



**UPPER TRIBUNAL  
ADMINISTRATIVE APPEALS CHAMBER  
REVISED GUIDANCE FOR USERS IN ENGLAND AND WALES  
FROM 21 AUGUST 2020**

1. This Guidance comes into effect on 21 August 2020 and applies to the business of the Upper Tribunal (Administrative Appeals Chamber) ('UTAAC') in **England and Wales** until further notice. It replaces (i) the Statement from the President of the Upper Tribunal Administrative Appeals Chamber dated 20 March 2020 and (ii) the Guidance for Users in England and Wales dated 16 April 2020. There is separate guidance for users in Scotland and Northern Ireland.
2. As a result of the continuing Covid-19 Coronavirus Pandemic, the UTAAC in England and Wales is operating under significant administrative constraints. There will be considerable delays in deciding most cases. Cases ready for decision will be placed before a judge as soon as practicable.

**Hearings**

3. In every case, the judge must ensure that the case is decided in a just and fair way. The judge will consider how this may be done.
4. A judge may decide that an appeal or application does not need a hearing. If so, the matter will be decided by reference to the documents only.
5. Where a judge has directed that there is to be an oral hearing, the judge will decide whether to hold a face-to-face hearing or a remote hearing. That will depend on a number of factors including: the availability of a judge able to attend a face-to-face hearing; the views of the parties and their ability to attend a face-to-face hearing; and whether the case is suitable for a remote (audio or video) hearing.
6. The parties will be contacted by UTAAC staff to obtain information to assist the judge in deciding the format of the hearing.
7. If a hearing is to take place remotely, the judge will direct whether it is to take place by audio or video. Audio hearings will be conducted by telephone. Video hearings will be conducted via Cloud Video Platform or Skype for Business.

**Appeals against decisions of the Traffic Commissioners**

8. In cases where a party to an appeal against a decision of the Traffic Commissioners seeks an urgent stay of the decision (temporary suspension of the decision under challenge), the UTAAC will aim to deal with the application on an urgent basis. Any such application should be clearly and visibly marked as urgent in correspondence.

### **Time limits and case management directions**

9. There has been no change to the time limits for complying with directions or rules of procedure, including for seeking permission to appeal or appealing.
10. The parties should seek to comply with any directions that have been made. Where the impact of the Coronavirus Pandemic leads to delay in complying with directions, a brief explanation should be provided.

### **Pilot Practice Directions**

11. The UTAAC continues to apply the Pilot Practice Directions issued by the Senior President of Tribunals, which can be found here:

[Pilot Practice Direction: Contingency Arrangement in the First-tier Tribunal and the Upper Tribunal](#)

[Pilot Practice Direction: Panel Composition in the First-tier Tribunal and the Upper Tribunal](#)

**DAME JUDITH FARBEY DBE  
CHAMBER PRESIDENT  
21 August 2020**