advice Bureau, firms of Solicitors, Counsel, Association of Personal Injury Lawyers, Council on Tribunals, CICA, panel members and researchers from the University of Edinburgh. The main purpose of the forum is to consult with representative bodies with a view to increasing CICAP's present and future effectiveness from users' perspectives. Agenda items included the draft



Consultation Paper: *The Use and Value of Oral Hearings in the Administrative Justice System*; a review of appellate Court decisions in 2004-05; procedures at oral hearings; Tribunal Reform; potential Scheme changes; and, hearing venues. The feedback was again extremely encouraging and CICAP will continue with this annual event on transfer to DCA.

Judicial Reviews

The Criminal Injuries Compensation Schemes do not provide for an appeal or review from a final determination by CICAP. The Panel itself has an appellate function, following two paper decisions by the Criminal Injuries Compensation Authority, first at 'Case Assessment' stage, and then on internal 'Review'. Where it is contended that the Panel has made an error of law, application can be made for Judicial Review to the Administrative Court in England and Wales, or the Outer House of the Court of Session in Scotland.

During the year, ten applications for Judicial Review were made and a further 11 applications were outstanding from the previous year. Nine Judicial Review applications were determined by the Courts, and two of them were successful at an oral hearing. Consent was conceded in four cases where either the applications for review were agreed by the Court at the preliminary permission stage or would probably have been successful. These appeals were referred back for re-hearing before a differently constituted panel. The low number of further appeals to higher appellate courts demonstrates the high quality of decision making by panels.

By the end of the year eleven cases where an application for Judicial Review had been made were awaiting determination by the Courts. A summary of some of the Judicial Review decisions of appellate Courts is given at annex A.

Panel's Legal Adviser

Rodney Huggins, one of CICAP's adjudicators with relevant previous experience, continued to act as Legal

Adviser and oversaw all applications for written reasons and judicial review applications. Working with the Chairman, he has maintained a good professional relationship with Treasury Solicitor and the Office of the Solicitor to the Advocate General in Scotland (OSAG).

General

In addition to the activities already mentioned, the Chairman's activities during the year included:

- dealing with requests for appeal decisions to be reheard, reviewed and re-opened on medical grounds;
- interpretation of the Scheme for the benefit of panel members;
- issues relating to payment for local authority residential care;
- ensuring consistency and efficiency in the delivery of single adjudicator decisions;
- ensuring that a written decision notice is issued to all appellants on the day of hearing;
- advising on issues relating to implementation of trusts for compliance with the Schemes;
- advising on cases where a Receiver has to be appointed and Court of Protection issues;
- obtaining statistics relevant to the Schemes from the Office for National Statistics;
- considering issues relating to spent convictions under the Rehabilitation of Offenders Act;
- updating, considering and advising on policy issues relating to social security benefits in connection with the Schemes;
- keeping up to date on management statistics affecting the efficient disposal of appeals;
- overseeing the hearing programme and allocation of panel members to hearings;

- keeping panel members informed of up to date developments;
- consideration of cases where potentially fraudulent evidence has been given;
- preparation for CICAP's Conference in May 2006;
- 30 days sitting on oral appeal hearings.

CICAP received a number of visits from delegations from abroad who had come to see how the compensation of victims of crimes of violence operates in the UK.

Staffing

Until 31 March 2006 all permanent staff were Home Office employees; from 1 April 2006 they became employees of DCA. Their roles include deciding which appeals should be sent to oral hearing, an adjudicator or the Chairman; the issuing of invitations to applicants and witnesses; serving as receptionists and hearings clerks at hearing centres throughout England, Wales and Scotland; and a range of casework associated with the hearings procedure.

The aim in CICAP's last year with the Home Office has been to carry on 'business as usual' with little or no impact on users during the transition to DCA. It is testament to the good planning underpinning the transition that the move took place on time. However, the move has not been without some pain to CICAP with the London office being most significantly affected. Staff turnover rose to unprecedented levels. CICAP started off the year with 69 staff in post out of a complement of 75. By year end staff numbers had fallen in London from 37 to 31 and in Glasgow from 32 to 27 leaving us with a total of 58 staff. Despite best endeavours on the part of both the Home Office and the DCA Human Resources Division to help us recruit, their efforts did not bear fruit. Staff left for a variety of reasons: some because they had reached a natural point in their careers and it was time for a move, others because they wanted to stay in the Home Office and yet others because they achieved promotion

and moved to jobs elsewhere. This put a huge strain on the staff remaining. With the loss of experienced staff goes loss of corporate memory. New staff coming in necessarily took time to get up to speed and it fell to the experienced staff to train them. This impacted on the teams' throughput of work. The London office was hardest hit and in order to keep the business running, work was moved up to the Glasgow office. It is a credit to the staff in Glasgow that they rose to the challenge and managers there rearranged teams to accommodate the extra work. However, the only way CICAP has been able to continue to deliver 'business as usual' has been to stop doing anything other than essential work and latterly, by staff working overtime at weekends. This meant that activities to support CICAP's Investors in People accreditation were insufficient to enable us to achieve the award. While staff received essential job skills training to enable them to carry out their roles effectively, there was no time for personal development training. Progress towards a Chartermark application was also halted. Since entering DCA recruitment has picked up and in April we were up to 64 staff in post.

CICAP is committed to ensuring each member of staff receives targeted job skills training to enable them to carry out their duties effectively.

Policy in respect of disabled employees

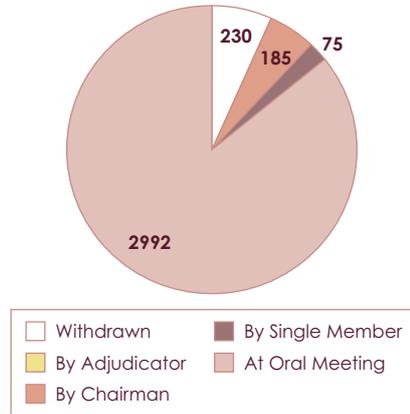
While in the Home Office CICAP adopted Home Office policy in all aspects of Human Resources and equality issues; we adopted the policy of the DCA on transfer on 1 April 2006.

Environmental policy

CICAP has adopted the Home Office policy on environmental issues. We have introduced a policy which reduces waste and encourages recycling. In our Glasgow office we have joined a scheme to recycle all waste paper and in London

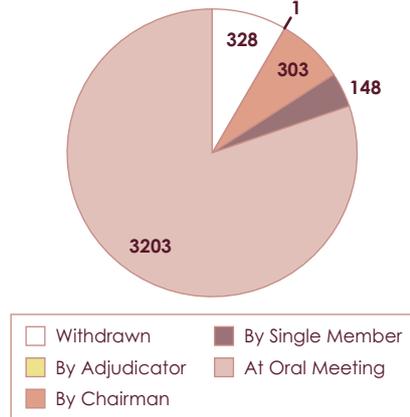


Resolution of Appeals 2005/06

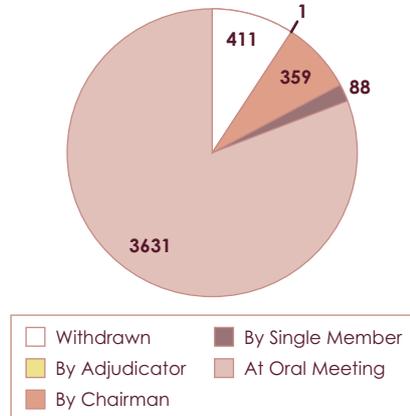


we have joined the local council run scheme Waste Watch and we recycle all waste paper, plastic and aluminium cans. From 1 April 2006 we will adopt the policy of the Department for Constitutional Affairs.

Resolution of Appeals 2004/05



Resolution of Appeals 2003/04



4

financial aspects



Statutory background

CICAP presents its accounts for the financial year ended 31 March 2006. The accounts have been prepared in accordance with the Accounts Direction given by the Secretary of State for the Home Office, with the approval of HM Treasury, in accordance with Section 6 of the Criminal Injuries Compensation Act 1995.

Section 6(3) of the Criminal Injuries Compensation Act 1995 requires that the Scheme includes provision for such persons, as the Secretary of State considers appropriate, to prepare a statement of accounts in each financial year in such form as the Secretary of State may direct. Under the Scheme the Acting Chief Executive and Accounting Officer must prepare such a statement of accounts for the Appeals Panel.

Position at the end of the year

Throughout 2005-06, CICAP was wholly funded through a Grant-in-Aid borne by the Vote of the Home Office which received a contribution from The Scottish Executive. The total resource funding of Grant-in-Aid amounted to £5,150,000 of which the cash element drawn down amounted to £4,510,000 as described under note 2 to the Accounts. CICAP prepares a budget to cover capital, administrative and payroll costs.

CICAP's accounts for the year to 31 March 2006 have been prepared on an accruals

basis. Accordingly the accounts set out on pages 34 to 48 consist of an Income and Expenditure Account which shows a surplus of £126,125 after transfers from Reserves £144,641 (2004-05: £155,700) and a Balance Sheet which shows accumulated funds of £533,856 (2004-05: £424,340). Details of the General Fund and Reserves are given in Notes 12 and 13 to the Accounts.

CICAP supports the Confederation of British Industry (CBI) prompt payment code with the aim that payments should routinely be made within the stated credit terms or within 30 days of receipt. 99% of CICAP payments to suppliers in 2005-06 were made within 30 days of receipt of invoices.

The Comptroller and Auditor General is the external auditor appointed by CICAP, and is appointed under statute, reporting to Parliament. The cost of the statutory audit for 2005-06 was £27,492 (2004-05: £25,300).

Accounting Officer's responsibilities

In accordance with the Scheme, the Accounting Officer must submit a report to the Secretary of State as soon as possible after the end of each financial year, dealing with the operation of the Scheme and the discharge of functions under it. Her responsibilities as Acting Chief Executive and Accounting Officer and for CICAP's system of internal control are set out on pages 29 to 31.



**Disclosure of relevant
audit information**

So far as the Acting Chief Executive and Accounting Officer is aware, there is no relevant audit information of which CICAP's auditors are unaware; and she has taken all the necessary steps she ought to have taken to make herself aware of any relevant audit information and to establish that CICAP's auditors are aware of that information.

Jeanette Martin

Acting Chief Executive

Criminal Injuries Compensation Appeals
Panel

5 July 2006

5

remuneration report

Remuneration policy

The remuneration of senior civil servants is set following independent advice from the Review Body on Senior Salaries.

In reaching its recommendations, the Review Body has regard to the following considerations:

- the need to recruit, retain and motivate suitably able and qualified people to exercise their different responsibilities;
- regional/local variations in labour markets and their effects on the recruitment and retention of staff;
- Government policies for improving the public services including the requirement on departments to meet the output targets for the delivery of departmental services;
- the funds available to departments as set out in the Government's departmental expenditure limits;
- and the Government's inflation target.

The Review Body takes account of the evidence it receives about wider economic considerations and the affordability of its recommendations. Further information about the work of the Review Body can be found at: www.ome.uk.com

Service contracts

Civil service appointments are made in accordance with the Civil Service Commissioners' Recruitment Code, which requires appointment to be on merit on the basis of fair and open competition but also includes the circumstances when appointments may otherwise be made.

Unless otherwise stated below, the officials covered by this report hold appointments, which are open-ended until they reach the normal retiring age of 60. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Roger Goodier's four years appointment as the Chairman came to an end in March 2006. The Lord Chancellor extended this contract for another two years to March 2008. The post comes within the judicial salary structure, group 5. The appointment can be terminated early, by either party, by giving three months notice in writing.

Salary and pension entitlements

The following sections provide details of the remuneration and pension entitlements of CICAP's senior employees:



Remuneration	2005/06		2004/05	
	Salary (£)	Benefits in kind (to nearest £100)	Salary (£)	Benefits in kind (to nearest £100)
Roger Goodier Chairman	75,482	-	73,283	-
Roy Burke Chief Executive until 29 April 2005	5,755	-	51,589	-
Jeanette Martin Acting Chief Executive from 23 May 2005	43,152	-	-	-

The emoluments disclosed above for Mr Roger Goodier represent the total amount paid in connection with his employment as Panel Chairman on a part-time basis. In addition, he undertakes work as a panel member for which he was paid £9,408 during the year.

Salary

'Salary' includes: gross salary; performance pay or bonuses, overtime; recruitment and retention allowances; and any other allowance to the extent that it is subject to UK taxation. This report is based on payments made by CICAP and thus recorded in these accounts.

Benefits in kind

CICAP did not pay any benefit in kind during the year to March 2006.

Pensions

The Principal Civil Pension Scheme

The Principal Civil Service Pension Scheme ('PCSPS') is an unfunded multi-employer defined benefit scheme but the Criminal Injuries Compensation Appeals Panel is unable to identify its share of the underlying assets and liabilities. A full actuarial valuation was carried out at 31 March 1999. Details can be found in the resource accounts of the Cabinet Office; Civil Superannuation (www.civilservice-pensions.gov.uk).

For 2005-06, employers' contributions of £202,262 were payable to PCSPS (2004-05 £158,369) at one of four rates in the range of 12 to 18.5 per cent of pensionable pay, based on salary bands. Rates will remain the same for the next two years, subject to revalorisation of the salary bands. Employer contributions are to be reviewed every four years following a full scheme valuation by the Government Actuary. The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

The Acting Chief Executive, Miss Jeanette Martin, was the most senior full time member of staff employed by the Panel. Miss Martin took up post as Acting Chief Executive, on loan to CICAP from the DCA, on 23 May 2005 to 31 March 2006; her pension entitlements therefore can be found in the Remuneration Report of the DCA.

Broadly by Analogy Pension Scheme

The Broadly by Analogy Pension Scheme is an unfunded defined benefit scheme. The provision within these accounts represents the pension liabilities relating to one current and one former employee. Each member has their own individual scheme. As a result the Panel is able to identify its share of the underlying assets and liabilities. An actuarial valuation was carried out at 31 March 2006 by the Government Actuaries Department in respect of the two qualifying members.

The financial assumptions used for the calculation of the FRS 17 liability were:

- an investment return in excess of price increases of 2.8% pa
- an investment return in excess of earnings of 2.0% pa
- gross rate of return is assumed to be 2.5% pa although this assumption has a minor impact on the calculation of the liability
- in nominal terms, these assumptions are then equivalent to an allowance for increases in pensionable salaries of 2.5% pa and an allowance for price inflation of 2.5% pa.

For 2005-06 the employer's contribution represents the difference between the combined liabilities at 31 March 2006 and 31 March 2005 as advised by the actuary which can be broken down into the following components:

Employees	2005/06 £'000	2004/05 £'000
Current service cost	18	17
Employee contributions	1	1
Costs of interest	7	6
Actuarial loss (Gain)	(1)	3
Benefit payments	(5)	(5)
	20	22

Cash Equivalent Transfer Values (CETV)

This is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. It is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the pension benefits they have accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total service, not just their current appointment as a panel member. CETVs are calculated within the guidelines and framework prescribed by the Institute and Faculty of Actuaries.

The real increase in the value of the CETV

This reflects the increase in CETV effectively funded by the employer. It takes account of the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.



Names	Accrued pension at age 60 as at 31/03/06 and related lump sum	Real increase in pension and related lump sum at age 60	CETV at 31/03/06	CETV at 31/03/05	Real increase in CETV
	£'000	£'000	£'000	£'000	£'000
Miss J Martin - Acting Chief Executive	Nil	Nil	Nil	Nil	Nil
Mr R Goodier - Panel Chairman	2.5 - 5 pension	0 - 2.5 pension	70	52	18
	plus 10 - 12.5 lump sum	plus 2.5 - 5 lump sum			

Jeanette Martin

Acting Chief Executive

Criminal Injuries Compensation Appeals
Panel

5 July 2006



6

accounts



Statement of Criminal Injuries Compensation Appeals Panel and Accounting Officer's Responsibilities

The Panel's Responsibilities

1. Under the Cabinet Office's Guidance on Codes of Best Practice for Board Members of Public Bodies, the Appeals Panel is responsible for ensuring propriety in its use of public funds and for the proper accounting of their use.
2. The Criminal Injuries Compensation Scheme, under section 6(3) of the Criminal Injuries Compensation Act 1995, requires the Accounting Officer of the Appeals Panel to prepare a statement of accounts in each financial year in such form and on the basis directed by the Secretary of State for the Home Office, with the consent of the Treasury. The accounts are to be prepared on an accruals basis and must give a true and fair view of the Appeals Panel's state of affairs at the year end and of its income and expenditure, total recognised gains and losses and cash flows for the financial year.
3. In preparing the accounts the Appeals Panel is required to:
 - observe the accounts direction issued by the Secretary of State, with the consent of the Treasury, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
 - make judgements and estimates on a reasonable basis;
 - state whether applicable accounting

standards have been followed, and disclose and explain any material departures in the financial statements; and

- prepare the statements on the going concern basis unless it is inappropriate to presume that the Criminal Injuries Compensation Appeals Panel will continue in operation.

The Accounting Officer's Responsibilities

4. The Principal Accounting Officer for the Home Office has appointed the Acting Chief Executive of the Criminal Injuries Compensation Appeals Panel as the Appeals Panel's Accounting Officer. Her relevant responsibilities as the Acting Chief Executive and Accounting Officer, including her responsibility for the propriety and regularity of the public finances and for the keeping of proper records, are set out in the Non-Departmental Public Bodies' Accounting Officers' Memorandum issued by the Treasury and published in *Government Accounting*.

Jeanette Martin

Acting Chief Executive
Criminal Injuries Compensation
Appeals Panel 5 July 2006

Statement on Internal Control

Scope of Responsibility

1. As Acting Chief Executive and Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of CICAP's policies, aims and objectives, whilst safeguarding public funds and the Appeals Panel's assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Government Accounting. CICAP's constitution is governed by a management statement and financial memorandum agreed with Home Office ministers. Risk is managed by means of a risk management strategy and by the involvement of the Home Office's Audit and Assurance Unit in identifying and mitigating the risks identified. CICAP senior management meet with the sponsor Department on a quarterly basis to discuss operational effectiveness.

Purpose of the System of Internal Control

2. The system of internal control is designed to manage risk to a reasonable level rather than eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness.

3. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Appeals Panel's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place in CICAP for the year ended 31 March 2006, and up to the date of approval of the annual report

and accounts and accords with Treasury guidance.

Capacity to Handle Risk

5. During the year, our key risks, which had been identified as part of an ongoing process of risk management in the Appeals Panel were reviewed with senior managers and our internal auditors during the course of review of the Panel and consolidated in the form of a high level risk register. We considered CICAP's objectives and risks and determined a control strategy for each significant risk. Each section manager in CICAP is aware of the policy, and risk management is discussed regularly by the management team. CICAP's risk management policy and the risk strategy, developed and amended during the course of the year, have been reviewed by the Panel's Audit Committee. With the high turnover of staff during the year, risk management was raised to management level, managers' responsibility being to ensure management control checks and supervisory checks were in place and working on their teams. CICAP has already had discussions with the Department for Constitutional Affairs (DCA) Internal Assurance Division auditors to ensure the risk management strategy complies with departmental requirements following CICAP's transfer to DCA.

The Risk and Control Framework

6. CICAP has a well established process of risk management which includes:

- an Advisory Committee which meets quarterly and has responsibility for monitoring CICAP's efficiency and effectiveness;
- quarterly meetings of the Appeals Panel's Audit and Finance Committees which consider risk and internal control;

- regular reports by Internal Audit, to standards defined in the Government Internal Audit Manual, on the adequacy and effectiveness of CICAP's system of internal control together with recommendations for improvement and an annual assurance from the Head of Internal Audit;
- establishment of key performance and risk indicators;
- establishment and maintenance of an organisation-wide risk register;
- a regular review of risks at all levels within CICAP to maintain an up-to-date record of risks facing the organisation.

Review of Effectiveness

8. As Acting Chief Executive and Accounting Officer I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the managers within CICAP who have responsibility for the development and maintenance of the internal control framework, and

comments made by the external auditors in their management letter and other reports. Recommendations for improvements of the effectiveness of the system of internal control by the internal auditors and the Audit Committee have been acted upon to address weaknesses and ensure continuous improvement of the system is in place.

Procurement

9. Although CICAP does not procure goods and services of such a value as to require a specific policy statement, a strategy and system for procurement in CICAP has been agreed with the Home Office. This includes consideration of delegated limits and states where approval is appropriate.

Jeanette Martin

Acting Chief Executive

Criminal Injuries Compensation Appeals Panel

5 July 2006

the certificate and report of the comptroller and auditor general to the houses of parliament and the scottish parliament

I certify that I have audited the financial statements of the Criminal Injuries Compensation Appeals Panel for the year ended 31 March 2006 under Section 6(5) of the Criminal Injuries Compensation Act 1995. These comprise the Income and Expenditure Account, the Balance Sheet, the Cashflow Statement and Statement of Total Recognised Gains and Losses and the related notes. These financial statements have been prepared under the accounting policies set out within them.

Respective responsibilities of the Panel, Acting Chief Executive and Auditor

The Panel and Acting Chief Executive are responsible for preparing the Annual Report, the Remuneration Report and the financial statements in accordance with Section 6(3) of the Criminal Injuries Compensation Act 1995 and directions by the Secretary of State with the consent of Treasury made thereunder and for ensuring the regularity of financial transactions. These responsibilities are set out in the Statement of Accounting Officer's Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements, and with International Standards on Auditing (UK and Ireland).

I report to you my opinion as to whether the financial statements give a true and fair view and whether the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with the Criminal Injuries Compensation Act 1995 and directions by the Secretary of State with the consent of Treasury made

thereunder. I also report whether in all material respects the income and expenditure have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. I also report to you if, in my opinion, the Annual Report is not consistent with the financial statements, if the Panel has not kept proper accounting records, if I have not received all the information and explanations I require for my audit, or if information specified by relevant authorities regarding remuneration and other transactions is not disclosed.

I review whether the statement on pages 30 and 31 reflects the Panel's compliance with HM Treasury's guidance on the Statement on Internal Control, and I report if it does not. I am not required to consider whether the Accounting Officer's Statement on Internal Control covers all risks and controls, or form an opinion of the effectiveness of the Panel's corporate governance procedures or its risks and control procedures.

I read the other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. This other information comprises only the Chairman's Foreword, the Introduction, Management Commentary, the Financial Aspects, and the unaudited part of the Remuneration Report. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements. My responsibilities do not extend to any other information.

Basis of audit opinion

I conducted my audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. My audit includes examination, on a test basis, of evidence relevant to the amounts, disclosures and regularity of financial transactions included in the financial statements and the part of the Remuneration Report to be audited. It also includes an assessment of the significant estimates and judgements made by the Panel and Acting Chief Executive in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Panel's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all the information and explanations which I considered necessary in order to provide me with sufficient evidence to give reasonable assurance that the financial statements and the part of the Remuneration Report to be audited are free from material misstatement, whether caused by fraud or error and that in all material respects, the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them. In forming my opinion I have also evaluated the overall adequacy of the presentation of information in the financial statements and the part of the Remuneration Report to be audited.

Opinions

In my opinion:

- the financial statements give a true and fair view, in accordance with Section 6(3) of Criminal Injuries Compensation Act 1995 and directions made thereunder by the Secretary of State with the consent of the Treasury, of the state of affairs of the Criminal Injuries Compensation Appeals Panel at 31 March 2006 and of the deficit for the year then ended;
- the financial statements and the part of the Remuneration Report to be audited have been properly prepared in accordance with Section 6(3) of the Criminal Injuries Compensation Act 1995 and directions made thereunder by the Secretary of State with the consent of the Treasury; and
- in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

I have no observations to make on these financial statements.

John Bourn

National Audit Office

Comptroller and Auditor General

18 July 2006

The maintenance and integrity of the Criminal Injuries Compensation Appeals Panel website is the responsibility of the Accounting Officer; the work carried out by the auditors does not involve consideration of these matters and accordingly the auditors accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the website.

financial statements

income and expenditure account
for the year ended 31 march 2006

		2005/6	2004/5
	Note	£	£
Income			
Grant-in-Aid	2	4,383,018	4,467,000
Other Income	5	102,062	68,361
		4,485,080	4,535,361
Expenditure			
Salaries and Wages	3	2,723,085	2,893,215
Other Operating Expenses	4	1,635,870	1,656,683
Depreciation	6&7	124,592	129,533
Unrealised Loss on Revaluation of Fixed Assets	13	7,918	26,167
Total Operating Expenditure		4,491,465	4,705,598
Operating Surplus / (Deficit)		(6,386)	(170,237)
Loss on Disposal of Assets		(12,131)	0
Notional Cost of Capital	1h	(16,768)	(17,946)
Retained Surplus / (Deficit)		(35,284)	(188,183)
Transfer (to) / from Reserves	13	144,641	155,700
Notional Cost of Capital Reversal	1h	16,768	17,946
Retained Surplus / (Deficit) for the Financial Year		126,125	(14,537)

The notes on pages 38 to 48 form part of this account

statement of total recognised gains and losses for the year ended 31 march 2006

		2005/6	2004/5
	Note	£	£
Retained Surplus / (Deficit) for the Financial Year		126,125	(14,537)
Unrealised Gain/ (Loss) on Revaluation of Fixed Assets	13	1,050	(6,620)
Total Recognised Gains / (Losses) for the Financial Year		127,175	(21,157)
Grant-in-Aid Received for Capital Expenditure	2	126,982	0
Transfers to/(from) General Reserve	13	(144,641)	(155,700)
Movement in Government Funds		109,516	(176,857)

The notes on pages 38 to 48 form part of this account

balance sheet as at 31 march

		2006	2005
	Note	£	£
Fixed Assets			
Tangible Assets	6	632,270	619,974
Intangible Assets	7	5,934	34,840
		638,204	654,814
Current Assets			
Debtors	8	35,559	24,327
Prepayments	9	200,764	181,084
Cash at Bank and in Hand	15	565,105	230,630
		801,428	436,041
Creditors due within One Year	10	(488,893)	(278,632)
Net Current Assets		312,535	157,409
Provisions for Liabilities and Charges	11	(416,883)	(387,883)
Total Assets less Liabilities		533,856	424,340
General Fund	12	(83,679)	(209,804)
Other Reserves	13	617,535	634,144
Total Government Funds		533,856	424,340

Signed on behalf of the Criminal Injuries Compensation Appeals Panel

Jeanette Martin

Acting Chief Executive and Accounting Officer

5 July 2006

The notes on pages 38 to 48 form part of this account

cash flow statement for the year ended 31 march 2006

		2005/6	2004/5
Operating Activities	Note	£	£
Net Cash Inflow from Operating Activities	14	334,475	(126,071)
Capital Expenditure and Financial Investment			
Payment to Acquire Fixed Assets		(126,982)	0
Net Cash Inflow/(Outflow) before Financing		207,493	(126,071)
Financing			
Grant-in-Aid for Capital Expenditure	2	126,982	0
Increase/(Reduction) in cash	15	334,475	(126,071)

The notes on page 38 to 48 form part of this account

notes to the accounts

1 Accounting policies

a) Basis of Accounts

The financial statements have been prepared on an accruals basis in accordance with the Accounts Direction given by the Secretary of State with the consent of the Treasury in accordance with Section 6 paragraph 3 of the Criminal Injuries Compensation Act 1995. The accounts are prepared using the historic cost convention modified by the inclusion of fixed assets at current cost.

Further to the transfer of CICAP to the Department for Constitutional Affairs ('DCA') on 1 April 2006 as disclosed in note 20, the Accounting Officer has determined that these accounts can be prepared on a going concern basis and no adjustments have been made to the carrying value of assets.

b) Accounting Conventions

The accounts meet:

- (i) the accounting and disclosure requirements of the Companies Act 1985 to the extent that such requirements are appropriate to the Panel and are in line with the requirements of the Accounts Direction;
- (ii) standards issued by the Accounting Standards Board;
- (iii) disclosure and accounting requirements of the Treasury;
- (iv) the requirements of the Accounts Direction and the Financial Memorandum issued to the Panel by the Secretary of State for the Home Office.

c) Grant-in-Aid

Grant-in-Aid for revenue expenditure is credited to income in the year to which it relates. Grant-in-Aid for capital expenditure is credited to a Government Grant Reserve. Each year, an amount equal to the depreciation charge on the fixed assets acquired through Grant-in-Aid, and any deficit on their revaluation in excess of the balance on the Revaluation Reserve, will be released from the Government Grant Reserve to the Income and Expenditure Account.

d) Fixed Assets

Assets (both tangible and intangible) are capitalised as Fixed Assets if they are intended for use on a continuous basis and their original purchase cost, on an individual or grouped basis, is £1,000 or more. Fixed Assets are valued at current replacement cost by using the Price Index Numbers for Current Cost Accounting published by the Office for National Statistics for furniture and office equipment, computer equipment and computer licences and by the Department for Trade and Industry for refurbishment costs, except in the year of acquisition when their current and historical cost will not be materially different.

Any surplus on revaluation is credited to the Revaluation Reserve. A deficit on revaluation is debited to the Income and Expenditure Account if the deficit exceeds the balance on the Revaluation Reserve.

e) Depreciation

Depreciation is provided on all Fixed Assets on a straight-line basis to write off the cost or valuation evenly over the asset's anticipated life as follows:

Refurbishment Costs – over the remaining term of the lease

Computer Equipment – four years

Furniture and Office Equipment – up to ten years

f) Systems Development Expenditure

Systems development expenditure on IT systems is written off in the period in which it is incurred.

g) Notional Costs

Notional costs of Home Office services provided to the Criminal Injuries Compensation Appeals Panel in 2005/2006 are not reflected in these accounts. These costs are included in total Home Office expenditure although not significant within the overall sums.

h) Notional Charges

In accordance with the Treasury booklet, "Executive Non-Departmental Public Bodies: Annual Reports and Accounts Guidance", a notional charge for the cost of capital employed in the period is included in the Income and Expenditure Account along with an equivalent reversing notional income to finance the charge. The charge for the period is calculated using the Treasury's discount rate of 3.5 per cent applied to the mean value of capital employed during the period.

i) Value Added Tax

The Panel is not eligible to register for VAT and all costs are shown inclusive of VAT.

j) Accounting for Retirement Benefits

Under FRS 17 the Panel are required to provide for the full long-term Pension liabilities of any qualifying staff not covered under the Principal Civil Service Pension Scheme ('PCSPS') arrangements. The liability in the scheme as notified by the Government Actuarial Department is recognised in full in the Balance Sheet. The difference between the value of the liability between two Balance Sheet dates is charged to the Income and Expenditure Account.

2 Grant-in-Aid

	2005/6	2004/5
	£	£
Received for Revenue Expenditure	4,383,018	4,467,000
Received for Capital Expenditure	126,982	–
Total Grant-in-Aid	4,510,000	4,467,000

Grant from Home Office Resource Accounts

A contribution towards expenditure of approximately £496,100 (2004/05 £491,370) was paid to the Home Office by the Scottish Executive from Vote 5 (Subhead C2).

3 Salaries and wages

(a) Panel members

Panel Member emoluments were in the following ranges:

£	£	2005/6	2004/5
		No.	No.
0 to 5,000		8	13
5,001 to 10,000		40	38
10,001 to 15,000		32	33
15,001 to 20,000		10	15
20,001 to 25,000		1	–
25,001 to 30,000		3	2
30,001 to 35,000		0	1
35,001 to 40,000		–	–
40,001 to 45,000		–	–
45,001 to 50,000		–	–
50,001 to 55,000		–	–
55,001 to 60,000		–	–
60,001 to 65,000		–	–
		94	102

(b) Staff Costs including Panel Members' remuneration

Panel members:

	2005/6	2004/5
Salaries and Emoluments	998,188	1,068,267
Social Security Contributions	96,724	108,116
Total	1,094,912	1,176,383

Staff:

Salaries and Emoluments	1,223,789	1,354,593
Social Security Contributions	91,475	97,778
PCSPS Contributions	202,262	158,369
Broadly by Analogy Pension Scheme Contributions	29,000	22,000
Contract Staff	82,504	84,093
Non HOPPs Payment & Ors	(857)	-
Total	1,628,173	1,716,833

Employment costs including panel members:

Salaries and Emoluments	2,221,977	2,422,860
Social Security Contributions	188,199	205,893
Pension Contributions	231,262	180,369
Contract Staff & Ors	81,647	84,093
Total	2,723,085	2,893,215

(c) Average number of staff

The average number of staff (excluding Panel Members) employed during the year was 63 (2004/2005 - 74). All were administrative staff.

	2005/6	2004/5
Senior Management	2	2
Administrative	60	69
Contract Staff	1	3
Total	63	74

4 Other operating expenses

	2005/6	2004/5
	£	£
Accommodation – Hearings	14,772	85,020
Accommodation – Offices	591,108	600,622
External Audit Fees	27,492	25,300
Internal Audit Fees	7,650	11,427
Equipment Rental	50,310	58,554
IT Expenses	117,519	108,455
Legal Costs	145,730	61,481
Medical and Miscellaneous Fees	3,553	7,090
Office Supplies	101,655	75,252
Other Expenses	3,575	6,289
Panel Seminar	14,117	6,227
Post Office and Telephone Services	95,454	93,801
Repairs and Maintenance	7,102	492
Training	16,071	22,751
Travel and Subsistence	439,763	493,922
Total	1,635,870	1,656,683

5 Other income

	2005/6	2004/5
	£	£
Other Income	–	20
Judicial Review Reimbursements	102,062	68,341
	102,062	68,361

6 Tangible fixed assets

	Refurbishment Costs	Furniture and Office Equip	Computer Equipment	Total
	£	£	£	£
Cost at 1 April 2005	845,473	320,860	207,675	1,374,008
Additions	–	126,982	–	126,982
Disposals	–	(71,735)	(82,384)	(154,119)
Revaluation	–	1,050	(3,442)	(2,392)
Cost at 31 March 2006	845,473	377,157	121,849	1,344,479
Depreciation at 1 April 2005	329,618	256,133	168,283	754,034
Provided during the Year	60,688	17,403	22,071	100,162
Depreciation Provided on Disposals	–	(61,331)	(80,656)	(141,987)
Depreciation at 31 March 2006	390,306	212,205	109,698	712,209
Net Book Value at 31 March 2006	455,167	164,951	12,151	632,270
Net Book Value at 1 April 2005	515,856	64,727	39,392	619,974

7 Intangible fixed assets

	Computer Licences	Total
	£	£
Cost at 1 April 2005	160,700	160,700
Additions	–	–
Disposals	–	–
Revaluation	(4,476)	(4,476)
Cost at 31 March 2006	156,224	156,224
Depreciation at 1 April 2005	125,860	125,860
Provided during the Year	24,430	24,430
Depreciation Provided on Disposals	–	–
Depreciation at 31 March 2006	150,290	150,290
Net Book Value at 31 March 2006	5,934	5,934
Net Book Value at 1 April 2005	34,840	34,840

8 Debtors

	2006	2005
	£	£
Sundry Debtors	35,559	24,327
Total	35,559	24,327

9 Prepayments

	2006	2005
	£	£
Accommodation Costs	148,067	181,084
IT Costs	52,697	–
Other	–	–
Total	200,764	181,084

10 Creditors due within one year

	2006	2005
	£	£
Trade Creditors	43,416	99,190
Taxation and Social Security	54,996	45,027
Other Creditors	390,481	134,415
Total	488,893*	278,632

* At 31st March 2006 there were no material intra-government debtor or creditor balances held by the Panel.

11 Provisions for liabilities and charges

	2006	2006	2006	2005	2005	2005
	Pensions	Dilapidations	Total	Pensions	Dilapidations	Total
	£	£	£	£	£	£
Balance at 1 April	122,000	265,883	387,883	100,000	265,883	365,883
Increase in Provision	29,000	–	29,000	22,000	–	22,000
Balance at 31 March	151,000	265,883	416,883	122,000	265,883	387,883

£151,000 pension provision was for former (Michael Lewer) and current (Roger Goodier) Chairmen. Current Chairman's pension liability will become due at the end of his current extended contract due to expire on 31 March 2008. £265,883 dilapidation provision is to cover the cost of making good two properties (London & Glasgow) leased to CICAP. Liability will become effective in July 2012 when Glasgow lease expires and July 2014 when London's expires.

12 General fund

	2006	2005
	£	£
General Fund at 1 April	(209,804)	(195,267)
Retained Surplus / (Deficit) for Period	126,125	(14,537)
General Fund at 31 March	(83,679)	(209,804)

13 Reserves

Government Grant Reserve

	2006 £	2005 £
Balance at 1 April	607,789	750,043
Assets at Cost	126,982	–
Unrealised Loss on Revaluation of Fixed Assets	(7,918)	(26,167)
Unrealised Gain on Revaluation of Fixed Assets	–	13,446
Depreciation Transferred to General Fund	(124,592)	(129,533)
Disposed Assets less Depreciation	(12,131)	–
Balance at 31 March	590,130	607,789

Revaluation Reserve

Balance as at 1 April	26,355	46,421
Surplus/(Deficit) on Revaluation of Fixed Assets	1,050	(20,066)
Realised Element of Depreciation on Revaluation	–	–
Balance at 31 March	27,405	26,355
Total	617,535	634,144

Between 31 March 2005 and 31 March 2006 net decrease to Reserves totalled £71,789 (£162,320 in 2004/2005), this being the difference between the balances on each date. When added to the retained profit for the year of £281,098 (loss in 2004/2005 £14,537), note 12, this results in an overall increase in Government funds of £209,309 (2004/2005 £176,857 decrease).

Transferred to General Reserve

	2006 £	2005 £
Unrealised Loss on Revaluation of Fixed Assets	7,918	26,167
Depreciation	124,592	129,533
Cost of Disposed Assets Less Depreciation	12,131	–
	144,641	155,700

14 Reconciliation of the operating surplus to net cash inflow from operating activities

	2006	2005
	£	£
Operating Surplus/(Deficit) for the Accounting Period	(6,385)	(170,237)
Depreciation	124,592	129,533
Unrealised Loss (Gain) on Revaluation of Fixed Assets	7,918	26,167
(Increase)/Decrease in Debtors	(11,232)	38,252
(Increase)/Decrease in Prepayments	(19,679)	(3,857)
Increase/(Decrease) in Creditors	210,261	(167,930)
Increase in Provisions	29,000	22,000
Net cash inflow/(outflow) from Operating Activities	334,475	(126,071)

15 Analysis of changes in cash

	2006	2005
	£	£
Balance at 1 April 2005	230,630	356,701
Increase (Decrease) in Cash	334,475	(126,071)
Balance at 31 March 2006	565,105	230,630

16 Capital commitments

At 31 March 2006 capital commitments contracted for amounted to £126,729.

17 Commitments under operating leases

	2006	2006	2005	2005
	Building	Equipment	Building	Equipment
	£	£	£	£
Payable in the following year relating to operating leases that expire:				
Within 1 Year	–	–	–	9,153
Between 2 and 5 Years	–	26,439	–	14,507
After 5 Years	320,276	–	320,276	–

During the year to 31st March 2006 expenditure amounting to £346,715 was incurred under operating leases.

18 Contingent liabilities

There were no contingent liabilities at 31 March 2006.

19 Derivatives and other financial instruments

FRS 13, Derivatives and Other Financial Instruments, requires disclosure of the role which financial instruments have had during the period in creating or changing the risks an entity faces in undertaking its activities. Because of the non-trading nature of its activities and the way NDPBs are financed, the Panel is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which FRS 13 mainly applies. The Panel has no power to borrow, invest surplus funds or purchase foreign currency. Financial assets and liabilities are generated by day to day operational activities and are not held to change the risks facing the organisation in undertaking its activities.

As permitted by FRS 13, debtors and creditors which mature or become payable within 12 months from the balance sheet date have been omitted from the currency profile.

The Panel has no borrowings and relies on funding from the Home Office for its cash requirements and is therefore not exposed to liquidity risks. It also has no material deposits, and all material assets and liabilities are denominated in sterling, so it is not exposed to interest rate risk or currency risk. The fair value of cash is the same as the book value.

20 Post balance sheet events

On 1 April 2006, CICAP was transferred to the Department for Constitutional Affairs ('DCA') along with a number of other tribunals to form the Tribunals Service. CICAP lost its separate NDPB accounting responsibility and falls within the accounting arrangements for the newly-formed Tribunals Service. The establishment of the Tribunals Service was effected by a Machinery of Government change (requiring no legislation) or a Transfer of Functions Order (requiring secondary legislation). An agreed schedule of CICAP's assets and liabilities transferred to the DCA at the point of transfer. All staff in post at that time became DCA employees.

21 Related party transactions

The Home Office and the Criminal Injuries Compensation Authority are related parties to the Panel. During the year ended 31 March 2006 the Home Office provided the Panel with Grant-in-Aid and under a service level agreement the Criminal Injuries Compensation Authority provided assistance with IT and training and storage facilities. The Criminal Injuries Compensation Authority also refunded the Panel £82,167 relating to Judicial Review expenses incurred on their behalf. A further £33,107 has been included in the debtors balance at 31 March 2006. All services were provided on commercial terms.

During the year ending 31 March 2006 no Panel Members or any key managerial staff undertook any material transactions with the Panel.

22 Losses and special payments

There were no losses or special payments during the year to 31 March 2006.

7

annexes

annex a case studies

The Applicant, in his employment with Railtrack was called to deal with a fatality on the track at a London mainline station where he supervised the removal of a body after a train had run over it and some body parts severed. As a result he sustained psychological injury. Eligibility was established by a panel in 2001 and an interim award made. The appeal was adjourned for further medical evidence and a claim for loss of earnings to be formulated. The Applicant did not provide any further medical opinion and another panel in 2004 found that the Applicant was phobic about trains and anything related to railways but the phobia was not significantly disabling and not necessarily permanent. A tariff award under level 9 (disabling mental disorder lasting over 28 weeks to one year under the 1995 Scheme) was made and a loss of earnings award made for six months only.

The Court granted permission for the application to proceed on the ground that even if the Applicant's condition was not permanent it was 'disabling' in a significant aspect of the Applicant's life which was greater than one year. A fresh panel hearing was arranged.

Note: it is important that Notes 10 and 11 in the Tariff section of the 2001 Scheme under the heading "Mental illness and temporary mental anxiety" are adhered to and particularly the provision that a disabling mental illness has to be diagnosed or the prognosis made by a psychiatrist or clinical psychologist.

Whilst walking along a pedestrian footpath in the west country, the Applicant was struck from behind by a youth on a bicycle. As a result she suffered a fractured pelvis. The CICAP Annual Report 1999-2000 states that "the Scheme refers to a vehicle (Paragraph 11 of both the 1995 and 2001 Schemes), not to a motor vehicle, and a bicycle comes within the description of a vehicle". The panel found that on the balance of probabilities the Appellant was the victim of an unfortunate accident rather than a crime of violence and no award was made. The Court agreed with the panel and did not permit the application to proceed.

As a result of a serious family dispute, the Applicant was kidnapped by his in-laws and assaulted by them and his wife suffering significant physical and some psychiatric injuries from which he made an incomplete recovery. The assailants received long prison sentences. At an initial panel hearing eligibility was found to be satisfied and an interim award was made. The Authority was asked to obtain medical reports. The Appellant was asked to quantify a loss of earnings claim.

At the adjourned hearing, it was revealed that in the intervening period the Applicant was convicted of benefit fraud and also of making a false application for a mortgage. He was sentenced to a two year conditional discharge. On a scale of 1 to 10 penalty points (10 being the most serious for a term of imprisonment) recommended by the Authority to apply in these claims, the Applicant's sentence would have warranted 2 points for which no reduction in the award is normally applied by panels. However, in this instance, the panel decided that as they regarded benefit fraud as very serious no award would be made under paragraph 13(e) of the 1995 Scheme.

The Judge allowed the application for judicial review and directed a fresh hearing before another panel. He said "With respect to the panel, the decision was in my view over the top..."

During the course of his duties, during a struggle, a police officer suffered an injury to his left knee. As a result he was discharged from the force on medical grounds some nine months later. At the panel hearing, it was found that he would have retired at 55.

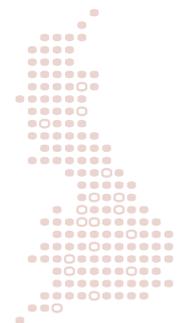
It was argued on behalf of the Applicant that the loss of earnings claim only extended to the age of 55 and not beyond. The panel took a view that all state benefits and pension payments should continue to be deducted under the provisions of the 1995 Scheme. They therefore reduced the claim accordingly.

The Court decided that the panel was wrong and re-instated the full award.

Note: Counsel's opinion was sought after the judgment and the following explanation may assist in this type of case:

The idea of 'compensation' is to return a person to the financial position he would have been in but for the injury. More specifically, the purpose of paragraph 31 is to enable an award of compensation to be made reflecting the Applicant's loss of earnings: in other words, to make sure that he is no worse off than he would otherwise have been (but for the injury) in respect of the period during which he is unable (or less able) to earn money.

All of the elements in paragraph 31 (a)-(e) that contribute to the quantification of the award are accordingly referable to the period of lost earnings. As a result it is irrelevant, for the purposes of paragraph 31, to consider whether the Applicant will receive any benefits referable to any period of time falling after the period of lost earnings.



annex b

CICAP panel members – 2005-2006

Patrick Akar FRCS, FFAEM, 64

Retired A & E Consultant, Scarborough and North East Yorkshire Healthcare NHS Trust. Formerly Consultant Orthopaedic Surgeon. Forensic Medical Examiner. Born in Ghana. Trained in Poland and UK.

**Prof John Andrews CBE, 70
Retired 31 March 2006**

Former Chief Executive of Further and Higher Education Funding Councils for Wales. Barrister. Career as professor of law (including criminal law). Former Professor of Law and Vice Principal University of Wales, Aberystwyth. Now Emeritus Professor of University of Wales. JP.

Sir John Allison KCB CBE, 63

Career in Royal Air Force retiring in 1999 as Air Chief Marshal RAF (Commander-in-Chief, Strike Command). Subsequently, Operations Director Jaguar Racing Limited. Since November 2004 President, Europe Air Sports. Since February 2005 Project Director for Rolls-Royce PLC. From 2006, Gentleman Usher to the Sword of State.

**Ram Banerjee, OBE TD DL
FRCSEd LLD (Hon) 69**

Born in India. Trained in India and UK. Retired Consultant A & E and Hand Surgery in Sunderland as Ex-TA Officer. Retired as Commanding Officer of two General Hospitals, One Div. Field Ambulance (as Colonel). ADC to HM Queen 1988 – 1992. Deputy Lord Lt Tyne & Ware

Peter Anderson, 55

Practising Solicitor and Solicitor/Advocate in the Scots courts. Senior litigation with Simpson & Marwick, Solicitors in Edinburgh. Part-time Sheriff Court Judge; Part-time Senior Law Lecturer, Edinburgh University.

George Bardwell CBE, 60

Management Consultant. Member Tribunal Panel, Accountancy Investigation and Discipline Board. Former Civil Servant (Director of Personnel, Benefits Agency). Formerly on Secretariat of the Royal Commission on Civil Liability and Compensation for Personal Injury.

David Barker QC, 74

Former practising Barrister in London and Leicester. Former Recorder and Deputy High Court Judge. Member of the Criminal Injuries Compensation Board for 10 years. Experienced in personal injury and criminal law.

**Dr Thelma Bates OBE, 75
Retired 31 March 2006.**

Former Consultant Clinical Oncologist and Clinical Director Oncology Centre, St Thomas' Hospital, London. Former Chairman Health Committee of General Medical Council.

**Ms Shazadi Beg, 46
Resigned 30 July 2005**

Special Adviser to International Bar Association on Pakistan. Former practising barrister. Immigration Judge on Asylum Appeals. Legal Consultant for DFID.

Martin Bethel QC, 63

Practising Barrister in Leeds. Recorder and Deputy High Court Judge. Experienced in personal injury and criminal law. Member of the Criminal Injuries Compensation Board for 2 years.

**Sir Derek Bradbeer OBE
TD DL, 74**

Solicitor, former Senior Partner with Newcastle Solicitors. Former President of Law Society. Member of the Criminal Injuries Compensation Board for 12 years. Formerly Chairman of the Governors of the College of Law and Deputy Chairman Northumbrian Water.

David Brown, 68

Private sector career in business. JP. Chairman Sussex Magistrates Courts Committee 2002-2005.

Ms Judith Bryant, 63

Former Chief Nurse (Westminster and Charing Cross) and Regional Nursing Officer (NE Thames). Lecturer and Fellow at the King's Fund College, London – a health and social policy think-tank. Extensive health consultancy work in UK, Europe, USA and India. Former member of a London Health Authority; Chairman of the editorial board of a nursing journal; examiner for the RCN Masters Degree in Nursing; trustee of two nursing charities.

**Dr Ian Christie FRCP
FRCPsych, 71
Retired 31 March 2006**

Career as Consultant Psychiatrist to hospitals in Portsmouth, Southampton, Salisbury and Ministry of Defence at R H Haslaw. One time Director of Services, Knowle Hospital, Medical Director Worthing, and Clinical Teacher Southampton University. Member of Mental Health Review Tribunal.

Ms Lesley Clare, 57

Former Civil Servant in the (then) Scottish Office. Responsibilities included criminal justice and victim issues, personnel and equal opportunities, and national level trade union activities. Currently recruitment and selection assessor for police and prison services. Member Scottish Charity Appeals Panel and volunteer with Friends of the Earth Scotland.



Paul Coates, 60

Full-time Immigration Judge. Former Solicitor and Higher Court Advocate. Former Recorder. Experienced in personal injury and criminal law.

Gita Conn, OBE 69

Career in television production and print journalism. Founder and President Salford Child Contact Centre. Chair Pro-Contact (Greater Manchester Supervised Children Contact and Assessment Centre). Greater Manchester Board of the National Probation Service. Advisory Committee OFCOM. JP.

Miss Diana Cotton, QC, 64

Practising Barrister in London. Recorder and Deputy High Court Judge. President of Mental Health Review Tribunals for restricted cases. Member of the Criminal Injuries Compensation Board for 11 years. Experienced in personal injury and criminal law.

Dr Alexander Craig, 62

Career as Doctor in Royal Navy. (Surgeon Rear Admiral and Medical Director General). Former Chairman of Medical Board of Survey and Invaliding, and Royal Navy Medical Employability Board. Former Honorary Physician to HM The Queen.

**David de Peyer, 71
Retired 31 March 2006**

Former Director General Cancer Research Campaign, Under Secretary DHSS, Secretary Royal Commission on NHS, Vice Chairman Suffolk Health Authority. Wheelchair user since 1955.

Manny Devaux, 67

Retired Assistant Director of Social Services and former Non Executive Director (Area Health Authority). Former Justice of the Peace and London Borough Councillor 1994-2002. General Medical Council Member (Lay) 1996-2002, service on PCC, ARC, REG, and IOC. Chairman Fitness to Practice Panels. Member of the NHS Security and Confidentiality Advisory Group. During the past 10 years has served as a Trustee of three Charitable Trusts.

**Prof Andrew Elkington
CBE FRCS, 69
Retired 31 March 2006**

Chairman of British Council for the Prevention of Blindness. Former Consultant Ophthalmologist at University of Southampton, now Emeritus Professor of Ophthalmology. Former President Royal College of Ophthalmologists. Member of Conduct Committee of GMC. Former Consultant Adviser to Chief Medical Officer and member of Standing Medical Advisory Committee.

John Entwistle OBE, 65

Solicitor. Former partner with a Liverpool firm. Selected as a Trustee of the Royal Academy Trust February 2006. Deputy District Chairman of the Appeals Service since 1992. Criminal Injuries Compensation Appeals Panel Member since 2000. Part-time Immigration Judge since 2000. Consultant Solicitor. Former member of the Parole Board and a former President of the British Chambers of Commerce.

Anthony Favell, 67

Solicitor. Founder and retired Senior Partner of Sheffield Solicitors. Former Chairman of acute services NHS trust. Former MP. Chairman, Mental Health Review Tribunals.

**Dr Ann Fingret, 71
Retired 31 March 2006**

Consultant Physician in Occupational Medicine. Career spans both private and public Sectors. Former JP and past President of the Society of Occupational Medicine. Former member of DFEE's National Advisory Council on the Employment of People with Disabilities and of the HSE's Working Party on Mental Health at Work. Has written and lectured extensively on mental health in the workplace and on occupational health practice.

**James Fitzpatrick CBE DL, 75
Died 3 February 2006**

Solicitor. Former Managing Director and then Chairman of Mersey Docks and Harbour Company. Former Chairman, Liverpool Health Authority and Royal Liverpool Hospital Trust. Member of Lord Chancellor's Independent Inquiry Inspectorate. Special Adjudicator Immigration Appeals. Chairman, Independent Tribunal Service.

Colin Forsyth OBE, 66

Career as general dental practitioner. Former Chairman Dental Practice Board for England and Wales. Former Councillor, then Chairman, Rutland District Council.

David Gabbitass FCI Arb, 71

Solicitor. Former Senior Partner of Plymouth and Taunton Solicitors. Higher Court Advocate. Member of the Criminal Injuries Compensation Board for 6 years. Chairman, Appeals Service. Chairman Sports Disputes Resolution Panel of Arbitrators. Experienced in criminal and personal injury work.

Edward Gee, 75

Solicitor. Member of the Criminal Injuries Compensation Board for 17 years. Experienced in personal injury law.

**Dr Eric Godfrey, 76
Retired 31 March 2006**

General Practitioner in Manchester, experienced in Industrial Medicine. Former member, Secretary and Chairman of the Manchester Local Medical Committee. Former member of the General Medical Service Committee. Medical Officer in charge HM Prison Stryal for 31 years. Experienced in evaluating Industrial injuries and complaints. (Medical Officer to Manchester Buses for many years).

Roger Goodier, 61

Solicitor. Partner and latterly Senior Partner of national firm specialising in personal injury work for 24 years to 1998. Part-time Chairman, the Appeals Service 1998-2002. Secretary of Association of Personal Injury Solicitors for 5 years. Appointed to CICAP in 2000 and as Chairman in April 2002.



Trevor Grannum, 59

Solicitor with a career in the public sector and former Assistant Director of Legal Services, Birmingham. Deputy District Judge for 5 years. Experienced in personal injury law.

Dr Judith Gratton, 54

Formerly General Practitioner in local practice for 18 years and also school health and family planning doctor N. West Herts Health Authority. Part-time member of The Appeals Service. JP.

Mrs Alma Hardie, 61

Former Director of Youth and Voluntary Sector, Quality Scotland Foundation. Career as a Senior Manager in the Benefits Agency. Experience of adjudication and specialist appeal training and counselling in DHSS.

George Helsby, 64

Private sector career leading to chairmanship of Rand Corp of South Africa and other executive and non-executive directorships in public corporations world-wide. Chairman/Adjudicator: Mental Health Appeals Panel, South Yorkshire Strategic Health Authority Appeals Panel, Post-graduate Medical Education and Training Board Appeals Panel, Accountancy Investigations & Disciplinary Board Appeals Panel. Member of Sheffield Teaching Hospitals' Clinical Ethics Group. Business Consultant, Accredited Mediator & Writer.

Ms Elizabeth Hinds, 61

Former Civil Servant (Assistant Under Secretary of State, Home Office). Previous responsibilities as Director of Services and Parole in Prison Service. Independent Assessor for Association of Chartered Certified Accountants. Lay member of the Alternative Dispute Resolution Committee of the General Council of the Bar. Principal of Hinds Consultancy, Personal Development Specialists.

His Honour Derek Holden, 69

Career as Solicitor. Former Circuit Judge. President of Independent Tribunals Service and Chairman of Tribunals Committee of Judicial Studies Board. Immigration Judge. Chairman of the Appeals Body for the Office of Supervision of Telephone and Information Services. Chairman of the Classification Appeals Body for the Independent Mobile Classification Body.

Frank Howard, 75

Retired 31 March 2006

Career as Trade Union Official (Assistant Secretary NASUWT). JP. Former County Councillor.

Rodney Huggins, 70

Solicitor. Former senior partner with Reading solicitors. Former National Chairman of Independent Tribunals Service. Chairman, Appeals Service and VAT and Tax Tribunals. Former National President of Rotary International Great Britain and Ireland. Chairman of Trustees of Almshouses Charity. Foundation Trustee of Reading School.

Michael Innes, 60

Chartered Certified Accountant. MBA. Career in merchant banking. Former Director of S G Warburg & Co. Member of the Asylum and Immigration Tribunal and Member of the Rent Assessment Panel for Scotland.

Miss Fiona King, 53

Career as Solicitor (private practice, local government and CPS). Former Assistant Chief Prosecutor London. Member of Criminal Cases Review Commission.

Rear Admiral Richard Irwin CB, 63

Career in Royal Navy retiring as Rear Admiral (Chief Executive, Strategic Systems). Former Chairman W. Sussex Health Authority. Independent Assessor for Departments of Education and Skills, Work and Pensions and Culture, Media and Sport. Former Chairman for NHS Complaints Procedure. Independent Investigator for the Financial Services Compensation Scheme. Chairman Queen Alexandra Hospital Home for Disabled Ex-Servicemen and women.

Dr Robin Knill-Jones FRCP FFPHM, 66.

Retired Reader in Epidemiology and Honorary Consultant in Public Health, University of Glasgow. Former President of the European Society for Medical Decision Making. Senior Medical Member of Appeals Service, Member of Pensions Appeals Tribunal, and Member of General Medical Council's Fitness to Practice and Registration Committees.

Dr Valerie Kaye, 60

Career as clinical psychologist and Health Service Manager in Scotland. Formerly Dean, Faculty of Health and Social Care, Leeds Metropolitan University. Formerly Consultant for therapy and medico-legal work. JP. Vice-Chair Leeds Teaching Hospitals NHS Trust.

Michael Lewer CBE QC, 73

Career as Barrister in London. Former Recorder and Deputy High Court Judge. Former Chairman of the Criminal Injuries Compensation Appeals Panel (CICAP). Member of the Criminal Injuries Compensation Board for 14 years. Experienced in personal injury and criminal law. Parliamentary Boundary Commissioner for England.

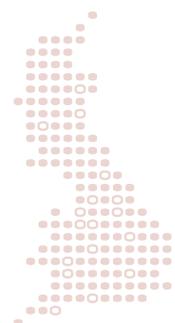
Dr David Kett, 62

Retired General Medical Practitioner. Senior Partner of Birmingham Medical Practice. Examining Medical Practitioner for DLA/AA Claims for Atos Origin on behalf of DWP. Member of Child Protection Committees. Named Doctor for Child Protection for Local PCT. Former Divisional Police Surgeon. Previously approved in diagnosis and treatment of mental illness.

Nicholas Lowe, 69

Retired 31 March 2006

Former Chartered Accountant and National Director of Barnardo's. Charity Adviser and Consultant. JP.



Harley Lumsden WS, 73

Solicitor, Scotland. Career in insurance sector (former Director and Deputy Chairman of Sedgwick UK Ltd). Retired Consultant to The Chartwell Group of Lloyds Underwriters.

John Lusby, 63

Career in Health Services Management (General Manager Lothian Health Board). Trustee Stirling University Dementia Services Development Centre. Independent Chairman for NHS Complaints.

**Dr Angus MacCuish MD
FRCP, 63**

Former Consultant Physician (Internal Medicine and Diabetes), Glasgow Royal Infirmary. Senior Research Fellow University of Glasgow. Experienced in medico-legal work.

**Dr Ross McHardy, FRCP 74
Retired 31 March 2006**

Former Consultant Physician and Respiratory Physiologist. Former President Scottish Thoracic Society. Former Medical member of Medical Appeals Tribunals and Pension Appeal Tribunal for Scotland.

**Alexander McIlwain CBE WS,
71 Retired 31 March 2006**

Retired Solicitor (Scots). Honorary Sheriff. Former President of Law Society of Scotland. Former President, The Temporary Sheriff's Association. Former Member Judicial Studies Committee. Former Chairman Legal Aid Central Committee. Member of the Criminal Injuries Compensation Board for 2 years. Experienced in personal injury and criminal law.

Gerard McLoughlin FRCS, 63

Consultant surgeon at hospitals in Liverpool, with speciality in vascular surgery. Lecturer in clinical surgery, Liverpool University. Member of Medical Appeals Tribunal.

Anthony Meier CB OBE, 68

Career in Army retiring as Major-General: Director General Management and Support of Intelligence. Subsequently 7 years as Non-Executive Director, Eastbourne Hospitals NHS Trust, including Chairman Mental Health Act Appeals, then Convenor Independent Reviews of Complaints; latterly Trust Board Vice Chairman. Non-executive Chairman of a MOD Agency since 2003.

John Melville Williams QC, 75

Formerly a practising Barrister in London now retired from active practice. Legal assessor to GMC and GDC since 1983. Former Recorder. Member of the Criminal Injuries Compensation Board for 3 years. Former and inaugural President Association of Personal Injury Lawyers (APIL). Until recently on the editorial board of The Journal of Personal Injury Law. Experienced in personal injury law. Chairman of The Claim Room.com Ltd, an online mediation and dispute resolution company.

**Dr John Miles, 71
Retired 31 March 2006**

Former Civil Servant (MoD Project Director). Former physics lecturer (Ph.D). Worked for Prince's Trust, 1996-2001.

Dr Ahmed Mukhtar FRCP, 61

Consultant paediatrician and former Medical Director at NHS hospital in Northamptonshire. Clinical Governance Reviewer, Health Care Commission. President of the British Sudanese Society for Paediatrics and Child Health. Member of Governing Council, University of Northampton. Born in Sudan and trained in Sudan and UK.

Kenneth Mure QC FTII, 59

Practising Advocate, with experience in criminal, family and personal injury law. Barrister. Former Temporary Sheriff. Former law lecturer Glasgow University. Part-time Chairman: VAT Tribunal.

Harry Narayan, 60

Practising Barrister in Manchester. Recorder. Immigration Judge in Asylum and Immigration Appeals. Experienced in criminal work. Also a Legal Assessor for the General Medical Council and the General Dental Council.

**Ms Sara Nathan, 49
Resigned 20 March 2006**

Former career as television and radio editor and producer. Worked for ITN as editor of Channel 4 News and for BBC on TV and Radio News and Current Affairs and Radio 5 Live. Member of Human Fertilisation and Embryology Authority and Ofcom. Deputy Chairman Content Board. Working freelance in broadcasting.

Ms Erica Norton OBE, 58

Former Assistant Chief Constable, Leicestershire Constabulary and former member of HM Inspectorate of Constabulary, Parole Board and Home Office Advisory Board on Restricted Patients.

Graham Park CBE, 65

Practising Solicitor. Consultant and formerly Senior Partner with Manchester Solicitors. Member of Parole Board and Mental Health Review Tribunal. Experienced in criminal work.



Mrs Anne Parker CBE, 66

Chair Audit Commission Independent Complaints Panel. Trustee Lloyds TSB Foundation. Independent Reviewer for the Parliamentary and Health Services Ombudsman. Former Chair National Care Standards Commission. Formerly Chair Carers UK. Former Independent Case Examiner for the Child Support Agency (DSS). Former Director of Social Services for Berkshire County Council.

Andrew Popat CBE, 62

Barrister. Recorder of the Crown Court. Chairman of the Professional Conduct Section of the General Osteopathic Council and Council member. Chairman of Appeals Hearings from Post Graduate Medical and Education Training Board. Panel member of the Fitness to Practice Panel of the General Medical Council and General Dental Council. Member of the Court of Assistants of Plaisterers' Livery Company. Also member of the MCC and David Lloyd Sports Club in Wimbledon.

**Laurence Peterken CBE, 73
Retired 31 March 2006**

Career in industry then in public sector (local government and NHS). General Manager Greater Glasgow Health Board and Director Special Projects NHS Scotland; Controller of Operational Services GLC. Lay member Professional Conduct Committee, Nursing and Midwifery Council. Lay Member, Professional Conduct Committee, The Chartered Institute of Management Accountants.

Neville Radcliffe, 73

Solicitor. Former senior partner with Nottingham firm. Chairman Ethical Committee of Queen's Medical Centre University Hospital Nottingham. Former President Nottinghamshire Law Society. Experienced in personal injury law.

**Dame Anne Poole DBE, 71
Retired 31 March 2006**

Career in nursing management (Government Chief Nursing Officer). Former Independent Appointments Board Chairman, Civil Service Selection Board now Independent Assessor for Public Appointments. Independent Chairman for NHS Complaints. Former Director and Trustee Marie Curie Health Care.

Mrs Elaine Rassaby, 54

Trained as psychologist. Formerly Mental Health Act Commissioner, OFSTED Complaints Adjudicator, Mental Health Advisor to firm of Solicitors. Member of the Police Complaints Authority. Member of the Mental Health Review Tribunal, Office of Fair Trading Adjudicator.

Alan Rawley QC, 71

Practising Barrister in London and on Western Circuit. Former Recorder. Fellow-commoner, Magdalene College, Cambridge. Member of the Criminal Injuries Compensation Board 1999-2000: CICAP 2000 to date. Experienced in personal injury and criminal law.

Miss Jane Reynolds, 53

Career in management, working with people with learning disabilities and older people (former Chief Executive Royal Masonic Benevolent Institution, and Manager of large NHS mental handicap hospital). Chairman of Charity running Homes for people with learning disabilities. Chairman of Complaints Review Panels for many Local Authority Social Services Departments JP. Member, Postgraduate Medical Education and Training Board. Chair, Continuing Care Review Panels for 2 Strategic Health Authorities in London.

John Scampion CBE, 64

Solicitor. Chairman of the Determinations Panel of the Pensions Regulator. Commissioner Healthcare Commission. Member of the Committee for the Supervision of Standards of Telephone Information Services. Former Commissioner for Immigration Services, Commissioner for Social Fund for Great Britain and Northern Ireland and Town Clerk and Chief Executive, Solihull Metropolitan Borough Council.

Mrs Margaret Scorer, 64

Career as lecturer in law and social history. Former Senior Lecturer at Bramshill Police Staff College, Inspector, HM Magistrates Courts Service Inspectorate and Member Police Complaints Authority. Currently, Member Employment Tribunals Service. JP. Australian born.

Mrs Margaret Seymour, 65

Private sector career in company management, (Managing Director/Owner of specialist engineering company). Lay chair for National Health Clinical Assessment Authority for England and Wales. Chairperson of Neuroscience Foundation. Member of the Board of Venture Scotland, REHAB Scotland, Postwatch Scotland.

**Dr Richard Shepherd
FRCPath, 53**

Consultant in Forensic Medicine.
Home Office Pathologist.

Michael Shorrocks QC, 63

Practising Barrister in Manchester. Recorder. Member of the Criminal Injuries Compensation Board for 5 years. Experienced in personal injury and criminal law.

**Amolak Singh MBE BDS, 71
Retired 31 March 2006**

General dental practitioner, legally and medico-legally qualified. Former member of the General Dental Council, past Chief Executive of the General Dental Practitioners' Association. Past President of the Anglo Asian Odontological Group. Past Chairman of the Managerial and Professional Staffs Association and Employment Tribunals.



Desmond Smith, 54

JP, LL.M. Public, Community Business Enterprise, Voluntary Sectors career in economic, social regeneration, diversity policies, strategies and training. Former Director/Manager (Business Enterprise and Training Centre, Assistant County Clerk (Urban Policies), Chief Executive (Racial Equality Council) Youth and Community lead. Non-executive Director (NHS Trust), Board Member (St Yorkshire Probation Service), Director (Business Link - Sheffield), Chairman – Owls Against Racism (Sheffield Wednesday F.C.) Chairman – Youth Bench (Sheffield Magistrates' Court and SADACCA (Voluntary Association)). Lay-member – Employment Appeal Tribunal, Associate - General Medical Council – Fitness to Practice Panel, Monitor and Mediator. Keen sportsman.

Anthony Summers, 61

Solicitor. Former senior partner in Liverpool solicitors. Member of the Criminal Injuries Compensation Board for 2 years. Experienced in personal injury law. Consultant with firm of solicitors specialising in Risk Management for professional firms. Member of the International Association of Cape Horners.

Ms Josephine Thompson, 62

Career as Solicitor in private practice. Former Building Societies Ombudsman, with wide experience of dispute resolution and adjudication.

Alan Tripp, 55

Chartered Accountant. Private sector career in financial and general management in the electronics and technology industries. Member of Scottish Further and Higher Education Funding Councils. Acts as independent director in the private sector.

Mrs Reshma Spafford, 53

Career as social worker and social work manager (North Tyneside Council and Gateshead MBC). Now a freelance consultant and researcher in project development and child care issues. Born in India and trained in UK.

**Dr Memo Spathis FRCP, 70
Retired 31 March 2006**

Former Consulting Physician at hospitals in South London, with speciality in endocrinology and diabetes. Former Sub Dean St George's Hospital Medical School. Former Vice Chairman South West Thames Regional Health Authority. JP. Born in Greece and trained in UK.

Alan Tyrrell QC, 73

Retired Barrister in London. Former Deputy High Court Judge. General Commissioner of Income Tax. Lord Chancellor's legal visitor. Former MEP. Member of the Criminal Injuries Compensation Board for 2 years. Experienced in personal injury and common law.

Ms Nalini Varma, 49

Career as social work manager predominantly in voluntary sector organisations. Formerly Chief Executive of the Rainer Foundation, a national young people's charity. Management consultant to statutory and voluntary organisations. Trained in the UK. Born in South Africa. Former Board Member of Children and Family Court Advisory Support Services. Lay member of the General Medical Council and the Law Society. Trustee of Comic Relief and Chair of their UK Grants Committee.

Mrs Frances Walker, 56

Practising Consultant with South Shields Firm. Chairman, Child Support and Social Security Appeals Tribunals and Medical and Disability Appeals Tribunals; Former Chairman Appeal Committee of ACCA; Former Deputy Commissioner for Social Security and Child Support Scotland. Former member of Parole Board. Trained mediator. Former Non-Executive Director of Health Care Trust. Present member of PMETB.

Dr Frances Walters, 65

Career as General Medical Practitioner. Medically qualified Member Appeals Service. Former Chairman Local Medical Committee. Past President British Medical Pilots Association. Previously Army Regimental Medical Officer and Adviser to Shell UK.

Thomas Ward, 53

Practising Solicitor and Solicitor-Advocate in the High Court of Justiciary. Consultant and former senior criminal law practitioner in Greenock. Part-time Immigration Judge. Former Temporary Sheriff. Legal Assessor to the General Medical Council. Legal Chairman of the PMETB. Part-time Sheriff.

**Miss Diana Whittingham, 71
Retired 31 March 2006.**

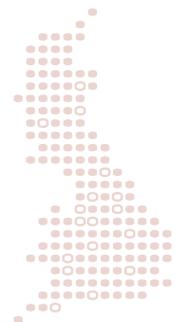
Career in personnel management and training. (Director of Personnel, British Red Cross). Former Civil Service Commissioner and member Nurses and Professions Review Body. Member Employment Appeal Tribunal. London Borough Councillor. Non-Executive Director Kingston Hospital Trust.

Bernard Whyte, 65

Former Deputy Chief Constable Cambridgeshire Constabulary. Former Director of Police Central Planning and Training Unit, and Chief Examiner, Police Promotion Examination Board.

Mrs Gillian Wild, 56

Career as Chartered Surveyor in the public sector specialising in commercial development. JP. Member of the Prince's Trust Cambridgeshire. Non-Executive Adviser to Cambridgeshire and Peterborough Mental Health Partnership Trust. Chair Cambridgeshire Courts Board.



Dr David Williams FRCP, 68

Formerly Clinical Director of A&E Department (Guy's and St Thomas') and Clinical Adviser to the Parliamentary Health Commissioner (Ombudsman). Past President College of Emergency and British Association for Emergency Medicine. President European Society for Emergency Medicine. Member of the Appeal Tribunals. JP.

Donald Williams, 78

Career as litigation partner with London Solicitors. Former Chairman of Employment Tribunals and Recorder. Lecturer on law and writer mainly on legal subjects, including criminal injuries compensation.

Dr Pamela Wills, 65

Retired Consultant Psychiatrist. Established West Lothian Child and Family Psychiatric Service and also former Consultant at Child Psychiatry Department, Royal Hospital for Sick Children in Edinburgh. Specialist in Child and Adolescent Psychiatry, with experience of court and Panel work involving children and families. Appointed Member of new Mental Health Tribunal for Scotland in 2005.

Prof Robert Wood FRCP, 66

Consultant Physician. Director of Medical and Dental Defence Union of Scotland; Trustee of Royal College of Physicians Edinburgh. Former Professor of Clinical Medicine, Aberdeen University, and Postgraduate Medical Dean.

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