



**FIRST-TIER TRIBUNAL (IAC) DIRECTIONS
UNREPRESENTED APPELLANTS**

**NOTICE AND DIRECTIONS TO APPELLANTS
(PRESIDENTIAL PRACTICE STATEMENT No 2 2020)**

These model directions are issued for use by unrepresented appellants in furtherance of the overriding objective. They replace all earlier Directions and apply to all appeals with immediate effect. They should be used as the basis for directions in an individual case.

Directions made by the Tribunal will take into account the means by which the appellant will communicate with the Tribunal, for example by ordinary post, other offline means or online.

A. Where the appellant appeals *online* not using MyHMCTS

1. Provision of Information by the Parties

Within 5 working days of the date of this Notice parties must provide a direct contact number and dedicated email address to the Tribunal and to the other party to enable the Tribunal and the parties to communicate online and to take part in such remote hearings as are required.

2. Provision of Documents

These Directions refer throughout to material being 'provided'. Material must be provided by email to the email address which appears at the foot of this Notice and to the other party or made available in such remote hearings as are required.

3. Provision of Information by Respondent

Not later than 14 days after the date of this Notice, unless already provided, the respondent must provide a bundle compliant with rule 24(1) of the Tribunal Procedure

(First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014. This bundle must include the refusal decision and any material which was submitted in support of the application.

4. **Appellant’s Explanation of Case (AEC)**

Not later than 28 days after the respondent’s bundle is provided, or 42 days after the Notice of Appeal, whichever is the later, the appellant must provide an explanation of their case. This should contain reasons why the appellant believes the decision giving rise to the appeal is wrong. This is to enable the respondent to review the decision. (Upon receipt of the AEC a Tribunal Case Worker will consider, before the document is sent to the Respondent, whether there should be a Case Management Appointment to enable the appellant to identify the issues in the appeal).

5. **Appellant’s Bundle**

Where the AEC refers to material, which is not included in the respondent’s bundle, that material must be provided in a paginated bundle at the same time.

6. **Respondent’s Response**

6.1 Within fourteen days of the AEC being provided the respondent must undertake a meaningful review of the appellant’s case, taking into account the AEC and appellant’s bundle, and provide the result of that review and particularise any additional grounds of refusal.

Pro-forma or standardised responses will not be accepted by the Tribunal. The Review must engage with the submissions made and the evidence provided.

6.2 Upon completion of the steps above, the appeal will be actively case managed.

7. **Summary Timetable**

| Period within which step is to be taken | Action |
|---|--|
| Not later than 14 days after the date of this Notice | Respondent’s bundle (“RB”) must be provided |
| 28 days after provision of RB or 42 days after notice of appeal, whichever is later | Appellant must provide: (i) Appellant’s Explanation of Case (ii) Bundle of evidence in support |

| | |
|---|--|
| 14 days after provision of appellant's AEC and evidence | Respondent must provide: Review with counter-schedule |
|---|--|

8 Late Material

- 8.1 Any material provided to the Tribunal outside the time limits provided for in paragraph 7 may not be relied upon without permission from the Tribunal.
- 8.2 Where any material is provided after 5 working days prior to the hearing, including on the day of the hearing, the Judge must deal with the admissibility of that material at the hearing of the appeal as a preliminary matter.

9. Case Management and Listing

- 9.1 At each stage the appeal shall be considered by a Tribunal Caseworker or Judge who will decide on a case by case basis what additional directions, if any, are to be made in respect of that appeal and whether the appeal would benefit from a Case Management Appointment.
- 9.2 A party may apply at any time for a variation of these directions.
- 9.3 A party may apply at any time for a Case Management Appointment.

10. Change of Representation

In the event of the appellant becoming represented the Tribunal must be notified as soon as reasonably practicable. The Tribunal will then make further directions.

B. Where the appellant appeals offline

Where the appellant appeals offline, by ordinary post or any other means and the Tribunal determines that it is in the interests of justice for the appeal to continue in that way, the Tribunal will make directions on a case by case basis using the directions above as the starting point but make such modifications as required having regard to the overriding objective.

.....