



SENIOR PRESIDENT  
OF TRIBUNALS

**THE RT. HON. SIR ERNEST RYDER**

Judges' and Members' Administrative Instruction No 3

**To all Tribunal Judges and Members**

27 March 2020

My continued thanks to all tribunal judges and members for their sustained efforts to deliver justice during the pandemic. I know judges, members and HMCTS staff have been working around the clock, often at considerable personal sacrifice, and please be assured this does not go unnoticed and that I am very grateful to you. I have been able to speak to many people personally this week by various remote means and I know you have all done likewise with each other. The ability of our teams to respond to new ways of working has been superb.

Guidance

I am very grateful to Chamber Presidents and ET and EAT Presidents for their leadership in issuing jurisdiction specific practice statements, guidance and measures. There is now material from every jurisdiction in support of my Practice Directions and Administrative Instructions which can be found [here](#).

Please check this page every day as guidance is regularly being updated.

All Presidents are now working on a 'plan on a page' which will cover the practical ways of working in their jurisdictions and which will explain for unrepresented users and the public what we are able to do.

Contingency Closures

As you will all be aware, I have agreed changes to the use of the tribunals estate as a consequence of the further restrictions announced by the Prime Minister. HMCTS have identified those court and tribunal buildings that will be open to the public where any urgent hearings including those remote hearings that require a judge to use an HMCTS building will take place. If you are working remotely, please continue to do so and do not attend a new building until you are instructed to do so by a leadership judge. There will also be buildings which are staffed and which the judiciary can continue to use but which will not provide access to the public for hearings. Leadership judges will make sure that there continues to be an appropriate judicial presence in all of the buildings that are open or staffed.

You must check with your leadership judge before making any changes to the arrangements that you have had until today. If the building you are working in is no longer accessible to judicial office holders you will be asked to work remotely or be given an alternative building in which to work.

The full text of the announcement and a list of the buildings affected can be found [here](#). Further guidance for leadership judges can be obtained from the Chamber President of the Property Chamber: Judge Siobhan McGrath.

Salaried judicial office holders will have had instructions about the delivery of work and administrative arrangements that are a consequence of this decision. Fee-paid judges and members will be given similar information when they are listed.

I must stress that if there is work to do which can be done from home then you should do it from home in accordance with Government advice. This includes remote hearings, whether they are using audio or video (BT MeeteMe, Skype, CVP or Teams).

Where it is necessary to conduct an urgent hearing from a tribunal hearing centre then you should do so, provided you are not self-isolating and are not in any vulnerable group. Steps will be taken to ensure that there are hygienic conditions in the building.

Judges continue to go to tribunal hearing centres to help maintain effective working and the sense of cohesion in the building where HMCTS staff cannot work from home. I am very grateful to you for that. Your support for staff is highly valued, but please bear in mind the responsibility we all have to take measures to help prevent the spread of this virus.

### Remote working

Over the next few weeks there will be a much greater concentration on the delivery of new software to be able to have full panel hearings and party-party hearings by remote in those appeals and proceedings where this is necessary. This will enable work that has been paused to re-start. HMCTS will be able to provide a large number of licences for new software that builds on the success of the trials in HESC (SEND). Leadership judges should contact Daniel Flury and Judge Meleri Tudor (Deputy President HESC (SEND)) to arrange a rehearsal or for information about the new licences.

I know that many of you urgently need laptops for case officers and support staff who need to work remotely and help administer proceedings. HMCTS have received over 7000 requests and have a team working hard on prioritisation, releasing the laptops in tranches. I know that the lack of laptops is very frustrating but please do be patient with HMCTS who are working very hard to provide them. HMCTS is also exploring whether restrictions can be lifted to allow for staff to work from home on their own devices to access HMCTS drives and mailboxes.

### Recording of reasons and orders

Please remember to record the order you have made remotely in your reasons or judgment. You must also code the type of hearing you have had in the order and the reasons, as explained in my previous Administrative Instruction. The order and the reasons / judgment must be emailed to HMCTS in order that a record is kept. If you are in any doubt about what to do, contact your leadership judge for guidance.

I am proud of how quickly we have adapted to new ways of working and I know we have made some really impressive progress, accepting, of course, that there have been and still will be teething problems. It remains important that we provide a proper process in accordance with the new Rules, Practice Directions and guidance and I know I can rely on you all to do that for our users.

A handwritten signature in black ink, appearing to read 'Ernest Ryder', with a long horizontal line drawn underneath it.

**Sir Ernest Ryder**  
**Senior President of Tribunals**