

Mr John Duffy
President of the Appeal Tribunals

Appointed 16 February 2015

Professional Background

Mr John Duffy graduated with an LLB from Queens University Belfast in 1981, enrolling as a solicitor in 1983. He worked as a solicitor in general private practice until 2002. In 1991 Mr Duffy was appointed as a fee paid member of the Social Security Appeal Tribunal. In 2001 he was appointed as a legally qualified adjudicator of the Criminal injuries Compensation Appeals Panel for Northern Ireland (CICAPNI). In 2013 he was appointed as Chairman of CICAPNI and held that position until his appointment as President of the Appeal Tribunals in 2015.

Mr Duffy has also been a Legal Member of the Northern Ireland Valuation Tribunal and a legal advisor to the Northern Ireland Social Care Council professional conduct committees. This latter position involved assisting and advising the committees on how to best deal with evidence and arrive at sustainable decisions on matters of misconduct involving social care workers.

What attracted you to apply for the role?

Since 1991 I had acquired experience chairing a wide range of tribunals, and in the intervening period I had been asked by the then President to deal with different jurisdictions, so I worked on Tax Credit Appeals, Disability Living Allowance Appeals, Child Maintenance Appeals and appeals involving a vast array of other Social Security benefits. This enabled me to develop an expertise in virtually all of the jurisdictions for which the Appeal Tribunals have responsibility. All of this, coupled with my roles within CICAPNI, provided excellent stepping stones to my current position as President because I had acquired experience of responsibilities at a significantly high level.

What is a typical day like?

I must oversee the entire judicial operation of Appeal Tribunals in Northern Ireland. I regularly deal with queries from tribunal members. I must consider and prioritise correspondence from many sources and attend various meetings, including with Departmental officials, judicial colleagues, the Judges' Council and the NI Courts and Tribunals Board.

I have various statutory responsibilities, including the requirement to provide judicial training for all tribunal members. This can take up a considerable amount of my time. It is also my statutory obligation to provide a detailed report to the Department for Communities about the general standard of Departmental decision making. In order to assist with this obligation I obtain written reports/feedback from the Tribunal's legally qualified members in respect of individual cases. The report deals with the decision making processes affecting all benefit jurisdictions considered by the Tribunal and

seeks to make recommendations for improved decision making by the Department.

I must deal with a considerable amount of case work on a daily basis. This will often involve providing judicial directions in complex cases. I also occasionally preside as Chairman at appeal hearings however my other considerable commitments mean that I am able to do this on an occasional basis only. I usually restrict this to only the most complex appeals or if the tribunal is dealing with a new jurisdiction of appeal.

I regularly liaise with senior tribunal judicial colleagues throughout the UK. This includes attending meetings in London every two to three months. I also attend the GB Annual Conference for salaried tribunal judiciary within the Social Entitlement Chamber (our sister organisation in GB).

I have regular and substantial involvement with NIJAC in relation to the appointment of additional members of the tribunal. We currently have 227 members - comprising Legally, Medically, Disability and Financially qualified members.

As President I hold annual User Forum meetings at which service users can raise with me issues of interest/concern affecting all aspects of the Tribunal's work. Meetings are attended by a wide range of representatives, Departmental officials, politicians etc. They provide an invaluable source of feedback.

In 2015 I prepared and issued a Code of Practice for Tribunal Representatives. The Code can be accessed at the following link <https://www.communities-ni.gov.uk/publications/code-practice-tribunal-representatives>

All tribunal members are judicial office holders and are subject to the Code of Practice about the conduct of Judicial Office Holders issued by the Lord Chief Justice. The Lord Chief Justice has delegated to me the responsibility for dealing with any such complaints in respect of tribunal members. In order to ensure due diligence this can be time consuming.

My overarching goal is to ensure that all appellants receive a thoroughly fair hearing, even if they have been unsuccessful. I seek to train all my members to ensure that appellants are treated with courtesy, dignity and respect. An appearance at one of our hearings will provide for many people their first experience of the justice system - we consider upwards of 10,000 appeals annually. A negative experience at one of our hearings could colour perceptions of the entire justice system.

What are the biggest challenges you face in the role?

Social Security Law is ever changing and I must keep abreast of all changes. This includes considering all legislation and all decisions of the NI Social

Security Commissioners, the Courts and the Upper Tribunal in England and Wales.

The introduction of the Welfare Reform (Northern Ireland) Order 2015 brought considerable changes to the overall benefits system. It largely coincided with my appointment as President. This proved to be a unique challenge as the introduction of the Order was politically controversial and provided some of the most radical reforms to the benefits system in many years. The changes included the introduction of Personal Independence Payment (PIP) as a replacement for Disability Living Allowance (DLA) and the introduction of Universal Credit in place of many traditional benefits, including Jobseeker's Allowance. During this time I not only had to become familiar with the new law myself, but I had to prepare training material and hold a large number of training events for upwards of two hundred panel members.

I must also ensure that training is refreshed and updated on a regular basis. In addition I frequently prepare and issue legal circulars/ guidance to my members.

I am privileged to work with excellent administrative staff. They are tireless in their quest to ensure that we provide a user friendly and efficient service despite constant challenges.

Is the job what you imagined it would be?

Whilst I had a vague and general idea of what the role entailed, so much of what the President does is unique and sensitive and is carried out behind closed doors. This makes it almost impossible to perceive without first-hand experience. The responsibilities are vast, the challenges are huge but the satisfaction is great. No two days are ever alike.

Would you recommend a judicial role to others?

I would thoroughly recommend anybody to apply for judicial appointment. It is challenging. It is stimulating. It requires hard work and dedication but it is thoroughly rewarding.

Is the role conducive to a good work life balance?

The role of President is a full time judicial role; it is not 9 to 5 job or a five day week position. The hours are long and the challenges are enormous but I totally enjoy it. I do try to relax at weekends and when on holiday but I must always be available for contact by staff at all times.

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