## DRAFT STATUTORY INSTRUMENTS

# 2002 No.

# Criminal Injuries Compensation (Northern Ireland) Order 2002

## PART II

### NORTHERN IRELAND CRIMINAL INJURIES COMPENSATION SCHEME

**Appeals**

**7.**—(1)  The Scheme shall include provision—

(a)  for rights of appeal against decisions taken on reviews under provisions of the Scheme made by virtue of Article 6; and

(b)  for such appeals to be determined by persons ("adjudicators") appointed for the purpose by the Secretary of State.

(2)  The Scheme may include provision—

(a)  for adjudicators to be appointed as members of a body having responsibility (in accordance with the provisions of the Scheme) for dealing with appeals;

(b)  for the appointment by the Secretary of State of one of the members of that body to be its chairman;

(c)  for the appointment of staff by the Secretary of State for the purpose of administering those provisions of the Scheme which relate to the appeal system.

(3)  Any person appointed under this Article by the Secretary of State—

(a)  shall be appointed on such terms and conditions as the Secretary of State considers appropriate; but

(b)  shall not be regarded as having been appointed to exercise functions of the Secretary of State or to act on his behalf.

(4)  No decision taken by an adjudicator shall be regarded as having been taken by, or on behalf of, the Secretary of State.

(5)  The Scheme shall include provision as to the giving of advice by adjudicators to the Secretary of State.

(6)  The Secretary of State may at any time remove a person from office as an adjudicator if satisfied that—

(a)  he has been convicted of a criminal offence;

(b)  he has become bankrupt or has made an arrangement with his creditors; or

(c)  he is otherwise unable or unfit to perform his duties.

(7)  The power conferred by Article 5(2)(a) to provide for the reduction of an amount of compensation includes power to provide for a reduction where, in the opinion of the adjudicator or adjudicators determining an appeal, the appeal is frivolous or vexatious.