



## UPPER TRIBUNAL ADMINISTRATIVE APPEALS CHAMBER

### GUIDANCE FOR USERS IN ENGLAND AND WALES

1. This Guidance comes into effect on 16 April 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 Information and Directions for General Stay and General Extension of Time dated 25 March 2020. There is separate guidance for users in Scotland and Northern Ireland.
2. As a result of the Covid-19 Coronavirus Pandemic, the UTAAC in England and Wales has had to limit its administrative operations. There will be considerable delays in deciding most appeals. Cases ready for decision will be placed before a judge as soon as practicable.

#### **Hearings**

3. The UTAAC is not holding face to face hearings at present. In respect of appeals and applications which are listed for hearing, the parties will be contacted by UTAAC staff in order to assist the judge to decide whether the matter is suitable for a telephone or video hearing (for example, by Skype). The judge must ensure that the case is heard and decided in a just and fair way. The judge will consider whether and how this can 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.

#### **Applications for permission to appeal from the First-tier Tribunal**

5. Arrangements are in hand for the processing of applications for permission to appeal from the First-tier Tribunal. Depending on the number of applications that the UTAAC receives, it may be necessary to prioritise applications relating to welfare benefits or other important rights in which case further guidance on prioritisation may be published.

#### **Applications for judicial review**

6. Arrangements are in hand for the processing of applications for permission to apply for judicial review. Depending on resources, it may be necessary to prioritise other business of the UTAAC relating to welfare benefits or other important rights in which case further guidance on prioritisation may be published.

### **Appeals against decisions of the Traffic Commissioners**

7. 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**

8. 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.
9. 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**

10. The UTAAC will 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**

**16 April 2020**