Tribunal Practice and Procedure Workshop – Judge Philip Boyd - 2012

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- **Welcome twice Welcome!**

Tribunal Practice and Procedure Workshop – Judge Philip Boyd - 2012

Welcome not only to this workshop but also to tribunals. Just by turning up you enhance your client's chances of winning. It supports them and provides another view of the evidence now that we see so little of Presenting Officers from either DWP or HMRC. We know that when a good representative is coming the hearing will be better all round. We also know that everyone has to learn, that there is little training available and all the judges know that the only real way to learn is on your feet in hearings. So if you are not very good now, you'll get better.

- **Advocacy**

Advocacy is what people in wigs do in court! Well it might be. I would say that from the minute you meet your client, everything you do is advocacy. If you go away from this workshop with nothing else, please go away with this thought. Every letter you write every phone call you make everyone you speak to about the case – it can all enhance or lessen your client's chance of winning.

Look at the Tribunal. Ever seen anyone under 50? Rarely! Chances are with any tribunal at least one will have high blood pressure, another raised cholesterol, someone will be a diabetic, they'll probably all have a touch of arthritis and take at least a few pills in the morning. They will know that high blood pressure is called the silent killer because it is asymptomatic and doesn't make you dizzy. If they take antihypertensives they will know about postural hypotension and how to deal with it. It's pretty difficult to fool a tribunal about the diseases of middle to old age.

Be realistic about what you ask for. I think what tribunals hate most is over egging the pudding. There is a representative north of Bristol who always asks for High Rate Mobility and Care no matter what difficulties people have it just doesn't help. Make a realistic assessment of what you see and hear. Don't believe everything your client tells you. They might be over egging the pudding. Sensible realistic applications are more likely to put people on your side and succeed.

- **Grey Bags – how do they work?**

This is absolutely the most boring bit. The general rule about getting evidence to the tribunal is that it should be in Cardiff 2 weeks before the hearing. I would say that if you want to be as sure as you can be that it gets in the bundle then 3 weeks is better than 2 weeks.

About 10 – 14 days before any hearing a large grey bag of papers drops on my doorstep with the papers in. Sometimes I get additional loose sheets which take 2 to 10 days from receipt in Cardiff to get to me. Sometimes they get to me the day after the hearing if I leave home before the postman comes. Sometimes they turn up a week after the hearing.

If you post, deliver or fax things to Cardiff or to a venue within a week of the hearing there is a fair chance that they will go astray because of the number of tribunals and clerks using venues and the speed things move through the Cardiff office. If you have

a late submission the best thing to do with it is to fax it to the venue at 9 am on the day of the hearing.

You are not allowed to ambush the DWP by producing evidence at the last minute. If you turn up at the hearing with 50 pages of additional evidence on the day you will either get an adjournment if lucky, a rejection of the evidence if unlucky and/or a very black look from the judge. Sometimes if things go short there is time to read late evidence. Sometimes not. Sometimes members have visual handicaps and have great difficulties with late submissions. Sometimes it is important that the respondent sees it well before the hearing.

- **It's Not Fair!**

Welfare Law isn't fair and you can't make it fair at a tribunal hearing. Social policy sets out to do all manner of things like prevent revolution, redistribute income, live within its budget, encourage work, discourage idleness. See the table for where the money goes and how it has increased over the years.

The Case of B v DWP has been around for some years and has just come out of the ECJ. She was a woman with learning difficulties who simply did not understand the rules about disclosure and finished up with a large overpayment to re-pay.

In B v the United Kingdom [2012] in the ECHR. It was argued that as someone who did not have the capacity to understand the obligation to report, she should have been treated differently from someone who did. The Court found that requiring decision-makers to assess levels of understanding or mental capacity before deciding whether or not overpaid benefits were recoverable would hinder their recovery and thereby reduce the resources available within the social security fund. It therefore considers that the decision not to treat the applicant differently from someone who had the capacity to understand the requirement to report pursued a legitimate aim, namely that of ensuring the smooth operation of the welfare system and the facilitation of the recovery of overpaid benefits. (See http://www.disabilityalliance.org/bvsec.htm)

So the answer is we'd really like to be fair to everyone but we really can't afford it so we won't.

If you don't like the way a benefit works complain to your MP, demonstrate in the street, shout at public meetings but don't argue it at a tribunal. If you really do have a Human Rights point be prepared for a long haul. The Upper Tribunal has just disposed of a point about self employed solicitor by saying the only remedy was a declaration of incompatibility and the UT could not give one of those, only the Court of Appeal and that would inevitably involve costs which the claimant may not wish to pay. *CJSA/828/2011 [2011] UKUT 428 (AAC)* at *http://www.osscsc.gov.uk/aspx/view.aspx?id=3360*

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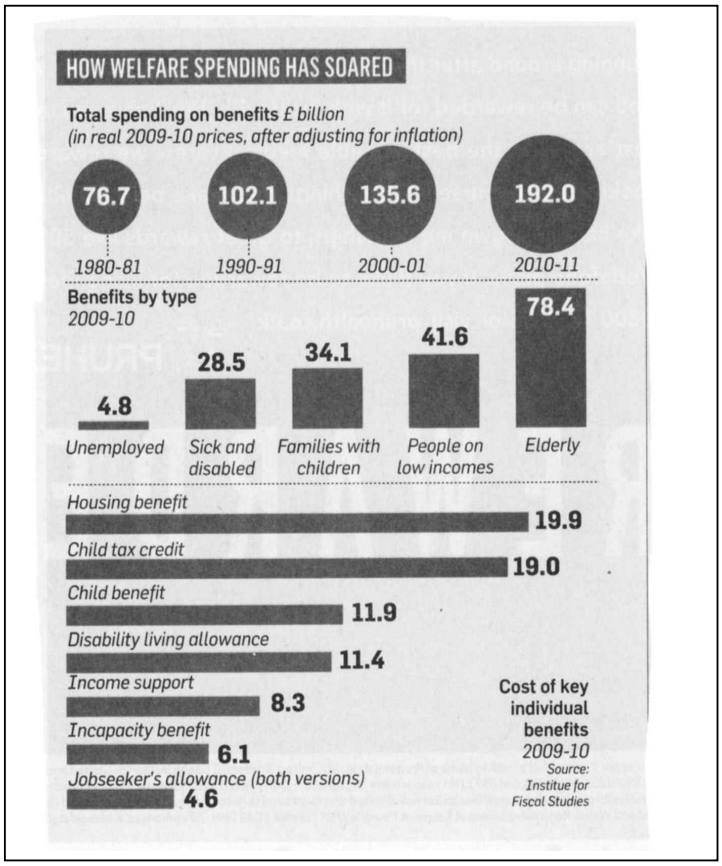

Sunday Times 8.1.12

- **Tribunal Rules**

Imagine being invited to take part in an exhibition snooker game on South West TV, turning up at the studio and then having to confess to the waiting public that you had no idea of the rules of snooker. Representatives do that every day at tribunals. Some are not even proper representatives because they haven't got the paperwork right.

Upon arriving at Bar School everyone was given two large books one entitled Criminal Litigation and the other Civil Litigation and told to learn the contents in preparation for the dreaded multiple choice test at the end of the year which had to be passed. These were the Rules of Procedure absolutely crucial! Imagine you have just been convicted of an offence and sentenced to six months. You are not guilty and want to appeal and tell your barrister. He thinks that you have got 28 days to appeal because that's the time limit from the Crown Court to the Court of Appeal. But in fact he only has 21 days to lodge the appeal because it is from the Magistrates to the Crown Court. He lodges the appeal on day 26 and the Crown Court throws it out. How pleased are you waiting to get out of Dartmoor Nick?

The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 are 20 pages long including schedule. You could read them in half a day and you

don't have to remember them just the gist of what they provide. Knowing the Rules will repay you over and over again.

The only one you need to learn is Rule 2

Overriding objective and parties' obligation to co-operate with the Tribunal
2.—(1) The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.
(2) Dealing with a case fairly and justly includes—
(a) dealing with the case in ways which are proportionate to the importance of the case, the complexity of the issues, the anticipated costs and the resources of the parties;
(b) avoiding unnecessary formality and seeking flexibility in the proceedings;
(c) ensuring, so far as practicable, that the parties are able to participate fully in the proceedings;
(d) using any special expertise of the Tribunal effectively; and
(e) avoiding delay, so far as compatible with proper consideration of the issues.
(3) The Tribunal must seek to give effect to the overriding objective when it—
(a) exercises any power under these Rules; or
(b) interprets any rule or practice direction.
(4) Parties must—
(a) help the Tribunal to further the overriding objective; and
(b) co-operate with the Tribunal generally.

- **Are you a representative?**

Look at Rule 11(2) "if a party appoints a representative, that party … must send or deliver to the Tribunal written notice of the representative's name and address." So the letter must be from the appellant and not from you. There is some question about some of the 'forms of authority' used by some agencies as to whether they actually succeed in making the appointment.

Fortunately Rue 11(7) provides "At a hearing a party may be accompanied by another person whose name and address has not been notified under paragraph (2) or (3) but who, with the permission of the Tribunal, may act as a representative or otherwise assist in presenting the party's case at the hearing." Two important things about that provision: it is at the discretion of the tribunal and only lasts for the hearing, you do not continue to be the representative afterwards.

I have enclosed a suggested letter of appointment at Appendix A.

- **Getting Directions**

You can ask for directions about anything. A direction that the respondent provide iced lollies for all parties. Although you are not likely to get those. You can ask for medical examinations, medical records, have a look at rule 16: you can get an order to summon a witness, require parties and third parties to produce documents, get

the judge to ask people questions. An example of the contents of an Order is at Appendix F.

How to do it? Just ask. Write to the Regional Judge at Cardiff. Head the letter APPLICATION FOR INTERLOCUTARY DIRECTIONS and say. "There is no up-to-date medical evidence in this case will you please order an EMP before the hearing or would you please order the GP Dr Bloggs of Charles Street Taunton to disclose the appellant's medical records from 1 January 2009 to date including any and all correspondence from consultants before the hearing". Or "Please order that this matter be heard in Bristol instead of Swindon Magistrates' Court because the appellant is afraid of Magistrates' Courts" Or "please summons the appellant's ex wife to give evidence in these proceedings." You will need to provide a jolly good reason for HMCTS to change anything and some solid evidence to back up your application.

Do be clear and precise about what you want. The easier you make it for the judge to give you what you want, the more likely you are to get it. Point out the problem – suggest the solution.

Look at Rule 14 for what you can get prohibited.

- **Preparing for representation – A short Summary**

I have produced a one page summary of what I think are some of the main points of representation at Appendix B

Upper Tribunal Judge Edward Jacobs has kindly allowed me to produce an excerpt from his book on Tribunal Advocacy Skills you will find it at Appendix E – well worth a read.

Tribunal Practice and Procedure is published by LAG at £50.00 ISBN 978 1 903307 73 1. Discount, second hand and kindle editions at amazon http://www.amazon.co.uk/Tribunal-Practice-Procedure-Edward-Jacobs/dp/1903307732

  - *and a portion of fried rice*

Before I go for the occasional Chinese Takeaway, I look at the menu and sort out what I want and write down the numbers. So that when I get to the shop I can say one of 27 and one of 36 with a portion of fried rice and a packet of prawn crackers.

Two worthy gentlemen appeared before me recently seeking to persuade me that a lady with serious problems with her arms and a gentleman with serious kidney problems should be in the support group instead of the work related group for ESA. They came from different agencies and one in the morning and one in the afternoon. After explaining the procedure to the appellants ending with, I will ask Mr X (the rep) for his opening remarks, I turned to the rep and said, "which Schedule 3 descriptors do you rely on to support your case." Each looked at me as if I was mad and said that their case related to common sense. The man/woman was so ill they were never

going to work again therefore they should not have to do work related activity. The tribunal spent a long time in each case questioning the appellant about each descriptor in Schedule 3 and then asking all the required question about regulation 35.

Unhappily each representative appeared taken by surprise that there was a Schedule 3 or a regulation 35 let alone how high a test they set.

Incidentally, do you know what the 'Work Related Activity' for people in the Support Group consists of? I am told that it is about five interviews per year. There will be few people for whom going to five interviews per year would be a substantial risk to their physical or mental health. That's the test to satisfy r. 35.

An opening such as "Clearly Mrs Bloggs only has an upper limb problem so she relies only on the upper limb descriptors 3, 4 and 5. Her mental health has been affected by this prolonged illness but her mild depression does not approach the standard required by descriptors 9 to 14." Is confident, shows that you have read the book and the papers and directs the tribunal towards the real focus of the appeal.

- *Stop Digging*

I defended a chap once accused of stealing a tent at Glastonbury. I took him through his police statements and the evidence he had given me. He described how he had spent the day at the festival with his mates then slept in a car. Then I watched as my Learned Friend asked him about this account. "and what kind of car was it? An Escort. A Ford Escort? Yes. And how many of you slept in it that night? "Eight" says my client. It was like flicking a switch. That was the moment the jury sat up and said "guilty" to themselves you could almost hear it happen. He got 18 months.

If your client has said in the claim form that she can only walk 20-30 yards and it takes 10 minutes and she walks at 40 – 60 metres per minute with a poor gait. Even Einstein couldn't put the maths of that right without falling over. It's no use saying "Ah she doesn't understand distance". Sometimes, the only thing you can say is "What she has written on the claim form can't be right. It must be a guess and a bad guess to boot. You should ignore it" That should stop the rot - then you need to patch the hole by going on with a reasonable account probably starting with "Tell me Mrs Jones – where do you usually walk?" and taking her through something which she usually does letting her give the answers to your questions. What won't do is saying "What she really meant was that she only walks 2 – 3 yards in less than a minute at less than 40 metres per minute with a very bad limp"

For those of you who remember shillings and pence the book Research on Road Traffic by Road Research Laboratory, H.M.S.O., 1965, pp. 505, 42/- will tell you all you need to know about pedestrian walking speeds. Appendix D sets out the meat of what you need to know to create an excel spreadsheet which gives you a good idea of normal walking speeds.

It's worth a look at two short decisions CIB/2326/1997, an Incapacity Benefit decision in which the Commissioner held that if the evidence given to the tribunal by

the claimant is in contrast to that on form IB50 (the claim form), the claimant must be prepared to have that evidence carefully scrutinized and weighed and a persuasive but not binding judgment of the Chief Commissioner of Northern Ireland C4/96(IB) in which he said "It is right to say that an allegation which is advanced at the outset of any fact-finding exercise will generally carry more weight than one which comes at the last minute;"

Written Submissions

It is the Thursday before Bank Holiday. My alarm went off at 6 am. And I drove to Swindon to hear 10 ESA cases. Everyone turned up. I left Swindon at 4.45 to hear on the radio that Take That are performing at the Millennium Stadium in Cardiff and the M4 is moving at walking pace. Off the M4 I find the Avon Bridge packed as usual and get home at 7.45. What I really want to do is have dinner and watch Law & Order on TV. What I am going to do is read tomorrow's papers. There are 6 oral and two paper DLA cases and your submission is at page 89 of the sixth oral case. What do I want to see in it?

What I don't want is six pages of waffle. You can safely assume that the members of the tribunal will know and probably be expert in, the subject matter. Second, the tribunal will have prepared the case by reading the papers and previewing the issues before the hearing. Third the tribunal is familiar with the law and the bundle which they received in advance.

- *Get the law right*

An extract from a recent submission

"It is submitted that A is entitled to Middle Rate Care. During the night she requires another person to be awake for prolonged and frequent intervals. During the day she needs regular care each morning and evening and when cooking a meal for herself. She needs supervision during the days as she stumbles frequently. She also needs attention in connection with her bodily functions"

How does that equate to middle rate care? Why does she need someone to be awake? – what do they do? How long does it take ? How many times does it happen? What care does she need morning and evening and when cooking? When does she stumble? What happens? What is the danger she might be in? What attention? What bodily functions?

If it doesn't help don't say it.

Upper Tribunal Judge Edward Jacobs produces a brilliant DLA submission of 108 words at section 9.58 of his book Tribunal Practice & Procedure. I commend it to you! You will find it in Appendix E below.

- *Get past the starting blocks*

Descriptor 16 of the ESA test begins
16. Coping with social engagement
Due to cognitive impairment or mental disorder
(a) …

There is no point in arguing this descriptor unless there is some fairly firm evidence of cognitive impairment or mental disorder.

R. 29 (2) of the ESA Regulations begins
(2) This paragraph applies if–
(a) the claimant is suffering from a life threatening disease in relation to which–
(i) there is medical evidence that the disease is uncontrollable, or uncontrolled, by a recognised therapeutic procedure; …

R. 2 of the same regulations will tell you that "medical evidence" means–
(a) evidence from a health care professional approved by the Secretary of State; and
(b) evidence (if any) from any health care professional or a hospital or similar institution, or such part of such evidence as constitutes the most reliable evidence available in the circumstances;
And that
"health care professional" means–
(a) a registered medical practitioner;
(b) a registered nurse; or
(c) an occupational therapist or physiotherapist registered with a regulatory body established by an Order in Council under section 60 of the Health Act 1999;

Again it is pointless to argue this unless you have some evidence and it comes from one of these people or institutions and not a dentist or a homeopath.

I have produced a sample ESA submission at Appendix C which runs to 1000 words – quite enough and which may be useful. Please don't forget the top and bottom so that it gets in the correct file and we know who it is from.

- **Witness Statements**

Please don't put factual assertions in you submission. "Mrs Jones is a chronic alcoholic who suffers from bronchitis and she finds it really hard to walk long distances." That may be fine in a novel but useless in a submission. Get Mrs Jones to tell you what her problems are and put them in a witness statement put a Statement of Truth at the end "I believe that the contents of this statement are true." and get her to sign it. Then you have got first hand evidence which can be cross examined. The very best evidence you could have! Get medical evidence about her illness and alcoholism. It makes a huge difference. The transient effects of alcohol are generally ignored but if you have a good diagnosis of alcoholism then you can usually include them to strengthen your case. See R(DLA) 6/06 at
http://www.osscsc.gov.uk/aspx/view.aspx?id=1944

- **Unreported Decisions**

The general rule relating to unreported decisions is in R (IS) 7/01 that

> "4. … The general rule, which applies to claimants' representatives as well as to representatives of the Secretary of State, is that it is unnecessary to attach to a submission a copy of any reported Commissioner's decision upon which reliance is placed, because tribunals may be assumed to have access to reported decisions and copies are available at local offices of the Department of Social Security where claimants are entitled to have sight of them before a hearing. It is, however, necessary to provide a copy of any unreported decision relied upon because neither tribunals nor local Secretary of State's representatives nor claimants generally have ready access to them (save perhaps to those few decisions available on the Internet)"

I think that the same rule should be applied to decisions of the Higher Courts for the same reasons unless they are annexed to reported decisions and if they are so annexed the reported decision should be cited.

Why put representatives to all that trouble when everybody has the internet? Well, not everybody does. Most judges have good access to decisions. Some decisions simply aren't there. I looked in vain for CDLA/1618/2010 last week and failed to find it. Many medical and disability qualified members (and it must be said some judges) don't have a clue. So unless you produce the material most of the tribunal won't have access to it.

- **Citing Precedent**

The use of precedent is to show how your case fits into a historical run of cases. It is most helpful to the tribunal if precedent is cited in the traditional way:

> Case name;
> Number reference or date;
> Judge;
> Page or paragraph
> Principle;
> Evidence; (where it is)
> Submission.

e.g. In R(M) 2/89 Mr Commissioner Skinner said at paragraph 10

> "Ability to walk (walk in the sense of putting one foot in front of the other) is to be judged having regard to a prosthesis or artificial aid which a claimant habitually uses or wears, regulation 3(2). So therefore a person who can walk with his one good leg and his artificial leg would fail to qualify."

Mr Jones' claim form (p34) shows that he suffers from re-current infections in the stump of his right leg that when his stump is infected, he cannot use his prosthesis. He says at p 38 that he cannot use his prosthesis for on average about three weeks

out of every four. His GP Dr Smith (p46) confirms that he suffers from such infections which can last from a day or two to several weeks and that he has prescribed antibiotic treatment 6 times in the last year.

It is submitted that:

> it cannot be said that Mr Jones habitually uses or wears his prosthesis;
>
> for most of the time Mr Jones is unable to walk because he cannot wear his prosthesis and at those times he cannot walk in the sense of putting one foot in front of the other.

The Disability Alliance produces some excellent indices to case law on it website. What is absolutely useless to a tribunal is producing a chunk of that such as

"For the use of aids see R(M)2/89 which states that If crutches or another aid is used you must consider whether they enable the claimant to walk as defined. If simply swinging feet then claimant will satisfy the unable to walk test. See also R(M)1/90, CDLA/97/2001 and Sandhu v Secretary of State for Work and Pensions [2010] EWCA Civ 962. CDLA/216/2009 [2009] UKUT 94 (AAC) states that a shopping trolley can count as an artificial aid to walking."

They won't look up all the references and won't necessarily be sure which point you want to take from them. They need to be led by the nose every step of the way.

- **Differentiate Evidence**

When preparing for a tribunal you need to be clear about the nature of the evidence you are talking about generally it comes in four types:

First hand evidence "I know this – I've seen it with my own eyes" or "My legs feel really stiff when I wake in the morning" This evidence should come from your live witnesses and almost never from the representative. You are a representative and not a witness. Representatives are not allowed to give evidence in courts. You can in tribunals but it is best avoided because it cannot be unbiased evidence. You are there to promote your clients best interests so any evidence you give is likely to be biased towards that.

Hearsay evidence. "My sister or my next door neighbour has told me this". Allowable in tribunals because the strict rules of evidence are not applied but the tribunal will put less value on second hand evidence.

Opinion Evidence – this comes in two types non-expert and expert.

"It is her employer's opinion that she will never work again." Often found in 'early retirement' letters
Or
"Having examined Mrs Bloggs it is my opinion that her walking is likely to be limited to 100 yards"

Tribunals will generally treat non-expert opinion as just more hearsay but will be much more inclined to rely on expert opinion evidence unless you have better expert evidence to challenge it. See the example in section 9.58 of Appendix E.

- **Medical Evidence**

Always a tricky one for advice workers. You generally don't have £500 to go out and buy the medical report you want and are reliant on the generosity of GPs. So make it easy for them to help you!

You are not likely to get more than 5 minutes of a busy GP's time so I suggest that you write him a short letter.

Your patient Mrs Blogs has been told that she is fit to work and is appealing. Please would you say

1. How difficult is it for her to get to a familiar place alone?
2. How difficult is it to cope with changes to her daily life?
3. How would you assess her ability to meet and mix with strangers?

Unless you have an exceptional GP he probably won't fill in a 10 page questionnaire or read a 10 page statement and say in detail whether he agrees with it or not.

Always include the letter you send with the answer for the tribunal to see.

What are the most useless documents presented to any tribunal? Hospital appointment letters. They tell us nothing useful.

And the second most useless documents presented to a tribunal? Appeals which say "You have not taken account of my mobility and care needs. I am virtually unable to walk. I have substantial care needs and I need frequent attention. I also cannot cook a meal."

So what is a helpful appeal?

I've produced a couple of examples at Appendix G

We learned long ago that getting information from hospitals is like getting blood out of a stone. The best way to get medical information is to get the GP records including all letters from consultants and hospitals. If you can't get them, ask for a Direction.

Appendix A - notice of representative's name and address

Appellant's Name
Appellant's Address
Tribunal Reference Number
NINO

Date

My Reference FB/123

The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 Rule 11
NOTICE OF REPRESENTATIVE'S NAME AND ADDRESS

Dear Sir

I appoint

Name of Agency (not representative)
Address of Agency

Phone (direct line please not the public number)
Fax
email

To be my representative in these proceedings until further written notice.

Please notify the other parties to the appeal.

Please be so kind as to provide both me and my representative with all the appropriate documents.

Please address correspondence to Mr F Bloggs (expected representatives name) of this department under the reference FB/123

Signed

A N Appellant.

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Appendix B - Preparing for representation – A short Summary - Golden Rules

1. From the first minute when you start a new case everything you do or say or write is an act of advocacy which may advantage your client, or not! Ask yourself what do I want from this letter/conversation and how do I best get it?

2. Don't do anything that doesn't add value to the proceedings.

3. Understand the tribunal and how they think

4. Remember that tribunals know the law – Oh yes they do!

5. Focus on the Evidence - keep submissions short and to the point - use a rifle not a shotgun approach.

6. When referring to evidence give the page number in brackets e.g. [27]

7. Drum up some interest – say if you client is a guitarist or grows fuchsias or used to be a champion fisherman.

8. Cite precedent properly

9. Use Witness Statements where possible.

10. Make a written submission where possible.

11. Always produce Instruction Letters.

12. Don't mislead the tribunal – they need to trust you

13. Try not to give evidence yourself – ask questions

14. Ask open, non leading questions – practice on your colleagues and family

15. Be clear about :

    a) What you know;
    b) What you have been told;
    c) What you submit to be the case;
    d) What you want.

16. Put your client's case. If it is incredible don't try to excuse it just say – these parts are incredible. Then go on to elicit the true case from the client in evidence.

17. Try not to interrupt – do make a good note and deal with matters arising later.

18. End well with a short summary of the evidence and how it supports what you want. Don't forget to say if you think something has gone wrong with the hearing.

Appendix C - A written ESA submission

Name

Address

NINO

Tribunal Reference

Hearing date and time

SUBMISSION ON BEHALF OF THE APPELLANT

Decision and Appeal

1. By a decision date 11 July 2011 the respondent superseded its decision of 18 March 2011 that the appellant had limited capability for work on the grounds that it had received new medical evidence from an HCP. The respondent scored the appellant at 0 physical and 0 mental health points.

2. By his appeal the appellant submits that he should score 15 physical points: 9 for descriptor 1(c) inability to mobilise for more than 100 metres at all or repeatedly and 6 for descriptor 2(c) inability to remain at a work station for the majority of the time by standing or sitting for more than one hour.

3. In the alternative it is submitted that r. 29 (2)(b) applies to the appellant.

4. It is not submitted that any descriptor in Schedule 3 applies to the appellant.

Background

5. The appellant was involved in an accident on 18th March 2011 when he and his bike were run over by a lorry. He sustained multiple fractures of his left ankle and a fractured left rib. [5] He sets out his treatment and difficulties in his ESA 50 [6ff]. Following his accident he had surgery to repair and reinforce his ankle. He was in a plaster cast for nine to ten weeks and non-weight bearing on crutches until the screw was removed during further surgery on 23 June 2011. He was unable to wear a shoe until 1 July 2011 [26] and was not well enough to return to his job as an operating theatre practitioner until 21 October 2011.

The appropriate descriptors

6. *Mobilising 1(c)*

7. The appellant says of himself that he uses two crutches and needs to stop before 50 metres due to tiredness and discomfort [9]. He tells the HCP that

he has to stop every 10 minutes when walking due to pain in his hands and arms [26] and that he walks 5 minutes to the local garage [26]

8. Given normal walking pace, it is unlikely that both of the first two statements can be true. It is submitted that people are generally bad at estimating the time and distances over which they walk and the tribunal is asked to question the appellant closely about the speed and manner of his walking and distance over which he was able to walk at the date of the decision and to make careful findings of fact as to the answers.

9. There is no evidence on the face of the papers as to:

   a) the appellant's ability to mobilise using his good leg, his crutches and his upper body strength; or

   b) the appellant's level of skill with or experience of or ability to mobilise using a self propelled wheelchair.

10. It is submitted that the appellant cannot mobilise for more than 100 metres at all or in the alternative that he cannot mobilise for more than 100 metres repeatedly.

11. *Standing and sitting 2(c)*

12. It is submitted that this descriptor requires the appellant to be able to either stand for the majority of an hour or to sit for the majority of more than an hour at a work station.

13. Although he can stand in the shower without crutches he is unsteady and it rarely takes him more than a few minutes to shower. His evidence [10] is that standing causes tiredness pain and discomfort. It is submitted that his uncontroverted evidence shows that his standing is limited to a few minutes with pain and discomfort. He reported pain an stiffness on examination. The examination report shows no observation of the appellant standing nor of his manner of doing so nor of the length of time for which he is able to stand.

14. He was observed to sit for 25 minutes with his leg elevated and said in evidence that he was able to sit for an hour if he was able to change position [10] but he did not comment on his ability to sit for more than an hour.

15. The attention of the tribunal is drawn to the word of Turnbull UTJ in *AF v Secretary of State for Work and Pensions (ESA) [2011] UKUT 61 (AAC) (CE/1992/2010)* appended hereto.

> "However, the need for the decision maker to take into account whether the claimant can perform the relevant activity with some degree of repetition (cf. in particular CIB/13161/96) in my judgment subsists in relation to the work capability assessment descriptors as in relation to the incapacity for work descriptors. In particular, if the effect of performing the activity is likely to be to disable the claimant from performing it for a substantial period, that will need to be taken

into account, both in relation to bending or kneeling and the other activities. The only "sometimes" descriptors in the personal capability assessment were in relation to the activities of rising from sitting and bending and kneeling, but it has never been doubted that the need to take into account whether the activity can be performed with a degree of repetition applies to all the activities."

16. It does not appear that any assessment of the appellants ability to sit at a work station reliably, repeatedly and when called upon to do so has been done.

17. It is submitted that the appellant cannot, for the majority of the time, remain at a work station, either: (i) standing unassisted by another person (even if free to move around); or (ii) sitting (even in an adjustable chair) for more than an hour before needing to move away in order to avoid significant discomfort or exhaustion.

Regulation 29(2)(b)

18. It is submitted that whilst the appellant is an educated man who would be capable of and suitable for doing many inside office or some retail type jobs in which he had the flexibility to move around and sit in an appropriate seat or stand at will, having had recent surgery to his leg there is a risk of a post operative Deep vein thrombosis (DVT). It is submitted that unless he has complete control of when he stands and sits with his leg elevated then the existing risk of a DVT would be increased such that it became a substantial risk to his health. He would not have such complete control if he were found not to have limited capability for work.

19. It is submitted that the appellant suffers from trauma and post operative injury and by reasons of such disease or disablement, there would be a substantial risk to his physical health if he were found not to have limited capability for work.

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PHILIP BOYD

9 December 2011

Appendix D - Average Walking Speeds - Adults on level ground

Average Walking Speeds - Adults on level ground
3.4 mph (1.52 metres per second)

Walking speeds found by Road Research Laboratory

Average time taken to cover 100 **metres**	mm:ss.00
Male under 55 at 1.65 metres/sec	01:00.6
Male over 55 at 1.52 metres/sec	01:05.8
Female under 50 at 1.39 metres/sec	01:11.9
Female over 50 at 1.3 metres/sec	01:16.9
Female with small child at 0.72 metres/sec	02:18.9
Adolescents at 1.79 metres/sec	00:55.9
Children > 6 and < 10 at 1.12 m per sec	01:29.3

Miles per hour

Male under 55	3.7
Male over 55	3.4
Female under 50	3.1
Female over 50	2.9
Woman with small child	1.6
Children over, and under 10	2.5
Adolescents	4

Distance each group could walk without stopping.
in 5 or 10 mins (metres)

	5 mins	10 mins
Male under 55	495	990
Male over 55	456	912
Female under 50	417	834
Female over 50	390	780

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Appendix E

Excerpt from **Tribunal Practice and Procedure** by Edward Jacobs Judge of the Upper Tribunal

Tribunal Practice and Procedure by Edward Jacobs Judge of the Upper Tribunal is published by LAG at £50.00 ISBN 978 1 903307 73 1. Discount, second hand and kindle editions at amazon http://www.amazon.co.uk/Tribunal-Practice-Procedure-Edward-Jacobs/dp/1903307732

The tribunal's expertise and preparation

9.32 Two features should be common to all tribunals. First, the members of the tribunal should be knowledgeable of, and probably expert in, the subject matter. Second, the tribunal will have prepared the case by reading the papers and previewing the issues that arise from them. Representatives should assume that the tribunal is familiar with the law and the documents (evidence and submissions) in their presentation of the case.

Time

9.33 Many, but not all, tribunals operate under tight time constraints. With time at a premium, representatives should prepare and present their cases accordingly. Time does not allow for the more elaborate development of a case that may be appropriate in proceedings that are conducted under less pressure.

9.34 Representatives can assist tribunals in good time management by: presenting material to the tribunal in advance; doing so in a way that assists the tribunal; relying on the tribunal's knowledge of the case and the law; and avoiding unnecessary repetition.

Preparation

9.35 A representative must be fully prepared for a case. This involves three distinct but related aspects: marshalling the evidence and arguments in support of the client's case; planning how to respond to the strongest case that the other party could present; and anticipating the concerns that the tribunal might have. In the nature of things, the representative will not need to use all, or even much, of the preparation. But it is better to be prepared than unable to respond at the hearing.

Planning the case

9.36 The purpose of advocacy is to be achieve a particular outcome. In order to be effective, it is essential to identify the objective (outcome) required. This will dictate the content, which will in turn suggest a structure. It is then necessary to consider presentation.

Objectives

9.37 In the most general sense, the objective will always be the same: to achieve the best outcome reasonably obtainable for the client. In order to be useful, this will have to find expression by reference to the issues in the particular case. It may be possible to identify the objectives at the outset. In practice, it is more likely that they will emerge by a reciprocal process with the content: the working out of

the content for an objective will lead to the identification of further objectives that in turn will affect the content of the argument.

Content

9.38 A tribunal is almost by definition knowledgeable of the case and of the law. A representative can assume, unless told otherwise, that the tribunal knows the law and has read the papers. The representative need not, and should not, set out the evidence that the tribunal already has in the papers. Formal proof of written evidence is not usually required. It is sufficient to refer to points that the representative wants to emphasise. Usually, the representative need not, and should not, expound the law; it is sufficient to highlight important points and or something that the tribunal may not be familiar with. Exceptionally, it may be appropriate to argue a novel or difficult point.

9.39 No tribunal has a limitless amount of time to devote to a case. Representatives have to accept this and adjust their advocacy accordingly. They do so by focusing on the issues that are in dispute.

9.40 Representatives must be realistic. A representative must put the case that the client wants, but all representatives have a duty to advise their clients realistically on what can be obtained. A good case for partial success can be lost in the exaggeration needed to seek more.

Structure

9.41 It is unlikely that there will only be one structure appropriate to a case. It will, therefore, be a matter of choice. But structure there must be. A randomly assembled case is unlikely to be effective. If it is, it will be despite rather than because of the structure.

Oral presentation

9.42 It is always appropriate to be polite. There is never any justification for rudeness and it will not be effective.

9.43 Overblown oratory and high-flown rhetoric are not appropriate. It will not be effective and will be unnecessarily time consuming.

9.44 A confrontational and aggressive style will not help. It will antagonise the tribunal to no purpose, take time and divert attention from the substance of an argument. An aggressive cross-examination style is not appropriate in many tribunals.

9.45 A conversational style appropriate to a business meeting is best suited to most tribunals.

9.46 A presentation that is crisp and clear will be appreciated.

9.47 A co-operative approach with the tribunal and the other parties is the ideal. Representatives should co-operate with the tribunal by complying with any timetable for written submissions or documentary evidence and with the procedural

directions of the tribunal at the hearing. These are there for a purpose: to make the proceedings as efficient as possible for all users of the tribunal. Representatives should co-operate with the other party by making appropriate concessions on the facts and the law. They should assist the tribunal to follow the case, for example by referring to relevant page numbers in the evidence. Ideally, they should provide written evidence and submissions in good time for the tribunal to read them before the hearing and preferably before the day of the hearing. This will allow the representative and the tribunal to make the best use of the time available.

Interruptions

9.48 Representatives must expect interruptions. Judges question a representative in order to check they have understood the case, to test its accuracy, coherence and relevance, and to ensure that nothing is overlooked. 28 These interruptions are valuable as they give an indication of the factors that are troubling the judge about the case and allow the representative to deal with them.

9.49 Most judges do not interrupt of the sake of it. They do not aim to be unpleasant or to prevent representatives from putting their arguments. If they do interrupt frequently, the representative should consider whether that reflects a problem with the case being presented rather than with the judge hearing the case.

9.50 If a judge's interruptions are inappropriate, the representative has three options.

9.51 One option is to object on the ground that the judge is descending into the arena or preventing the advocate from presenting the case.

9.52 If the judge has created the appearance of bias, another option is to ask the judge to stand down and transfer the case to another judge for decision.

9.53 The third option is to appeal on the ground that the judge deprived the party of a fair hearing29 or was guilty of apparent bias. The courts have taken a realistic attitude to the difficulties in confronting a tribunal.30 However, even after making appropriate allowances, there is a risk with this option, as the representative may have to explain why these concerns were not raised at the time. Representatives are not allowed to use such complaints as a convenient excuse to obtain a rehearing.

Supporting the work of the tribunal

9.54 Representatives are not entitled to watch a tribunal fail to investigate a matter and then use that as a ground of appeal against the tribunal's decision. They are under a duty to co-operate with the tribunal" and must draw these matters to its attention.

Written submissions

9.55 In practice, tribunals that operate under particular time constraints are likely to welcome full written submissions provided in advance. The submission should present the party's case clearly and succinctly. It should stand instead of oral presentation; it should not be read out. It will save time during the hearing, which can focus on taking evidence and discussing any matters that concern the tribunal.

9.56 The basic rules for a written submission vary according to whether the focus is on the facts, as is typical of the First-tier Tribunal, or on the law, as is typical of the Upper Tribunal.

9.57 A submission that focuses on the facts should follow these rules:

- identify the submission by reference to the case and party;
- use numbered paragraphs and headings;
- present the submission in a structured and orderly way;
- say at the beginning the outcome sought;
- say what is and is not in dispute;
- deal with the law only in so far as necessary. Usually a passing reference is the most that is needed, unless the interpretation is controversial or a particular provision is crucial; say what the evidence proves. There is no need to repeat the evidence. It may, though, be appropriate to quote a particularly supportive passage. If so, use quotation marks;
- deal with difficulties. (Research has shown that admitting to difficulties before the other party draws attention to them reduces the impact that they have on the outcome: David Hardman, Judgment and Decision Making, British Psychological Society and Blackwell, 2009, p45) For example: the evidence may be incomplete or there may be conflicting evidence;
- guide the tribunal to the relevant pages in the papers.

9.58 Here is a simple example of a written submission arguing for an award of the higher rate of the mobility component of disability living allowance:

> Mrs Jones asks you to award the mobility component at the higher rate. The care component is not in dispute. She has severe osteoarthritis in both knees - see the Consultant's letter at page 53. She takes strong pain killers for this - see prescription list at page 48. Her pain severely limits her walking in distance and time - see her claim pack at pages 7-8. Her GP knows her well and confirms that her mobility is significantly restricted by pain - see the report at page 43. The examining medical practitioner's findings (pages 90-92) are inconsistent with those made by the Consultant and confirmed by x-ray.

This simple submission tells the tribunal what the claimant seeks and the evidence that supports it. It refers to the law only in passing by limiting consideration to distance and time. It explains why the conflicting evidence is not reliable. And it helps the tribunal by setting out the case clearly and succinctly with references to the relevant pages in the papers.

9.59 A submission that focuses on the law should follow these rules:

- identify the submission by reference to the case and party;
- use numbered paragraphs and headings;
- present the submission in a structured and orderly way; say how the tribunal went wrong in law;

- say what outcome is sought. (For example: should the Upper Tribunal re-make the decision or remit the case for rehearing?);
- say what is and is not in dispute;
- deal with the law only in so far as necessary. In a straightforward case, this may be assumed. However, if the appeal raises an issue of interpretation, the law must be dealt with in detail.
- Make the submission as self-contained as possible;
- set out the relevant terms of the legislation;
- identify relevant authorities with their references. State the proposition for which they are cited. Refer to, and quote, any passages that are important. Limit citation to the most authoritative or the most pertinent;
- provide copies of the authorities if the tribunal will not have them to hand;
- deal with difficulties. For example: there may be a previous decision that supports the tribunal's interpretation of the law;
- guide the tribunal to the relevant pages in the papers.

Appendix F – Sample Orders made under Rule 16

HEADING

ORDER

[The Order itself has all the formal provisions in it but no detail. What is to be done is here in the appendices]

APPENDIX ONE

1. This appendix is part of the Order.

2. I direct you to answer the following questions and return your answers to HM Courts and Tribunals Service Eastgate House, 34 – 43 Newport Road, Cardiff CF24 0AB not later that 4 p.m. on the day 14 days after the date on which this Order was sent to you.

QUESTIONS

1. Please say how many weeks there are in the school year.

2. If any parent were to enquire of you whether a course involving three AS levels and one Sports Leadership Course and one Certificate of Personal Effectiveness Course was a full-time course or not how would you reply?

3. How many hours per week including contact time would you expect a student undertaking such a course to spend:

    a) On the school or associated premises?

    b) On or off the school or associated premises undertaking activities which would be seen or examined or assessed by his teachers and tutors?

4. Considering page 8 of the School Sixth Form Prospectus 2011 – 12 (the prospectus) which Enrichment Activity has the appellant chosen to undertake?

5. How many hours per week would you expect him to spend on this activity?

HEADING
ORDER
APPENDIX TWO

1. This appendix is part of the Order.

2. I direct you to produce the following documents and send them to HM Courts and Tribunals Service Eastgate House, 34 – 43 Newport Road, Cardiff CF24 0AB not later that 4 p.m. on the day 14 days after the date on which this Order was sent to you

DOCUMENTS

1. The Appellant's school attendance records for the whole of the last academic year.

Appendix G

- *No time to do an appeal now.*

If you don't have the time or resources to do a proper appeal – say you will do it later.

The claimant appeals against the mobility and the care component decisions. A further submission will be supplied when the respondents response and evidence have been considered.

- *A helpful appeal concentrating on the facts.*

The best place to start is with the decision letter which sets out shortly the reasons the award was/was not made. So you could say:

The claimant appeals against the mobility decision. Although he is able to walk in a normal manner he is not able to walk at normal speed. His walking speed is severely curtailed by his breathing difficulties.

It is accepted that he does not need guidance or supervision when getting about.

The claimant appeals against the care decision. It is accepted that he does not need frequent attention with his bodily functions by day or night nor does he need to be supervised by day or by night.

However his balance and ability to walk safely indoors are so restricted by his breathing difficulties that he must always use a stick in his right hand to walk and stand safely. He is right handed. He cannot safely cook a main meal for himself.

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- *An Overpayment – Request for Reasons and Appeal in draft*

DWP
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Debt Management (BF)
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Mitcheldean
GL17 0XG

23 Meadowview
Taunton TA9 3PG

Your Ref XX001122V

18 October 2010

OVERPAYMENT DECISION 4 OCTOBER 2010

1. **Application for Written Statement of Reasons**
2. **Appeal against Decision**

Sir

You have sent me a Decision Notice alleging that I have been overpaid Employment and Support Allowance in the sum of £307.45 from 28 April 2010 to 10 August 2010 and that I must repay the said sum.

I note that your Decision Notice does not explicitly include the finding that the alleged overpayment is recoverable: it merely informs me that I must repay it.

Written Statement of Reasons

By r. 28(1)(b) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999 I am entitled to request a written statement setting out the reasons for your decision. I hereby request such a statement in respect of the said notice and look forward to receiving the same within 14 days pursuant to r. 28(2) of the same regulations.

Appeal

I am the claimant in this matter and by s. 12 of the Social Security Act 1998 and rr 25 & 27 of the Social Security and Child Support (Decisions and Appeals) Regulations 1999 I have the right to appeal to the First Tier Tribunal. I hereby exercise that right and appeal to the First Tier Tribunal against your decision.

Grounds

I have appended Draft Grounds of Appeal. I shall be pleased to perfect the same upon receiving your written reasons.

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Form

I hope that you will be able to take the view that r. 32(2) of Social Security and Child Support (Decisions and Appeals) Regulations 1999 apply to this appeal and treat this letter and enclosure as an appeal satisfying rule 23(2) and 23(6) of The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 without the need for the completion of a further form.

Response

I beg to remind you that you are required by rule 24(1)(b) of Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 to send or deliver a response to this appeal to the Tribunal and to each other party as soon as reasonably practicable after the decision maker received the notice of appeal. I look forward to prompt receipt of the same.

Suspension of Recovery

I am sure that I need not remind you that section 7.9 (c) of The Overpayment Recovery Guide provides that "Where the debtor has disputed the overpayment decision; by (a) … ; or (b) making an appeal;" You should suspend recovery action until the dispute is dealt with and I should be grateful if you would do so immediately.

Representative

I am represented by in this matter Clerksroom CAB whose details are

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Please address correspondence for the attention of Philip Boyd.

Yours faithfully

MRS X Y BLOGGS

23 Meadowview
Taunton TA9 3PG

NINO XX001122V

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DRAFT GROUNDS OF APPEAL

1. The respondent alleges that the appellant has been overpaid Employment and Support Allowance in the sum of £307.45 from 28 April 2010 to 10 August 2010 and that she must repay the said sum.

2. The brief reason given by the respondent is "your circumstances changed and the office that paid your benefit was not told at the correct time about the changes to the money being paid to you …"

3. No law is cited in the respondent's decision notice and the appellant has asked for a written statement of reasons pursuant to r. 28(1)(b) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999 receipt of which is anticipated. These Draft Grounds will be perfected upon receipt of the said statement.

4. It is not admitted that there was a delay in the respondent getting the information it needed to reassess the claimant's claim.

5. If there was such a delay it is not admitted that the appellant caused or materially contributed to or played any part in such delay.

6. It is not admitted that the respondent's calculations of benefit are accurate.

7. It is not admitted that any payment or overpayment has been made to the appellant as alleged or at all.

8. It is not admitted that any overpayment which may be found to have been made to the appellant is recoverable from the appellant or at all.

9. The respondent is reminded that it is bound by *R(SB) 6/85* to prove on the balance of probabilities all the facts which justify the overpayment.

10. The respondent is put to strict proof as to the matters in paragraphs 4 to 8 hereof.

11. It is asserted that any and all the relevant information concerning the appellant's income in the possession of the appellant was passed to the respondent accurately and timeously.

12. It is asserted that any overpayment which may be found to have been made is not recoverable under s71 Social Security Administration Act 1992 or at all.

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PHILIP BOYD
18 October 2010

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The Perfected Grounds in the above appeal

IN THE FIRST TIER TRIBUNAL No. SC 208/10/000123

SOCIAL ENTITLEMENT CHAMBER

IN THE MATTER OF AN

OVERPAYMENT OF EMPLOYMENT

SUPPORT ALLOWANCE APPEAL

MRS X Y BLOGGS Appellant

(XX001122V)

v

SECRETARY OF STATE FOR WORK AND PENSIONS Respondent

PERFECTED GROUNDS OF APPEAL

1. It is admitted that the appellant had been awarded an occupational pension by Flitwick District Council and that the first payment of £2459.97 for the period 30 April 2010 to 4 June 2010 was paid into her banking account on 4 June 2010.

2. It is asserted that the appellant was not sent any notification of this amount from Flitwick District Council until late July or early August 2010. Upon receipt of this notification the appellant immediately disclosed it to the respondent by posting a copy of the letter which she had received to the respondent.

3. The respondent alleges that the appellant has been overpaid Employment and Support Allowance in the sum of £307.45 from 28 April 2010 to 10 August 2010 and that she must repay the said sum.

4. It is entirely unclear how the respondent calculates the sums set out in the Schedule to its letter of 29 November 2010 which purport to be reasons for the decision. Neither the Schedule nor its contents are admitted.

5. It is not admitted that the respondent told the appellant what if any changes in her circumstances were to be notified to the respondent.

6. It is not admitted that the respondent told the appellant where any changes in her circumstances were to be notified to the respondent.

7. It is not admitted that there was a delay in the respondent getting the information it needed to reassess the claimant's claim.

8. If there was such a delay it is not admitted that the appellant caused or materially contributed to or played any part in such delay.

9. It is not admitted that the respondent's calculations of benefit are accurate.

10. It is not admitted that payments of Employment and Support Allowance have been made to the appellant

11. It is not admitted that any overpayment has been made to the appellant as alleged or at all.

12. It is not admitted that any overpayment which may be found to have been made to the appellant is recoverable from the appellant or at all.

13. The respondent is put to strict proof as to the matters in paragraphs 4 to 12 hereof.

14. It is asserted that any and all the relevant information concerning the appellant's income in the possession of the appellant was passed to the respondent accurately and timeously.

Argument

15. It is submitted that any overpayment which may be found to have been made is not recoverable under s71 Social Security Administration Act 1992.

16. It is submitted that the respondent is bound by *R(SB) 6/85* to prove on the balance of probabilities all the facts which justify the overpayment.

17. The respondent will doubtless be aware of *The Child Poverty Action Group v Secretary of State for Work and Pensions [2010] UKSC 54 (8 December 2010)* in which the Supreme Court held that overpayments of benefit could not be recovered by the common law restitutionary route to be pursued by way of ordinary court proceedings alongside the carefully prescribed scheme of recovery set out in the statute and that the prescribed scheme was the only method of recovering overpayments open to the Secretary of State. See Lord Brown at paragraph 14.

18. It is clear from Baroness Hale's speech in *Hinchy (Respondent) v Secretary of State for Work and Pensions (Appellant) [2005] UKHL 16 reported as R(IS) 7/05* that "It is incumbent upon the Secretary of State to make it clear what information he requires." and "It is incumbent upon the Secretary of State to

make it plain to whom the information is to be given or the change in circumstances notified."

19. It is submitted that in order to recover such an overpayment as is alleged within the prescribed scheme it is necessary for the respondent to prove that fraudulently or otherwise, the appellant has misrepresented, or failed to disclose, a material fact and in consequence of the misrepresentation or failure a payment has been made in respect of a Employment and Support Allowance pursuant to s.71 Social Security Administration Act 1992.

20. There is no suggestion that the appellant has misrepresented any material fact to the respondent and the respondents case rests wholly on failure to disclose.

21. It is submitted the there was no change in the appellant's circumstances and therefore no material fact capable of disclosure until the payment of pension was made by Flitwick District Council on 4 June 2010 and therefore any excess benefit paid before 4 June 2010 cannot be recoverable because there was no pension paid; no material fact in existence and no disclosure was possible.

22. It is submitted that the nature of the payment was not brought to the attention of the appellant until late July or early August 2010 and that for the period 4 June 2010 to 27 July 2010 the appellant was unaware that she had been paid a pension payment. It is clear from the decision of a Tribunal of Commissioners in *CIS/4348/2003* affirmed by the Court of Appeal in *B v Secretary of State for Work and Pensions EWCA Civ 929* reported as *R(IS) 9/06* that a person cannot fail to disclose a fact for the purposes of s. 71 SSAA 1992 unless it is known to them and whether a matter is known to someone is a subjective test. (See paragraph 46)

23. The respondent concedes that payments from 28 July 2010 to 10 August 2010 are not recoverable and they are no longer in issue.

TO THE TRIBUNAL

AND

TO THE RESPONDENT

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PHILIP BOYD

17 December 2010

Tribunal Practice and Procedure Workshop – Judge Philip Boyd - 2012

This Document is http://www.scribd.com/doc/84527659/Welfare-Rights-Conference-Workshop-Resource-Pack

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