

11 July 2024

REFERENCE: FOI24\76

FREEDOM OF INFORMATION REQUEST – INDEPENDENT MEDICAL REFEREE APPEALS

Dear Sir,

Thank you for your request for information received by the Department of Justice on the 24 June 2024. The Department sought further explanation from you regarding your initial questions, which you clarified on 26 June 2024, detailed below: -

Request

- 1. How many people following their IMR Certificate being issued have lodged a reconsideration or appeal of the IMR Certificate since August 2020 to the DOJNI via the NIPB?*
- 2. How many of these cases have been dealt with either by reconsideration or appeal by the DOJNI and a break down in results? Decision changed or decision remained the same*
- 3. What date was the last reconsideration or appeal was heard to challenge the IMR findings by the DOJNI?*
- 4. Who carries out the review of these appeals on behalf of the DOJNI?*

This response addresses your questions:

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold recorded

information falling in scope of your request, and you have the right to receive this recorded information subject to cost limit or exemption.

Freedom of Information is a request for recorded data that the Department of Justice holds. To be helpful the response to your question has been supplemented with additional information answered under Line of Business.

- 1. How many people following their IMR Certificate being issued have lodged a reconsideration or appeal of the IMR Certificate since August 2020 to the DOJNI via the NIPB?*

Since August 2020, the Department of Justice (the Department) has received twenty (x20) cases from NIPB which have been lodged for a request for reconsideration or appeal following their Independent Medical Referee (IMR) certificate being issued.

- 2. How many of these cases have been dealt with either by reconsideration or appeal by the DOJNI and a break down in results? Decision changed or decision remained the same.*

Thirteen (x13) of the twenty (x20) cases have been completed.

Of the thirteen cases (x13) that have been completed, the decision in nine (x9) cases were upheld and in four (x4) cases the decision was overturned, and an award recommended.

- 3. What date was the last reconsideration or appeal was heard to challenge the IMR findings by the DOJNI?*

The last reconsideration report was returned to NIPB on Monday 01 July 2024.

- 4. Who carries out the review of these appeals on behalf of the DOJNI?*

An IMR, whose services are procured via a third-party supplier, undertakes the reviews on behalf of the Department.

If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review, please do so in writing stating the reasons to the address above.

If following an internal review, you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

Yours sincerely

Records & Information Manager