



TRIBUNALS
JUDICIARY

Guidance from the Chamber President and Deputy Chamber President of HESC regarding the Special Educational Needs and Disability, Care Standards and Primary Health Lists jurisdictions: launch of the first paperless, digital tribunal jurisdictions.

The SPT issued guidance to all Tribunals judicial office holders, confirming the preparation of emergency Practice Directions to be issued to enable tribunals to continue their work during the current pandemic.

These are unprecedented times and in light of current government guidance, the Chamber has decided that from Monday 23 March 2020, the First-tier Tribunal jurisdictions Special Educational Needs and Disability, Care Standards and Primary Health Lists will move to fully digital working. Face to face hearings will not be held, initially for the period of three weeks, and all panels and parties will be able to deal with cases on the papers, by telephone or by video. The Chamber has secured the use of 15 virtual hearing rooms which, together with a large number of BT conference call numbers, will enable the Tribunals to deal with their usual workload without interruption provided that the parties and panels are sufficiently well to participate remotely.

All cases listed for the week commencing 23 March 2020 will be moved to telephone or video hearings depending on the numbers attending. This will enable everyone involved, be they panel or party to participate remotely from their home provided they have either a stable telephone connection or internet. At the conclusion of the hearing, the judge should seek confirmation from the parties that they are satisfied with the way in which the hearing has been conducted and the decisions should record how the hearing was conducted and the parties' confirmation of satisfaction.

From the 30 March 2020, appeals and claims will be prioritised by the judiciary and consideration given to the use of additional approaches including early neutral evaluation and triaging of cases to ensure that decisions are made proportionately.

The method of listing in SEND means that we can look at the hearings in that jurisdiction up to the Easter holidays and then take stock of the situation as it develops.

Both Care Standards and Primary Health Lists hearings listed will be fully covered by the digital working proposals.

Further guidance will be issued as the situation develops and in the meantime, we hope that you will keep well and look after yourselves.

If you would like to read of a user's experience of a video hearing in SEND, follow this link:

[Ben Fullbrook's blog](#)

HHJ Sycamore, Chamber President
Judge Tudur, Deputy Chamber President

19 March 2020