Courts and Tribunals Judiciary

Senior President of Tribunals' Annual Report

2025

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Tribunals structure chart

Key:
1 United Kingdom. 2 Great Britain. 3 England and Wales.
4 England only. 5 Scotland only.

Court of Appeal, Court of Session, Court of Appeal (NI)

Upper Tribunal and First Tier Tribunal Presided over by Senior President: The Rt. Hon Lord Justice Dingemans.

Upper Tribunal

Administrative Appeals Chamber
President: Mrs Justice Heather Williams
(First instance jurisdiction: forfeiture cases and safeguarding of vulnerable persons. It has also been allocated some judicial review functions).
Also hear appeals from: PAT (Scotland), PAT (NI) ('assessment' appeals only), MHRT (Wales), SENT (Wales).

Tax and Chancery Chamber
President: Mr Justice Thompsell
(First instance jurisdictions: Financial Services and Markets and Pensions Regulator).
Hears appeals from: Taxation Chamber and from the Charity jurisdictions in the General Regulatory Chamber. It has also been allocated some judicial review functions.

Immigration and Asylum Chamber
President: Mr Justice Lavender.

Lands Chamber
President: Mr Justice Edwin Johnson.

Employment Appeal Tribunal 2
President: Lord Fairley.

First Tier Tribunal

War Pensions and Armed Forces Compensation Chamber
President: Judge Fiona Monk.
- England and Wales appeals only 3

Social Entitlement Chamber
President: Judge Elizabeth McMahon.
Jurisdictions:
- Social Security and Child Support 2
(Except NHS charges in Scotland)
- Asylum Support 1
(No onward right of appeal)
- Criminal Injuries Compensation 2

Health, Education and Social Care Chamber
President: Judge Mark Sutherland Williams.
Jurisdictions:
- Mental Health 3
- Special Educational Needs and Disability 3
- Care Standards 3
- Primary Health Lists 3

General Regulatory Chamber
President: Judge Mark O'Connor.
Jurisdictions include:
- Charity (onward appeals to Tax & Chancery) 3
- Animal welfare 1
- Estate Agents 1
- Transport (Driving Standards Agency Appeals) 2
- Information Rights 1
- Pensions, Professional Regulation 3
- Gambling 2
- Immigration Services 1
- Environment 3

Tax Chamber
President: Judge Amanda Brown KC.
Jurisdictions include:
- Direct and indirect taxation 1
- MPs Expenses 1

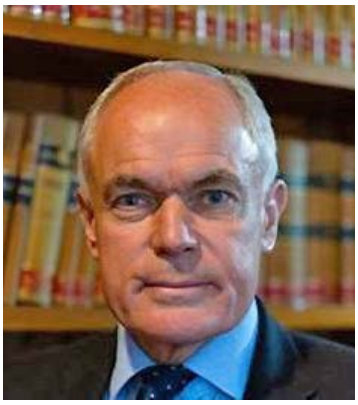
Immigration and Asylum Chamber
President: Judge Elena Feeney (Acting).
- Immigration and Asylum 1

Property Chamber
President:
Judge Siobhan McGrath.
- Residential property 4
- Agricultural lands and drainage 4
- Land Registration 3

Employment Tribunal (England and Wales) 3
President: Judge Barry Clarke.

Employment Tribunal (Scotland) 5
President: Judge Susan Walker KC

Introduction



This is my first report as Senior President of Tribunals that I have presented to the Lord Chancellor. I welcome the opportunity to reflect on the few months since I was appointed on 1 August 2025, and to report on the year as a whole.

The report also gives me the opportunity to share my aims for the forthcoming year which are: (1) addressing backlogs; (2) digitisation; (3) transparency and openness; and (4) one judiciary and inclusion. I also address: training; the Administrative Justice Council; and leadership changes in the Tribunals.

I start by thanking my predecessor, Sir Keith Lindblom, for all of the work that he did as Senior President of Tribunals. Sir Keith was appointed on 19 September 2020 and led the Tribunals for five years. Sir Keith's commitment to improving equality, diversity and inclusion in the tribunals, and his dedication to pursue the aims of 'One Judiciary', were exceptional. I look forward to continuing this very important work.

As is apparent from the reports from the Chamber Presidents, the range of work carried out by the Tribunals affects the lives of all citizens. The commitment and expertise of Tribunal judges and Tribunal members that I have seen is inspiring. We are all seeking to deliver justice and vindicate the rule of law.

On Sunday 24 August 2025 the Home Office announced that it would establish a body of assessors to take decisions on asylum appeals. Legislation will be required to effect any changes but there are, as yet, no drafts of any legislative provisions.

The Tribunals hear and rule on some of the most contentious issues of the day. These cases are often and rightly reported widely and are subject to comment and debate. All of this is fundamental to open justice and a properly functioning democracy. However this year, some judges have been subject to unwarranted media commentary, particularly in the First-tier Tribunal (Immigration and Asylum Chamber) (FTT(IAC)) and the Upper Tribunal (Immigration and Asylum Chamber) (UTIAC). In comments made below articles, some judges have been subjected to abusive language and explicit discriminatory abuse. The Lady Chief Justice and I have been working to deal with inaccurate reporting. The Security Taskforce, established by the Lady Chief Justice, has been taking steps to address issues of security for judges. There has also been much hard work with UTIAC, FTT(IAC) and HMCTS on security issues.

In the meantime the judges in FTT(IAC) have been working hard to deal with the substantial increase in workload following a surge of decision-making by the Home Office, and I am very grateful to the salaried and fee paid judges for all their hard work during this uncertain time. Judge Elena Feeney (acting Chamber President of FTT(IAC)) has worked on a pilot to ensure that FTT(IAC) is able to meet proposed statutory time limits under section 49 of the Border Security, Asylum and Immigration Act 2025 (inserting a new section 86A into the Nationality, Immigration and Asylum Act 2002) for those receiving accommodation support.

Backlogs

This increase for work in FTT(IAC) leads me on to what is one of my priorities, namely dealing with backlogs. There have been rising caseloads in a number of Chambers, and work is being done in particular to address backlogs in: FTT(IAC); the Employment Tribunals; Social Security and Child Support (SSCS) as part of the Social Entitlement Chamber (SEC); and Special Educational Needs and Disability (SEND), as part of the Health Education and Social Care Chamber (HESC). Legislative changes under the proposed Employment Rights Bill 2025 and the Renters' Rights Act 2025 are likely to increase the workloads, on a permanent basis, in the Employment Tribunals and in the First-tier Tribunal (Property Chamber) (FTT (Property)).

In addition to the pilot in FTT(IAC), there have been pilots in SSCS. Use has been made of Virtual Regions to increase judicial capacity. There has been increasing innovation in listing. There has been judicial mediation in the Employment Tribunals. There has been guidance and training on concise and succinct decision-making. The reports from Chamber Presidents detail initiatives being pursued to support efforts to reduce backlogs. The Tribunals Business Authority (TBA) has been established. The work of the TBA should help to ensure that effective strategies to reduce backlogs are deployed and shared.

Increasing the number of judges, and in particular salaried judges, will assist in addressing backlogs, and tribunal recruitment has continued. The Judicial Appointments Commission (JAC) recruitment programme for 2024-25 included an exercise for 94 salaried judges of the First-tier Tribunal. This exercise was targeted at HESC, SEC, FTT(IAC) and the War Pensions and Armed Forces Compensation Chamber (WPAFCC). The JAC has recommended 72 candidates. The fee-paid Judge of the First-tier Tribunal exercise launched in June 2024 for 150 appointments, with the JAC identifying 166 selectable candidates for appointment. An exercise for salaried Employment Judges launched in March 2025, and a report is due soon. In addition, the recruitment programme featured the recruitment of a significant number of Tribunal Members including Financially Qualified Members and Medical Members for SEC, Valuer Chairs and Members for FTT(Property), and Specialist Members for HESC.

High levels of recruitment across the tribunals are continuing with particular focus on the FTT(IAC), FTT (Property) and Employment Tribunals to address specific increases in demand. As a result, separate and more targeted recruitment campaigns have launched or are due to launch for these Chambers in 2025-26. Further exercises for salaried and fee-paid judges for HESC and SEC will launch in 2025-26 to continue building judicial capacity in these Chambers. Recruitment of Tribunal Members has also continued, with campaigns for Tribunal Members for the Employment Tribunal and FTT (Property) in particular. I look forward to welcoming new judges and Tribunal Members to the Tribunals as the year develops.

I will also attempt to maximise judicial capacity to hear cases in the jurisdictions most under pressure, by exploring further cross-ticketing opportunities, where necessary and when there is sufficient budget in the Judicial College to enable those judges to be trained.

Rule changes are being proposed to make processes more efficient and work continues. I am pleased to report that Lord Justice Dove, Deputy Senior President of Tribunals (DSPT), succeeds Mrs Justice Joanna Smith as Chair of the Tribunal Procedure Committee. I am very grateful to Mrs Justice Joanna Smith for all of her hard work over the last four years, and I am very pleased to report that she will continue to be involved on behalf of Tribunals with the Online Procedure Rule Committee.

Digitisation

Digitisation (which is the word used in the Tribunals and Courts for all digital initiatives, although it may be that "digitalisation" is a more complete description) is vital for a fully modernised tribunal justice system. As was reported last year, HMCTS's Reform Programme has come to an end, even though a number of Tribunals had not been reformed, which in practice meant continuing without online systems. Notwithstanding this set back, work has continued. HMCTS has moved to a "continuous improvement" model. As an "unreformed Tribunal", WPAFCC managed, with the assistance of the Ministry of Defence, Ministry of Justice, HMCTS and the judges, led by Chamber President Judge Monk, to become digital. The First-tier Tribunal (Tax Chamber) (FTT (Tax)) has managed to travel part of the way to digitisation with Sharepoint. There is much work still to be done.

This year has seen increased collaboration with HMCTS to ensure that tribunal hearing rooms are equipped with recording facilities. Over 90% of hearing rooms across the HMCTS's tribunal's estate is now equipped with recording equipment. This is a very welcome achievement.

Updated Judicial Guidance on AI was issued in October 2025 and assists Judges and Tribunal Members to consider the risks and benefits in using AI. AI can have many uses and we are exploring ways that AI can be used to transcribe hearings,

which it is hoped will assist in making the task of delivering written reasons for decisions more efficient. Efforts are being made to see whether AI tools can be used to populate data fields in those Chambers where legal officers are required to read through the papers in order to validate appeals. It is hoped that this will release legal officers to manage appeals which will help remove some delays because a shortage of legal officers means that judges have to do other tasks, and leads to time away from deciding cases.

Transparency and Openness

Transparency is at the heart of Tribunals' justice. We are there to serve all those appearing before the Tribunals. Members of the public should be able to see for themselves the work being done day in and day out by the Tribunals. Publication of reasons for decisions by Tribunals will assist in this, and should also assist in ensuring accurate reporting of the work of Tribunals. Employment Tribunals in both England and Wales, and Scotland, have led in the publication of judgments. Much work has been done in relation to the publication of decisions by Upper Tribunals and by FTT (Tax). A working group, chaired by Lord Justice Dove, DSPT, is considering the issue of publication of reasons for decisions made by FTT(IAC). I strongly support this work.

I am hoping that knowledge of the excellent work being done in the Tribunals will increase among both the public and the Courts judiciary. Many of our tribunal hearings are held in public, and I hope that more members of the public will attend a local hearing centre to see the work of the tribunals.

One Judiciary and Inclusion

One Judiciary remains a priority. Greater unity between the Courts and Tribunals judges and members, and the inclusion of Tribunal Judges and Members in court events and events on Circuits, are important elements of one judiciary. In 2023, the Government published proposals on reforming the office of the Senior President of Tribunals so as to create a unified leadership structure for the Courts and Tribunals judiciary in England and Wales, with devolved Tribunals in Wales being led by Sir Gary Hickinbottom. The Senior President of Tribunals will continue to lead the work of the very important reserved Tribunals judiciary and members in Scotland and Northern Ireland, including the Employment Tribunals in Scotland, under separate statutory responsibilities. The senior judiciary in Scotland and Northern Ireland have played and continue to play an important part in providing Presidents for Upper Tribunals and the Employment Appeal Tribunal (EAT). I hope that these forthcoming statutory changes will create more cohesion between the Tribunals and Courts judiciary in England and Wales. The proposals require primary legislation to be enacted, and I am grateful for the Government's support in pursuing this legislation.

Circuit Liaison Presidents and Judges have been re-introduced. These judges are working closely with Presiding Judges from the Courts Judiciary to increase understanding of the work of the Tribunals and encourage greater engagement between judges at a local level.

Enhancing flexible deployment continues to be a priority under One Judiciary. Throughout the latter part of 2024-25, at least six Expressions of Interest (EOI) for authorisation across the Chambers of the First-tier Tribunal were opened to Courts Judges, enabling more flexible deployment between the Courts and Tribunals. The inclusive approach to flexible deployment continues with the recently launched EOI for criminal Recorders to hear Restricted Patients Panel cases. Evaluation of the EOI process is essential to ensure that opportunities for flexible deployment are properly assessed and used, and that it is not a one-way street.

The SPT's Diversity Taskforce have performed excellent work in embedding diversity and inclusion into all that is done in the Tribunals, with Diversity Leads progressing initiatives designed to improve equality, diversity and inclusion within each Chamber. Some of the work progressed by the Diversity Taskforce this year includes increasing awareness of the work of the tribunals with key stakeholder partners, such as the Judicial Appointments Commission, promoting salaried part-time working in leadership roles, and seeking opportunities to enhance career progression opportunities of Tribunal judges and members. There has been increased collaboration with the Judicial Diversity Committee chaired by Lady Justice Whipple. I am grateful for the work that the Diversity Taskforce have achieved to date and I thank them for their contributions. I particularly wish to thank Judge Kate Markus KC, who chaired and led the SPT's Diversity Taskforce until her retirement on 1 September 2025. Judge Markus' successor as Chair of the Diversity Taskforce will shortly be announced.

I intend to increase the visibility of Tribunal judges and members within the wider judiciary and beyond, and it is hoped that there will be a monthly article on the Judicial Intranet from each Chamber.

Training

As Senior President of Tribunals, I have a statutory duty to maintain appropriate arrangements for the training of the tribunals judiciary. This duty is fulfilled in practice by the Judicial College. The Judicial College provides a programme of training and resources to support Tribunal judges and members from all backgrounds in their professional development.

In addition to induction training, each Chamber and Tribunal has training requirements set by its President. These include minimum standards that vary across jurisdictions to ensure judges stay up to date with developments in the law. Training typically runs on multi-year cycles, with different courses required.

The College delivered 226 tribunals training seminars to approximately 8,350 participants between October 2024 and September 2025. This included 35 induction seminars in First-tier and Upper Tribunal Chambers and Tribunals for more than 800 judicial office holders who were new to the role or taking on new responsibilities. 88% of all participants who gave feedback rated their training as meeting its learning aims and outcomes, which shows how effective the training has been.

Inclusion training was also delivered to 363 new judges (Tribunals and Courts) in the year from October 2024 through cross-jurisdiction induction seminars. Training to implement the Infected Blood Compensation Scheme was delivered to approximately 340 members of the Social Entitlement chamber over two sessions in November 2024 and September 2025. Going back to issues of security, new e-learning on judicial security was made available to all judicial office holders from July 2025. It supports an informed and structured approach to personal safety and hearing room management.

The College delivered two Essential Leadership programmes for newly appointed leadership judges in Tribunals and Courts over the period of this report. A new approach to training for the senior judiciary was piloted between March and June 2025 and will form the basis for the development of future leadership training provision.

Training to equip the judiciary to adopt and adapt to developments in technology continued through a series of digital upskilling webinars and creation of an online collection of future technology resources, including on artificial intelligence tools and prompts.

An interim update to the Equal Treatment Bench Book was issued in May 2025 to reflect developments in law and practice, supported by relevant evidence. The Bench Book remains a core reference work to guide the judiciary in ensuring a fair process, effective communication and participation for all parties. Six editions of the employment jurisdiction e-letter were published over the period, providing essential case law and other updates. Detailed annual figures on training are published in the Judicial College's annual activities reports.

In support of the objectives of the judicial strategy for international engagement, the College continued to engage with priority jurisdictions and networks in accordance with the international strategy, including presenting to the 11th International Organisation of Judicial Training conference on judicial education, technology and artificial intelligence. There was participation in the UK and Ireland Judicial Studies Council annual conference in December 2024, and contributions have been made to the European Judicial Training Network.

Administrative Justice Council

One of my responsibilities is to chair the Administrative Justice Council (AJC), an oversight body of the Administrative Justice System (AJS) in the UK. This year the AJC focussed on producing two reports: "Addressing Disadvantage in the Administrative Justice System" and "the Impact of Digitisation on Tribunal Users". In November, a Working Group of the AJC, chaired by Lucy Scott-Moncrieff CBE, published the report on "Addressing Disadvantage in the Administrative Justice System".

The report explores the barriers faced by individuals who experience disadvantage in the AJS due to personal circumstances, characteristics or systemic factors. The report identified key challenges faced by users and outlined 11 recommendations for government, educators, ombudsman schemes, legal advice providers and others to strengthen the AJS. The report was structured to follow the lifetime of a dispute, from recognising that a problem is legal through to its final resolution.

The second Working Group are hoping to publish their findings on the impact of digitisation on tribunal users in the new year. I am very grateful to the AJC and its working groups for all its hard work over the year.

Leadership changes

This year has seen the departure of a number of leadership judges across the tribunals. I am immensely grateful to all of the Chamber Presidents who work tirelessly to lead their chambers in challenging circumstances. Their hard work and resilience is remarkable.

I wish to thank, for their exceptional work, the following Chamber Presidents who have retired or have been promoted: Judge Greg Sinfield who retired as President of FTT (Tax). Judge Amanda Brown KC succeeds him; Judge Kate Markus KC retired as President of SEC. Judge Elizabeth McMahon, who leads the Diversity and Community Relation Judges for the judiciary, succeeds her; Judge Melanie Plimmer left her role as President of FTT(IAC), having been appointed Deputy President for UTIAC. Judge Elena Feeney (Resident Judge for Taylor House Hearing Centre) is currently acting Chamber President for FTT(IAC); Judge Fiona Monk who retires as President of the WPAFCC. Her successor will be appointed next year; Mrs Justice Eady completed her term as President of the EAT. Lord Fairley succeeds her; Mr Justice Dove completed his term as President of UTIAC, and is now Lord Justice Dove and Deputy Senior President of Tribunals. Mr Justice Lavender succeeds him. Mrs Justice Bacon completed her term as President of the Upper Tribunal Tax and Chancery Chamber. Mr Justice Thompsell succeeds her.

There is a fellow new member of the Tribunals Judicial Executive Board, who is Judge Edell Fitzpatrick, Chief Social Security Commissioner for Northern Ireland. Judge Fitzpatrick joins Lady Wise, as the President of the Scottish Tribunals, and Sir Gary Hickinbottom, as the President of the Welsh Tribunals, as leaders of the devolved Tribunals. Their contribution to Tribunals Judicial Executive Board is invaluable.

Conclusion

This year we celebrated the 75th anniversary of the Upper Tribunal Lands Chamber and, by the time this report is published, we will have celebrated the 50th anniversary of the EAT. These events give us the chance to reflect on the evolution of the Tribunals and to celebrate what makes the tribunals unique, where providing access to justice lies at the centre of the work we do.

I would not be able to lead the tribunals without the hard work of those in the Senior President of Tribunal's office, the Judicial Office, and in HMCTS. I am immensely grateful for all the support, and guidance, that is provided to me.

Lord Justice James Dingemans
Senior President of Tribunals

Upper Tribunal

Administrative Appeals Chamber

President: Mrs Justice Heather Williams

The jurisdictional landscape

The Upper Tribunal (Administrative Appeals Chamber) (UTAAC) has approximately 60 jurisdictions in total. However, the bulk of the Chambers' caseload continues to comprise appeals on points of law from decisions of the First-tier Tribunal Social Entitlement Chamber relating to social security benefits administered by the DWP and HMRC; second-tier appeals on points of law in relation to information rights, mental health and Special Educational Needs and judicial review challenges to decisions of the Criminal Injuries Compensation Authority (CICA). UTAAC also hears first-tier appeals from decisions of the Disclosure and Barring Service (DBS) and the Traffic Commissioners.

The Chamber's first-tier appellate jurisdiction has recently expanded to include appeals in respect of OFCOM enforcement steps under the Online Safety Act 2024 and appeals from the Social Entitlement Chamber in relation to determinations under the new Infected Blood Compensation Scheme.

From 7 April 2025, all of the Chamber's substantive final decisions on appeals have been published online on The National Archives Find Case Law service. UTAAC's practice of publishing decisions of wider interest on its own gov.uk webpage continues, as explained in the Practice Statement of 2 April 2025. This change of practice is intended to promote transparency and open justice.

The breadth of the Chambers' work is reflected in the notable cases that have been decided over the last year.

In terms of social security benefits, Secretary of State for Work and Pensions v MJ [2025] UKUT 35 (AAC) considered the effect of regulation 55 of the Universal Credit (Transitional Provisions) Regulations 2014, which caused the carer element of Universal Credit to be removed following the award of the Limited Capability for Work Related Activity element. The Upper Tribunal held this involved a breach of Article 14 and Article 1 Protocol 1 of the ECHR; accordingly, regulation 55 had to be interpreted or disapplied so as to avoid the discriminatory outcome. LP v Secretary of State for Work and Pensions and EM (CSM) [2024] UKUT 302 (AAC) provided authoritative guidance on determining in a case of shared care whether one parent was providing "day to day care to a lesser extent" than the other, for the purposes of regulation 50(2) of the Child Support Maintenance Calculation Regulations 2012. PHC (formerly HCU) v Secretary of State for Work and Pensions (UC) [2024] UKUT 340 (AAC) established the appropriate legislative regime where there is a doubt

over the identity of a Universal Credit claimant. PM (by his appointee) v Secretary of State for Work and Pensions (DLA) [2025] UKUT 85 (AAC) decided that a person with Attention Deficit Hyperactivity Disorder can meet the test in regulation 12(5) of the Social Security (Disability Living Allowance) Regulations 1991 of being a person suffering from "arrested development or incomplete physical development of the brain" and so potentially qualify for the higher rate of the DLA mobility component.

In the information rights field, DSG Retail v Information Commissioner [2024] UKUT 287 (AAC) addressed the proper interpretation and application of the Monetary Penalty Notice provision (s.55A of the Data Protection Act 1998) in a case following a cyber-attack on a company's in-store payment systems. Cabinet Office v Information Commissioner [2025] UKUT 114 (AAC) ruled that the public interest in disclosure outweighed the public interest in maintaining an exemption in a case where it was alleged that a former government minister had breached the ministerial code on accepting outside appointments.

KS v DBS [2025] UKUT 45 (AAC) held that in safeguarding appeals the Upper Tribunal must decide for itself whether the decision of the DBS to include a person on the adults' barred list and/or children's barred list was proportionate.

CICA cases included R (LXR) v First-tier Tribunal and CICA [2024] UKUT 208 (AAC), which identified the criteria for re-opening an award under paragraph 115(b) of the 2012 Criminal Injuries Compensation Scheme.

JH v SSD (AFCS) [2024] UKUT 191 (AAC) considered the meaning of "permanent mental disorder" in the context of a claim for PTSD made under the Armed Forces Compensation Scheme 2011.

Diversity, inclusion and wellbeing

UTAAC's Equality, Diversity and Inclusion (EDI) Committee has been active over the last year. The Chambers' EDI Plan has been updated and follow-up sessions on inclusivity have been held with both the salaried and the visiting judges who sit in UTAAC from other jurisdictions. The Committee undertook its second annual 'temperature check' survey to obtain feedback from judges and members on existing EDI initiatives and their suggestions for further steps to enhance our existing work.

UTAAC's well-received Handbook for Visiting Judges was updated and a new Members' Handbook for UTAAC's Specialist Members was prepared and circulated. These documents are aimed at making all who sit in the chamber feel welcomed and supported, as well as providing them with useful practical information in an easily accessible form.

The chamber has continued both its popular Shadowing Scheme for First-tier Tribunal Judges, and the opportunity for First-tier Tribunal Judges to have informal 1:1 conversations with Upper Tribunal Judges, to find out more about their role. These schemes have been expanded to encompass fee-paid, as well as salaried judges.

Members of the EDI Committee have worked with the CILEX Law School to offer support to their 'judicial academy' members in preparing for judicial applications, including by providing mentoring.

In collaboration with other tribunals, we hosted the Judicial Appointments Commission (JAC) on their Annual Staff Awayday, which gave an opportunity for JAC staff to observe hearings and have informal discussions with judges, with a view to enhancing their understanding of the work of tribunals.

Social events involving the judges, the registrars and the administrative staff are now a regular feature of life in the chamber. In addition, visiting judges attended a remote session aimed at better informing them of the roles undertaken by HMCTS staff; and judges and registrars gave a presentation to the staff on the various social security benefits, to give them a better understanding of the context of their work.

People and places

Upper Tribunal Judge Christopher Ward retired on 31 August 2024; and, in Northern Ireland, Upper Tribunal Judges Kenneth Mullan on 31 January 2025 and Odhran Stockman on 31 March 2025. Judges Ward and Mullan are sitting in retirement. Upper Tribunal Judge Edell Fitzpatrick was appointed as Chief Social Security and Child Support Commissioner for Northern Ireland on 20 June 2025 but will remain an Upper Tribunal Judge in UTAAC for reserved jurisdictions that extend to Northern Ireland. A JAC recruitment exercise for two new salaried judges is planned.

Following Visiting Judges Meleri Tudur and Kate Markus retirements from the First-tier Tribunal, they have been appointed to sit in retirement in UTAAC. Visiting Judge Andy Freer and Deputy Fee-paid Judge William Hansen were authorised to sit on Safeguarding cases following EOIs in July 2024 and receiving training. Fee-paid member Sally Derrick retired from Safeguarding on 12 July 2025. A JAC competition is underway to recruit seven members to this jurisdiction.

Tax and Chancery Chamber

President: Mr Justice Thompsell

The jurisdictional landscape

In July 2024, the Upper Tribunal Tax and Chancery Chamber (UTTCC) issued revised Guidance on the publication of decisions in the chamber. Where permission to appeal ('PTA') from the First-tier Tribunal to the Upper Tribunal has been refused by the Upper Tribunal following an oral renewal hearing (and including where the Upper Tribunal has granted some grounds but refused others) the chamber's practice will now be to publish the oral renewal PTA decision. This change in practice reflects (1) that the decision has been made following a public hearing; (2) that it represents the final stage in the appeal process in relation to a decision in respect of which permission is sought; and (3) the imbalance in access to PTA refusals that occurs because the public authority party (usually HMRC) will be aware of the wider body of PTA decisions, whereas private parties and those advising them will not. The change is consistent with the principle of open justice and has been positively received by users and their representatives.

The chamber has responsibility for a number of jurisdictions, but the vast majority of its work during the last year has related to tax and financial services cases.

In the tax area, decisions covered the full spectrum of taxes, including less common (but significant) taxes such as landfill taxes (Singleton Birch Ltd v HMRC [2025] UKUT 00072 (TCC)). Some decisions of the chamber during the last year have prompted important changes in HMRC published practice. Examples include the VAT exemption for charitable fund-raising events (HMRC v Yorkshire Agricultural Society [2025] UKUT 0004 (TCC)) and notification to the media by HMRC of applications by taxpayers for anonymity (HMRC v Dettori [2024] UKUT 00364 (TCC)).

One area of the chamber's jurisdiction which has seen an increasing number of decisions relates to applications for judicial review ('JR'). While the chamber has only a limited inherent power in relation to judicial review, a number of JR applications are transferred from the High Court to the chamber where they relate to tax. Examples from the past year include The King (on the application of) UBS AG v HMRC [2024] UKUT 00242 (TCC), The King (on the application of) Midlands Partnership University NHS Foundation Trust v HMRC [2024] UKUT 00334 (TCC), and The King (on the application of) Rettig Heating Group UK Limited v HMRC [2025] UKUT 00143 (TCC).

The last year has seen a number of important financial services cases decided by the UTTCC, in which our members play an important role. In Craig Donaldson and David Arden v The Financial Conduct Authority [2025] UKUT 00185 (TCC), the UTTCC held that the Applicants had been knowingly involved in a breach of the Listing Rules by Metro Bank. Jorge Lopez Gonzalez and others v The Financial Conduct Authority [2025] UKUT 00214 (TCC) concerned the practice of executing

trade orders with no intention of completing them, commonly known as "spoofing". In the highly-publicised decision in James Edward Staley v The Financial Conduct Authority [2025] UKUT 00203 (TCC), the UTTCC decided that the former CEO of Barclays Bank had acted recklessly in approving various statements relied on by the FCA.

Diversity, inclusion and wellbeing

The UTTCC has continued to enhance and embed various diversity, inclusion, and well-being initiatives, many of which were launched last year.

Building on the bespoke Diversity and Inclusion training delivered at the previous annual training event, UTTCC judges participated in a joint workshop with the First-tier Tribunal Tax Chamber on cultural sensitivity. The session was facilitated by colleagues from both chambers, and benefitted from course materials and a format helpfully developed by judges in the Employment Tribunal (E&W). These were then adapted for our jurisdictional needs with input from the UTTCC and First-tier Tribunal Tax Diversity & Inclusion Steering Group, which includes salaried and fee-paid judges and members from both chambers. The Group continues to review and action feedback from the training events and Diversity & Inclusion surveys.

UTTCC judges also remain engaged in outreach efforts, including offering work-shadowing opportunities to students, legal professionals, and judicial candidates. They also participated in events aimed at encouraging applications from under-represented groups. These included an in-person and webinar event run in conjunction with the Employment Tribunal (E&W) for Further Education college and university law students, and facilitation of judge-led discussion groups for aspiring judges as part of delivering the Pre-Application Judicial Education course. Looking ahead, the UTTCC is keen to explore future outreach opportunities by collaborating with professional bodies operating within our specialist areas such as the Revenue Bar Association.

Collegiality has been encouraged by weekly hybrid meet-ups over lunch and monthly teas to bring together salaried and fee-paid judiciary, as well as in-person lunch get-togethers in the Rolls Building with our Upper Tribunal and Employment Appeal Tribunal colleagues. UTTCC also joined forces with fellow Rolls Building resident chambers to walk together to raise money for the London Legal Support Trust on this year's London Legal Walk.

People and places

Following the recruitment of two new salaried judges in 2024, we now have four salaried judges in the chamber and have been working at pace.

Judge Timothy Herrington finished his term sitting in retirement in September 2025. Judge Herrington has had a long and distinguished career as an Upper Tribunal judge, not only in tax cases, but in leading and developing the UTTCC's very important jurisdiction in financial services cases. He has undoubtedly helped to shape the law and practice in many leading cases, bowing out with the decision in *James Staley v The Financial Conduct Authority.* His experience, gravitas, knowledge and collegiality will all be sorely missed, and he leaves with our heartfelt gratitude and best wishes.

This year saw another significant departure, as Mrs Justice Bacon completed her term as President of the UTTCC. She has been an outstanding Chamber President, always leading by example and making time in her packed schedule for the people in the UTTC, and spearheading the move of the UTTC salaried judges to the Rolls Building, where the team spirit has thrived. Mrs Justice Bacon has since become President of the Competition Appeal Tribunal.

Judge Thomas Scott took on the role of Acting Chamber President pending the appointment of our new President. Mr Justice Thompsell was appointed as our new President from 1 October 2025.

Immigration and Asylum Chamber

President: Mr Justice Lavender

The jurisdictional landscape

The workload within the Upper Tribunal (Immigration and Asylum Chamber) (UTIAC), in terms of both statutory appeals and also judicial review, has remained manageable during the current year. It appears very likely that those workloads will increase significantly as a result of increased volumes of appeals being determined by the First-tier Tribunal (Immigration and Asylum Chamber) arising from government initiatives bringing increased volumes of work into the tribunals. The jurisdiction continues to give rise to legal and factual issues of particular complexity. Whilst there have been a significant number of important reported cases within UTIAC in the last year, notable examples are as follows. The case of Vargova v SSHD [2024] UKUT 00336 addressed the correct interpretation and application of the Withdrawal Agreement in relation to deportation cases. The case of R (on the application of EK and Others) v SSHD (Rule 17 Withdrawal) [2025] UKUT 00089 (IAC) addressed in detail the circumstances in which it could be appropriate to refuse consent for the withdrawal of a claim for judicial review. In R (on the application of Gurung) v SSHD (ACRS meaning – policy interpretation principles) [2025] UKUT 00090 (IAC) a Presidential panel considered the correct legal approach to the interpretation of policy in an immigration context and, in particular, the Afghan Citizens Resettlement Scheme. The correct approach to procedural fairness and the evidential flexibility policy, a topic with widespread practical implications in this sphere, was dealt with comprehensively in R (on the application of Ganeshamoorthy) v SSHD (Evidential Flexibility; Administrative Review Gateways) [2025] UKUT 00229 (IAC). UTIAC has continued to engage with the jurisprudence related to the nature of an appeal in deprivation cases with the most recent clarification of the approach contained in the case of Laci v SSHD [2025] UKUT 00230. UTIAC's practice of publishing decisions on its gov.uk webpage continues.

In order to make best use of judicial resources, and to support the work of the First-tier in dealing with significant increases in volumes of new cases, judges from UTIAC have been regularly sitting in the First-tier Tribunal IAC after assignment by the Senior President of Tribunals. The work of UTIAC continues to be supported by our able team of Deputy Upper Tribunal Judges.

Following an extensive EOI exercise there has been a significant rearrangement of responsibilities in many quarters within UTIAC. Upper Tribunal Judge Frances stepped down as a training judge and we are all very grateful for the hard work which she devoted to the very extensive training responsibilities which she took on during her term of office. She is replaced by Upper Tribunal Judge Landes who will continue this important work with Upper Tribunal Judge O'Callaghan. Upper Tribunal Judges Kamara and Keith joined the Principal Resident Judge team as Deputy Principal Resident Judges alongside Upper Tribunal Judge Mandalia. Other colleagues have

joined to assist in the work activities which support our Diversity and Inclusion initiatives as well as our legal research and international activities.

Diversity, inclusion and wellbeing

The energetic activities of the Diversity and Inclusion Committee chaired by Upper Tribunal Judge Bruce has continued during the course of this year. Most recently, at a very successful Strategy Day, important work was undertaken to refresh and renew UTIAC's Diversity Strategy for the coming years. The outreach programme to students has given rise to many successful events and the opportunity for a significant number of students to experience the work which we undertake. Diversity and Inclusion is the "golden thread" running through all of the judge-made in-house training, including the work of the Strategy Day. Key feedback from the Strategy Day, reflected in the Judicial Attitude Survey, is that in recent years there has been a very positive culture change, including, for instance, a complete overhaul of the way in which complex or high-profile cases are identified and allocated so as to ensure a fair, even and transparent distribution of the chamber's work. Upper Tribunal Judge Kamara became a founder member of the UK Association of Black Judges which was recently launched at an event at the Supreme Court as an important new diversity initiative.

After several years of committed service, Upper Tribunal Judge Norton-Taylor has stepped down as chair of the Welfare Committee to be replaced by Upper Tribunal Judge Owens. The work of the committee is invaluable in supporting the wellbeing of the UTIAC judiciary, establishing strong and supportive relationships between colleagues which has proved invaluable with the significant media coverage of our work.

People and places

UTIAC continues to support and grow its presence outside London in the various regional centres supported by the work of Upper Tribunal Judge Mandalia and the Liaison Judges in each of the regions. Both in London and in the regions, UTIAC has the invaluable benefit of highly dedicated and professional staff and legal officers who are instrumental to ensuring that the judges can efficiently handle our caseload. We have received visitors at Field House including delegations from Australia. Recently, we have welcomed MPs to Field House, providing judges and staff with the opportunity to explain the important work which UTIAC undertakes.

During the course of the last year we have been joined by a significant number of newly appointed salaried and Deputy Upper Tribunal Judges who are already making a tremendous contribution to dealing with our workload as well as joining in and supporting the life of UTIAC. We have been delighted to welcome them into the UTIAC family and hope that they will find the challenge of their new role stimulating and rewarding.

This year has seen the retirements of a number of distinguished judicial colleagues who have provided many years of dedicated service to UTIAC. Deputy Principal Resident Judge Gleeson, whose distinguished career included a high profile in international circles, recently retired along with Upper Tribunal Judge Lesley Smith, who as well as being a distinguished public lawyer brought procedural rigour to bear in age assessment cases. They will be greatly missed by their colleagues and we wish them a long and healthy retirement. Our former colleague His Honour Judge Stephen Smith was appointed during the year to be a Senior Circuit Judge in the Family Court and we wish him every success in his new role.

Lands Chamber

President: Mr Justice Edwin Johnson

The jurisdictional landscape

A striking feature of the work of the Lands Chamber in recent years has been the frequency with which substantial pieces of new legislation have impacted on our work. In my report last year I commented on the contribution which claims under the Electronic Communications Code had made to our case load. The first cases under this entirely new tribunal jurisdiction began to arrive at the end of 2018. More than 300 were received in the last year, representing more than a third of our annual caseload, but this tide has now receded. With the main principles now well established, new telecommunications cases are now required to commence in the First-tier Tribunal Property Chamber, from which a trickle of appeals has begun to emerge. Notable amongst the last of the cases determined by the Tribunal in its first instance capacity was Vodafone Ltd v Icon Tower Infrastructure Ltd [2025] UKUT 58 (LC), a good example of how litigation in this sector has shifted away from resolving individual disputes between major operators and private landowners and has become a running battle between rival commercial competitors within the telecommunications industry.

The twin hallmarks of the Electronic Communications Code are its novelty and its complexity, features it shares with Building Safety Act 2022, Parliament's legislative response to the Grenfell Tower tragedy. The Upper Tribunal's role under the new legislation is entirely appellate, but, given the importance of the jurisdiction and the scale of the remediation challenge it is designed to meet, surprisingly few cases have been received so far. Some of the uncertainty surrounding the scope and interpretation of the new statute has been reduced by the Court of Appeal's recent upholding of two of the Tribunal's earliest decisions in the jurisdiction, Adriatic Land 5 Ltd v Leaseholders of Hippersley Point and Triathlon Homes LLP -v- Stratford Village Development Partnership. We wait to see whether a substantial additional case load will develop from these small beginnings, as we originally anticipated. Among the building safety appeals which have been determined this year, Monier Road Ltd v Blomfield [2025] UKUT 157 (LC) illustrated both the disruption which the defective cladding crisis has inflicted on tens of thousands of leaseholders and the importance of tribunals making effective use of their expertise to resolve complex technical issues.

It should not be thought that the redirection of telecommunications work and the surprisingly low numbers of building safety appeals has left the Lands Chamber underemployed. Our compensation and rating jurisdictions have been busier this year than since the pandemic with both large and small references and appeals. The heavier work has continued to be dominated by the HS2 scheme, including multiple claims for compensation for the site of Birmingham's new Curzon Street

terminus. The complexity of the issues and the variety of expert evidence required to resolve the largest claims often makes them suitable for determination in stages, rather than at a single hearing. Examples this year have included SoS Transport v Quintain City Park Birmingham Ltd [2025] UKUT 7 (LC) in which the Tribunal quantified the demand in Birmingham for purpose built student accommodation, a particularly high value land use, and Cemex UK Operations Ltd v SoS Transport [2025] UKUT 138 (LC), in which the tribunal addressed the market for concrete railway sleepers – variety is always guaranteed. Meanwhile, the valuation of high quality modern office buildings continues to cause problems for the rating world, which Hitchings v Shoosmiths LLP [2025] UKUT 224 (LC) may put to rest (again), while the proper approach to the assessment of advertising rights at Central London railway stations detained us in List v Network Rail Infrastructure Ltd [2024] UKUT 351 (LC).

A steady stream of appeals has continued to arrive from the First-tier Tribunal some raising novel or esoteric points of property law, others illustrating more mundane but no less important issues of property management. In Stenner v Teignbridge District Council [2025] UKUT 204 (LC) in an appeal about the overwintering of pleasure boats on the banks of the River Teign, the Tribunal addressed the tricky question of whether a right over land can subsist as an easement where its practical effect is to exclude the landowner's ability to use the land for any other purpose. In Avon Freeholds Ltd v Cresta Court E RTM Co Ltd [2024] UKUT 335 (LC) an appeal concerning the right to manage, a critical question which had been consciously left to one side by the Supreme Court only a few months earlier in A1 (Sunderland) had to be confronted and resolved.

Looking forward, the biggest change to the residential tenancy code since the phasing out of the Rent Acts in 1988 is in prospect. The Renters' Rights Act 2025 received Royal Assent on 27 October 2025 and is expected to add significantly to the number of rent appeals entering the tribunal system. We anticipate another busy year.

Diversity, inclusion and wellbeing

The judges and surveyor members of the Lands Chamber have continued our regular outreach activities, including hosting visits to the Royal Courts of Justice, hosting work experience pupils and presiding at a mock trial for school and university students.

People and places

The Lands Chamber's judicial cohort has been refreshed this year by a number of excellent new assignments from the Circuit Bench. We welcome His Honour Judge William Hanbury, His Honour Judge Neil Cadwallader and His Honour Judge Alan Johns KC, each of whom bring significant judicial and property law experience as well as improving our geographical coverage. Each will sit occasionally in the Lands Chamber, but with their assistance we are well equipped to meet the anticipated workload which legislative change will bring.

Once again we thank our excellent support staff, who ensure the smooth and efficient running of the Lands Chamber. We also thank the many professional users who participate in the Lands Chamber Users Group, our invaluable forum for the exchange of information and ideas on how our service can be improved.

First-tier Tribunal

War Pensions and Armed Forces Compensation Chamber

President: Judge Fiona Monk

The jurisdictional landscape

The War Pensions and Armed Forces Compensation Chamber (WPAFCC) of the First-tier Tribunal is a specialist tribunal that hears appeals from serving or former members of the UK Armed Forces claiming compensation for injuries or illnesses attributable to their service. Appellants have the right of appeal to us if they believe that a decision made by the Secretary of State for Defence is wrong.

Since April 2023 appeals are submitted directly to the chamber rather than through Defence Business Services (DBS), the Ministry of Defence agency which administers the claims. Two years on from the introduction of direct lodgement, we have greater judicial oversight of the appeals process and clearer expectations of timelines enshrined into our procedural rules and have seen a consequent reduction in delay. There are shorter timescales for getting cases to final hearing and that has driven more timely access to justice for members of the Armed Forces Community. A persistent issue which still causes delay remains that where an appeal is lodged before the Secretary of State has carried out a reconsideration, the appeal process is paused. It is not mandatory to request a reconsideration of the decision under appeal before the appeal is lodged but this prevents cases from being listed promptly, creates administrative inefficiencies and risks undermining the clarity of the appeals process. The chamber is actively working with DBS to establish agreed timelines and protocols to manage these cases more effectively, and also to have clearer signposting about using the reconsideration route before appealing.

Undoubtedly, the most significant achievement of this past year has been the joint working of the judicial, operational, and jurisdictional support teams to achieve digital working. The chamber faced particular issues when it was taken out of scope of the HMCTS Reform Programme because we were still a heavily paper-based jurisdiction and our administrative support team had been moved from being co-located with the judiciary to a base in the Midlands. This built in significant administrative inefficiencies as paper files were couriered up and down the country. It has taken a huge amount of hard work to build a digital process ourselves which works for the chamber, particularly as we do not have a case management system which enables this. From the beginning of May all our hearing bundles have been digital – at present this is just a scanned copy of the hard copy bundle, but we are working with DBS so that by August 2025 they will start producing a properly paginated digital bundle. There has been a great deal of joint working between HMCTS and DBS' operational and change teams. I am in discussions with the

Presidents of the Pension Appeals Tribunals for Scotland and Northern Ireland to agree consistent presidential guidance on the format for digital bundles which will improve quality and should drive efficiency in hearings.

In addition, the HMCTS team have digitised all except the oldest, largest case files which have been identified as unsuitable for digitisation. The salaried judicial team now use a digital referral system for all interlocutory work, with a duty inbox set up to manage these which has improved the turnaround time to deal with referrals. From late July we will be fully digital which means that digital files will be used by judges in hearings as well. This is a really major achievement for the chamber, and I am very grateful to all our operational, jurisdictional support and change team colleagues who have made this happen as well as to our stakeholders for their engagement.

At the end of 2024 the Chamber conducted a User Insight Survey. This was the first survey of its kind to be completed in the tribunals; it sought detailed feedback from both representatives and appellants about their experiences and focused on the appeal process (from application to hearing stage). It has given us invaluable qualitative data which will enable us to improve the experience for all our users. We have set up a working group which brings together operational colleagues and our main stakeholders, with our focus being on the way in which we communicate information to the appellants about the appeal process. We are also looking at how to better manage expectations around timelines and signpost to sources of support during the appeals process.

Diversity, inclusion and wellbeing

Our salaried team participate in mentoring and outreach work, through schemes such as the JAC's Targeted Outreach Programme, the MOJ's Social Mobility Programme and the National Justice Museum at the Royal Courts of Justice, as well as offering many opportunities to law students to shadow our hearings. My salaried colleague, Judge Surinder Capper, and I are both longstanding Diversity and Community Relation Judges and I am now the Tribunals lead judge for both the Judicial Reverse Mentoring Scheme and the Judicial Career Development Scheme.

Our Diversity & Inclusion Committee now includes a fee-paid non-legal member to provide representation from outside of the salaried team; their input will be invaluable as we review our Diversity & Inclusion Plan for the coming year.

In October 2024, I visited Jane Anderson, the Principal Member of the Australian Veterans Board in Sydney. Jane has visited us before, and it was a fantastic opportunity to visit their office and view some of the similarities and differences between how our two jurisdictions are run. We then had a reciprocal visit in May where we set up a roundtable conference with judicial leaders from Pensions Appeal Tribunal Northern Ireland and the Chair of the Veterans Review and Appeal Board of Canada which gave us further opportunity to explore the common challenges all our jurisdictions are facing.

People and places

Last year I mentioned the long-established plans to move from Fox Court in London to new premises on Newgate Street. We now expect this move to take place in early 2026, so for now the salaried team is still based at Fox Court. We are all very much looking forward to being in a multi-jurisdictional, purpose designed, flagship building.

We have been part of the cross-jurisdictional fee-paid judge recruitment that took place this year and anticipate posts to be offered to some candidates. We are hopeful that they will be able to attend our annual conference in September to introduce them to the Chamber. We are also awaiting the appointment of a successful candidate into our outstanding salaried judicial position.

We have said goodbye to the following colleagues over the past year: Judge Hugh Howard (36 years, retired), Judge Christopher Hill (6 years, retired), and Dr Ashok Pathak (9 years, retired) – all of whom have served the chamber with distinction. We wish them all a long and happy retirement.

Our Senior Legal Officer, Moshuda Ullah, left shortly after last year's annual conference for a secondment to complete her pupillage. We were pleased to welcome Azim Griffith who joined the chamber earlier this year as our second Legal Officer and Blaithe Hughes as our Senior Legal Officer.

Once again, the constant over the past year has been the dedication of all the judicial office holders in this chamber. I am particularly grateful for the adaptability they have all shown as our ways of doing things evolve. One of our undoubted strengths is the really strong inclusive and collegiate ethos and it is a real privilege to work with so many dedicated and impressive professional and judicial colleagues. I thank all of them, and in particular thank my senior salaried Judge Surinder Capper; my salaried Judges Christopher Heron, Jacqueline Guest and Nigel Sellar; my Chief Medical Member, Dr Laleh Morgan; my Legal Officers Sharon Jarvie, Azim Griffith and Blaithe Hughes; and my private office. Without them, the chamber would not have continued to progress and flourish in this last year.

Social Entitlement Chamber

President: Judge Elizabeth McMahon

The jurisdictional landscape

The Social Entitlement Chamber comprises three jurisdictions, Social Security and Child Support (SSCS), Criminal Injuries Compensation (CIC) and Asylum Support (AS). The jurisdictions of SSCS and CIC are Great Britain-wide and that of AS is UK-wide. SSCS is divided into seven regions, each led by a Regional Tribunal Judge. CIC and AS are each led by a Principal Judge. We are one of the largest Chambers with around 1,900 judicial office holders (JOHs).

Social Security and Child Support Tribunal

In the period since the last report, we have continued to work closely with HMCTS to improve performance. We have maintained the reduction in adjournments achieved as a result of the introduction of Presidential guidance, and are now doing further work to understand the reasons for adjournments. Amendments to allocations and listing arrangements enable us to optimise use of our judicial resource. A great deal of work has been done to ensure that all Legal Officers are working to the highest available level of authorisation, and this has now been achieved. Further authorisations are now being trialled.

A significant proportion of appeals in SSCS are heard remotely, either by video or telephone. There are arrangements for remote appeals to be transferred to a region with additional judicial capacity.

Despite these initiatives and the hard work of our judiciary, legal officers and administrative staff, our caseload continues to grow. We have commenced pilots of new working practices aimed at further improvements to efficiency and efficacy.

Although the Reform Programme is now complete, the Chamber continues to work with HMCTS on the introduction of outstanding products and enhancements to the existing ones.

The new Infected Blood Compensation Scheme provides for appeals to be heard in the Social Entitlement Chamber. The judiciary has worked closely with HMCTS to ensure that the necessary judicial and administrative processes are in place to receive the first appeals. Approximately 150 judges, medical and financial members have received training. We were very pleased to include a number of judges of the Upper Tribunal (Administrative Appeals Chamber) at the training events, some of whom acted as facilitators.

There have been numerous significant cases in the appellate courts and tribunals regarding social security and child support. In HMRC v Arrbab [2024] EWCA Civ 16 the Court of Appeal ruled that section 38(1A) Tax Credits Act 2002 was ultra vires and

that mandatory review of a tax credit decision was therefore not required prior to appeal. This has resulted in amendment to rule 22 of the SEC's Rules of Procedure. In RA v SSWP [2024] UKUT 207, the Upper Tribunal clarified that a claim for Universal Credit could not be "closed" once it had been decided and that an award could only be removed by way of revision or supersession. The absence of verification of identity does not of itself permit revision for mistake of fact.

Asylum Support Tribunal

2024-2025 was a very busy year for the tribunal with the intake of asylum support appeals rising by 46.8% from 1609 to 2362.

In the case of R (SSHD) v FtT & MAH [2025] EWHC 694 (Admin), the Administrative Court upheld the tribunal's decision that it has jurisdiction to decide whether a claim for asylum has been validly treated as withdrawn by the Secretary of State for the Home Department (SSHD). That issue determines whether appellants fall within the definition of "asylum seekers" and so remain entitled to asylum support. The SSHD's appeal against the Administrative Court's decision is expected to be heard by the Court of Appeal in November 2025.

Criminal Injuries Compensation Tribunal

The tribunal has continued to deal with appeals speedily, increasing disposal rates against a background of a reducing intake. Appeal numbers are already starting to increase to reflect the increasing workload of the CIC Authority (CICA).

The tribunal has transitioned towards full adoption of the principles of 'Open Justice' following the implementation of a change to the procedural rules the default mode of hearing from private to public.

The tribunal continues to deal with high profile appeals, including those of victims of the Manchester bombings, an overseas terrorist attack and grooming gangs.

Leading cases this year have included R (JA) v Ft-Tribunal (CICA)[2024] UKUT 121 which has relaxed the previously held view that ignorance of the Scheme may be no excuse when deciding whether exceptional circumstances might permit a late claim for compensation; R (LXR) v Ft-Tribunal (CICA)[2024] UKUT 208, against which permission to appeal to the Court of Appeal has been granted, concerning the complex and increasingly important area of medical re-opening of previous awards.

Diversity, inclusion and wellbeing

Our Diversity and Inclusion Committee comprises judges and non-legal members from across the chamber. It has worked hard to ensure that Diversity & Inclusion is integrated into the work of the chamber. Information and articles about Diversity & Inclusion are placed in the chamber's bi-monthly bulletin. Every training event incorporates Diversity & Inclusion either in dedicated sessions or as part of our case

studies. The Training Committee, leadership judges and Judicial Office have worked closely with the Judicial College and regional offices to ensure that reasonable adjustments are made to enable judicial office holders to attend training events and to support them in their judicial role. The Committee provides exit questionnaires to all leavers, and we also conducted a Diversity & Inclusion survey of current judicial office holders, to identify ways in which we can improve Diversity & Inclusion in the chamber.

The chamber arranges and participates in a wide range of outreach events aimed at increasing the number of appointments of Black and disabled judicial office holders. The Diversity & Inclusion Committee has run events with the Black Solicitors Network and the Black Lawyers Association.

There have been a number of outreach events, some run jointly with the Judicial Appointments Commission and Judicial Office to encourage applicants for judicial office in the chamber. This included an outreach event aimed at applicants with disabilities, at which the speakers all had a disability.

People and places

Sehba Storey, who was Principal Judge for Asylum Support since the creation of the AST, retired in June 2024. She has made a significant contribution. The chamber is very grateful for Judges Vicky King and Martin Penrose for jointly taking on the role of Acting Principal Judge until January 2025, when Judge Vicky King was appointed as Principal Judge.

It is grateful to Judge Graham Cooper for taking on the role of Acting Principal Judge CICT during the maternity leave of Principal Judge Ita Farrelly.

We have had a large number of new judicial appointments in SSCS since spring 2024: 16 new salaried judges, 38 fee-paid judges, 102 medically qualified tribunal members, 189 disability qualified tribunal members, and 8 financially qualified tribunal members. An additional 9 fee-paid judges have been cross ticketed to AST from other chambers of the First-tier Tribunal.

Message from retired Chamber President Kate Markus KC:

"This is my last contribution as Chamber President, as I retire on 31st August 2025. It has been a huge privilege to have led this Chamber. During my term, the Chamber has achieved a great deal and I wish to acknowledge the huge contribution of the salaried and fee-paid judiciary (judges and non-legal members). Our judicial office holders are of course the life blood of the chamber, managing and deciding large numbers of appeals, dealing with complex and frequently changing law, providing access to justice to large numbers of vulnerable and largely un-represented appellants. I pay tribute to the leadership judges who have supported me. And I am most grateful to the administrative and policy staff in both HMCTS and Judicial Office and, in particular, this Chamber's Private Office."

Health, Education and Social Care Chamber

President: Judge Mark Sutherland Williams

The jurisdictional landscape

The First-tier Tribunal Health, Education and Social Care Chamber (HESC) oversees five key jurisdictions: Mental Health (MH), Special Educational Needs and Disability (SEND), Disability Discrimination in Schools (DD), Care Standards (CS), and Primary Health Lists (PHL). With around 1,700 judicial office holders (JOHs), HESC is dedicated to fostering a One Chamber culture, ensuring open justice and access for all, especially the vulnerable, while advancing the senior judiciary's modernisation and efficiency agenda.

Across all HESC jurisdictions, remote and hybrid hearings have become standard practice. In MH, 65%+ of patients opt for online hearings, a figure that has remained consistent since 2022. The discharge rate appears unchanged whether or not the hearing is online or in person, as borne out by the Care Quality Commission's conclusion in their most recent report (published March 2025) relating to Mental Health Act activity, which states: *'The use of remote hearings has shown no effect in rates of discharge.'*

SEND hearings default to video, with in-person options available. CS and PHL hearings are offered online, in-person, or hybrid formats, promoting transparency and open justice. Regional venues in England and Wales have also improved hearing room availability and scheduling efficiency.

This year, HESC has focused on enhancing case management and forward planning. The SEND jurisdiction, in particular, has faced unprecedented demand, registering 24,000 appeals in 2024/25 and disposing of 19,000 - an increase of 34% over the previous year. Despite this, 65% of appeals were resolved within the 22-week target, and 95% of decisions were issued within ten working days of hearings.

Innovations include:

- Judicial Alternative Dispute Resolution (JADR) delivered by salaried and fee-paid judges.
- School holiday hearings.
- Enhanced case management for effective listing of appeals.
- Rollout of short-form decisions in line with guidance issued by the Senior President of Tribunals.
- New practice guidance on what to expect at SEND and DD hearings.
- A new practice direction on how to prepare bundles for SEND and DD hearings.

These initiatives enabled the SEND jurisdiction to manage phase transfer appeals efficiently, enabling more phase transfer decisions to be made in time for school placements on 1 September 2025 than would otherwise have been possible.

It is a similar picture in MH, with key performance indicators continuing to be met. MH appeals to the Upper Tribunal remain under 1% of cases heard. Section 2 cases are listed within 10 days, unrestricted cases within 8 weeks, and restricted cases within 17 weeks. Oral decisions are typically delivered on the day, with written reasons issued within 3 to 7 days.

We await Royal Assent for proposed changes to the Mental Health Act, expected in the coming months. In the meantime, the chamber has responded proactively to the Victims and Prisoners Act 2024, which allows victims in Mental Health Tribunal cases to submit impact statements for consideration at hearings. Detailed guidance and a new victim's form have been issued to support those affected, ensuring their voices are heard and respected. The MH jurisdiction also continues to review applications for decision reasons from victims following Maher v FtT (Mental Health) and Ors [2023] EWHC 34 (Admin), balancing privacy with open justice under Rule 14 of the HESC Procedural Rules.

In our further jurisdiction, Disability Discrimination (DD), claims rose by 10% to over 350 in 2024/25, with a notable increase in cases involving permanent exclusions. These are heard within 2–3 months of submission. The DD jurisdiction has successfully adapted to complex legal and evidential challenges, including the application of Provision Criterion or Practice tests and the need for active case management by District Tribunal Judges.

HESC continues to improve transparency and public access to hearing information:

- SEND and DD: Daily hearing lists will be published starting 1 September 2025, marking a significant step forward in accessibility and openness.
- CS and PHL: These public lists have been consistently published for many years. These jurisdictions however were onboarded onto a new system on 24 January 2025, with listings commencing from week beginning 27 January 2025.
- MH: Hearing details are published when a request for a public hearing is approved. These are visible on the MH jurisdictions public gov.uk webpage ("What do you want to view from Mental Health Tribunal?"). With this new functionality now in place, MH hearing lists can be published as needed.

Diversity, inclusion and wellbeing

HESC's diversity and inclusion efforts span all our jurisdictions.
Outreach initiatives include:

- Training for clinical staff on presenting evidence at MH hearings.
- E-learning modules for forensic psychiatrists.
- Presentations at Royal College of Psychiatrists' conferences.
- Visits by trainees and medical students to the Royal Courts of Justice.

Judges have mentored children from underprivileged areas and supported career development for barristers, solicitors, legal executives, law students and Specialist Trainees in Child and Adolescent Psychiatry.

As part of our wider open justice initiative, the MH jurisdiction has produced information films for patients and carers, now available on the HESC pages of the Judiciary website. We have initiated outreach with other stakeholders, such as the charity MIND, to better understand the needs of advisers and patients and help inform our steps towards greater transparency. For example, collaborations with deaf patients and BSL interpreters have led to tailored resources aimed at improving communication and recruiting more interpreters into court work.

Training on neurodiversity has been delivered across MH and SEND jurisdictions, with contributions also being made to Social Entitlement Chamber training.
These initiatives reflect HESC's commitment to inclusive practice and continuous improvement.

People and places

In May 2025, Judge Meleri Tudur retired after 31 years of service. Judge Habib Khan and Judge Jane McConnell were appointed Acting Deputy Chamber Presidents. Following Judge McConnell's promotion to President of the Mental Health Tribunal for Wales, Judge Khan will now take sole responsibility as Acting Deputy Chamber President for SEND/DD/CS/PHL. Judge Sarah Johnston moved to the Upper Tribunal (Administrative Appeals Chamber) in July 2025, with Judge Alison Clark acting as Deputy Chamber President for MH prior to the appointment of Judges Asha Misir and Judge Elisabeth Bussy-Jones as joint Acting Deputy Chamber Presidents. Judges Jane Lom and John McCarthy have taken over as SEND lead judges.
We wish them all well in their new roles.

Congratulations to our Chief Medical Member, Dr Joan Rutherford, on her New Year's Honours award of Officer of the British Empire, recognising her contributions to justice and the medical profession through her outreach and community work.

Our HESC jurisdictions welcomed over 100 new fee-paid Judges and Specialist Members. High quality training and mentoring were provided by the District Tribunal Judge Judicial Training Team throughout the year. This year we hope to welcome a further 44 fee-paid judges and over 15 new salaried District Tribunal Judges to our ranks, ensuring better availability and coverage for our listed hearings.

Reflecting on the past year, I want to acknowledge the exceptional efforts of our various teams. The chamber's success is built on the dedication of our HMCTS administrative centres, ensuring smooth hearings and the delivery of justice. Equally, our judicial office holders - District Tribunal Judges, salaried and fee-paid Judges, Specialist Members, and medical professionals - thank you for your unwavering dedication, compassion, and integrity. Your work continues to uphold the highest standards of justice and fairness, often in complex and sensitive circumstances. And finally, my special thanks to my Private Office team for their hard work and discretion.

May I end by welcoming the new Senior President of Tribunals, Sir James Dingemans, and extend our gratitude to Sir Keith Lindblom for his leadership and support. We wish him a long and happy retirement.

General Regulatory Chamber

President: Judge Mark O'Connor

The jurisdictional landscape

The work of the Chamber is split into 15 jurisdictions: Charity, Community Right to Bid, Environment, Energy & Infrastructure, Estate Agents, Exam Boards, Food, Gambling, Immigration Services, Information Rights (Data Protection & Freedom of Information), Pensions, Licensing and Standards, Transport, Welfare of Animals and Individual Electoral Registration.

New rights of appeal are received into the Chamber on a regular basis and, in the period covered by this report, the Chamber saw, amongst others, the introduction of new appeal rights relating to Collective Defined Contribution pension schemes, disposable vapes, and the regulation of water companies. Additional rights of appeal were added in the Data Protection sphere.

Last year, I reported that forecasting suggested that the introduction of Biodiversity Net Gains legislation had the potential to double the caseload of the Chamber's Environment jurisdiction. This, however, did not eventuate, with a light touch approach being taken by regulators to the legislation. Nevertheless, the chamber's overall caseload still continued its upward trajectory, with the main driver this year being the Transport jurisdiction.

I also reported last year that the chamber was in the midst of undergoing a root and branch reform of its administrative and judicial working practices and that all new appeals lodged after the 1 February 2024 were subject to a new, modern, and more cohesive process, with further reform in the pipeline. The new processes have proved a success. Nevertheless, reform is still ongoing, and the chamber is awaiting consideration by the Tribunals Procedure Committee of proposed new rules, which are necessary for implementation of further reform. The chamber is also continuing its work to cross ticket judges across its jurisdictions, with the next 'batch' of judicial training taking place in September 2025.

Notable cases

There were many notable decisions of the chamber throughout the year, including in relation to Hinkley Point C nuclear power station, the declaration of interests provided by a former Prime Minister under the Ministerial Code, the bombing of McGurks' Bar in Belfast in December 1971, the disclosure of documents relating to historic judicial recruitment 'competitions', and a jurisdictional consideration in pensions cases revolving around the issue and receipt of Notices. In Wildfish & Others v DEFRA [2025] UKFTT 00058, the tribunal considered an appeal against DEFRA's decision to approve an amendment to the product specification for the Scottish Farmed Salmon Protected Geographical Indication, including issues

relating to jurisdiction. This was first appeal of its type under the post-Brexit legislation. In TikTok v Information Commissioner [2025] UKFTT 798 the tribunal considered, *inter alia*, the power of the Information Commissioner to issue TikTok with a £12.7 million Money Penalty Notice under data protection legislation.

Diversity, inclusion and wellbeing

The continuing work on diversity, inclusion and wellbeing is firmly embedded in the approach to all of our activities in the GRC. The recent campaign to recruit new salaried judges was preceded by an outreach programme to increase the diversity of the potential candidates, and the posts were made available for those requiring fractional working, with successful candidates subsequently taking advantage of this opportunity. Judicial office holders (JOHs) in the chamber have also been involved in multiple Diversity & Inclusion activities throughout the period covered by this report, such as mentoring, shadowing, school visits, and judging debates and moots. In addition, there has been bespoke Diversity & Inclusion training and discussions during the course of the year.

People and places

I start by recording my personal thanks to District Judges Lindsey Moan and Rachel Watkin, who, via cross deployment from the District Bench, stepped in to help the chamber upon the elevation of Her Honour Judge Lynn Griffin and Upper Tribunal Judge Joe Neville (as they are now). There can be no better advert for the One Judiciary programme than Lindsey and Rachel's 10-month stint in the chamber. Neither had any practical experience of the chamber's work prior to starting, but both subsequently worked across most, if not all, of the chamber's jurisdictions. Each brought with them insight from their experience in the courts, which subsequently led to the chamber adapting its ways of working. Their contribution to the work of the chamber, and the connections they established with the chamber's administrative teams, cannot be underestimated, and I hope that they will return to work in the chamber in the future.

We had the pleasure of welcoming four new salaried judges to the chamber in March 2025. Judge Gabrielle Dwyer joins the chamber having previously been a salaried judge in the Social Entitlement Chamber, and is based in Mold, Wales. Judge Catherine Harris joins the Chamber from the Financial Conduct Authority, and is based in London. Judge Kathryn Saward previously worked at the Planning Inspectorate and is based in Colchester, and Judge James Armstrong-Holmes joins the chamber from the criminal Bar and is based in Loughborough. I am confident that each will find their new role in the chamber rewarding.

During the past year we have also said goodbye to the following colleagues: Judge Peter Hinchliffe, Tribunal Member Rosalind Tatam and Tribunal Member Helen Carter-Shaw who, between then, have approximately 55 years of experience in the GRC, or its predecessors.

There have also been additions to both the Chamber's Registrar team and its Legal Officer team. Sunny Bamawo has now been joined in the Registrar ranks by Linzi Woollard and Lisa Lamb. Laura Collins and Farzana Haji have been joined by a new full time Legal Officer, Amanda Gjani. The Registrar and Legal Officer teams continue to be the beating heart of the chamber, and I would like to give my personal thanks to Sunny, Linzi, Lisa, Laura, Farzana and Amanda, without whom life in the chamber would be significantly more difficult.

Last year I wrote about the reorganisation of the Presidents' Private Offices, and I was glad to welcome into my Office, Nicola Brown, as Assistant Private Secretary, and Andrew Button, as Executive Assistant. I extend my considerable gratitude to my Office. Andrew has subsequently departed for pastures new, as a Legal Officer and I wish him well. The Office has recently welcomed Tom Rouse, as Deputy Private Secretary.

Finally, those who have read previous versions of this report will have read the news of Alison Mckenna's retirement as Chamber President (2022), and later retirement as a fee-paid judge (2024). This year I have to report the sad news of Alison's passing in late 2024. Alison was a colleague and a friend to every judicial office holder and member of the Chamber's administrative team. She was an inspiration to many, and she will be greatly missed, not only by those within the chamber, but by everyone who had the great pleasure of knowing her.

This has been another period of increased workload and change within the chamber. The challenges that have arisen have been met by a truly collaborative approach. I would like to extend my personal gratitude to all judicial office holders in the GRC, our HMCTS administrative team, my private office, the Judicial Office, and the Senior President and his office, for their dedicated work this year.

Tax Chamber

President: Judge Amanda Brown KC

The jurisdictional landscape

As in 2024, the legislative landscape for the Tax Chamber of the First-tier Tribunal ('FTT Tax') remains as stable as is possible in a fiscal landscape which saw a change of political power and the associated change to fiscal priorities resulting in three Finance Acts being passed in the period February 2024 to March 2025.

The period covered by this report has seen a next important step in the mini umbrella company ('MUC') litigation. As previously reported the appeals under management by FTT Tax exceed 34,000 and represent approximately 70% of the total case load. On 17 July 2025, the Upper Tribunal (Tax and Chancery Chamber) ('UTTC') issued its decision in respect of the four cases which had been designated as lead cases under rule 18 FTT Tax Procedural Rules (Elphysic Limited and others v HMRC [2025] UKUT 00236 (TCC)). The UTTC's decision is in HMRC's favour on all points. The effect of the decision will be to finally determine all cases unless individual cases can establish a basis on which they may be distinguished and separately pursued. The UTTC refused permission to appeal on 15 September 2025. Many of the taxpayer appellants have already entered into insolvency procedures/ been struck off the register at Companies House and the FTT Tax administration is in the process of disposing of the appeals dramatically increasing the FTT Tax disposal rate.

A second significant pair of decisions were issued by FTT Tax concerning relief for research and development expenditure (Collins Construction Limited v HMRC [2024] UKFTT 00951 (TCC) and Stage One Creative Services Ltd v HMRC [2024] UKFTT 1059 (TC)). These appeals, determined in the taxpayers' favour is facilitating the settlement of what is estimated to be 400 appeals as the parties now engage in Alternative Dispute Resolution ('ADR') (further appeals may be necessary as taxpayers need to appeal any decisions which they dispute to protect themselves on time limits whilst engaging in ADR).

The FTT Tax Chamber has also been progressing a number of legacy appeals relating to VAT liability of gaming machine income. Whilst the majority of the appeals are being settled between the taxpayer and HMRC, where the taxpayer does not engage with either HMRC or the FTT, the appeals are struck out. In the period, over 1000 of these appeals have been disposed of by settlement or strike out.

At this reporting period, excluding the MUC cases, the number of outstanding cases is 14,112 including groups and stayed appeals with 3,293 active cases these numbers show a marginal increasing trend over the previous reporting period.

An updated Practice Statement on Alternative Dispute Resolution (ADR) in relation to proceedings in the Tax Chamber of the First-Tier Tribunal was issued on 9 May 2025. It sets out the Tribunal's practice in appeals against HMRC decisions where it is proposed that the parties engage in ADR after an appeal has been made to the Tribunal: ADR Guidance

Diversity, inclusion and wellbeing

FTT Tax remains fully committed to the Judicial Diversity and Inclusion Strategy and continues to embed the training given to all judges and members at the training conference in Spring 2024. Diversity & Inclusion is a standing agenda item at the monthly judicial office holders (JOHs) meetings and a matter for discussion at the twice-yearly Tribunal User Group meetings where any concerns are investigated, explored, and addressed. We continue to undertake a twice-yearly temperature check on the results and trends, which are considered by the Diversity & Inclusion working group, and are communicated and debated to drive improvement at the relevant monthly meetings. We created our temperature check survey to improve our understanding of Diversity & Inclusion issues. It has since been adopted by other jurisdictions and has led to the creation of the inclusion check survey now used across the judiciary.

As a chamber we support our judicial office holders to act as judicial guides on the Judicial Appointment Commission ('JAC') Outreach Programme. We also continue to promote inclusion through our own Judicial Recruitment Scheme. Any aspiring judicial office holder is given opportunities to understand judicial roles through hearing observation (from the bench) and work shadowing. Candidates wishing to apply for judicial roles are supported through the process with guidance on applications, approach to online tests and selection day preparation support. In this reporting period, 21 individuals were supported through the scheme.

Unfortunately, no equivalent to the Jaffa Cake Musical outing was arranged this year but judges and members participated in the Legal Walk alongside other judicial colleagues. There was also Judge Sinfield's final "bird walk" at our conference in February though it was so wet and muddy only four judges attended.

People and places

Perhaps FTT Tax's biggest news in this period is Judge Greg Sinfield's retirement. Appointed as a judge to the Upper Tribunal Tax in 2012, he then served as Chamber President from 2017 – 2025. His calm, compassionate and authoritative leadership of the Chamber, particularly through the years of the COVID-19 pandemic, leaves a lasting legacy I am proud and humbled to inherit. I took office from 1 May. As an ex-partner of KPMG, I am able to bring a different skill set and perspective to the role which I hope will prove useful as the tribunals and courts become under increasing pressure to improve disposal rates through better productivity at judicial and administrative level. I have already made some changes, including changes

to the listing process for salaried judges in the procedures for case management thereby improving both judicial experience and turnaround time.

At the time of writing we have 12 salaried judges, 52 fee-paid judges and 45 members, including one authorised presiding member. Aside from Judge Sinfield, we said goodbye to Judge Mosedale who had been a salaried judge from 2010. Her contribution to the chamber was significant as her attention to detail laid the foundation for many of our present administrative practices and procedures. We all wish her well. In addition, Christopher Jenkins one of our long-standing members has retired and I would like to express my thanks to him for his long service.

The fee-paid judges and members that joined the Chamber in Spring 2024 have settled into the rhythms of the chamber well and are now fully embedded and part of the team. In November 2024 we launched a JAC competition for four salaried judges. Somewhat unusual for salaried roles, we did not require prior judicial experience with a view to casting the potential net as widely as possible but, through the process holding the expectation for tax technical and procedural standards high, we sought to appoint only the very best candidates able to become effective salaried judges. Selection days were held in July and I am delighted with the quality of candidates applying and those who have been recommended for appointment are outstanding, with differing experiences and backgrounds who will complement and challenge our existing cohort of salaried judges.

Immigration and Asylum Chamber

Acting President: Judge Elena Feeney

The jurisdictional landscape

The First-tier Tribunal (Immigration and Asylum Chamber) ('FTTIAC') conducts appeals against decisions of the Secretary of State relating to international protection, deportation, the EU Settlement Scheme, deprivation of citizenship and human rights. FTTIAC also deals with bail applications by applicants held in immigration detention and foreign national offenders.

After a significant increase in FTTIAC receipts in Financial Year 2023/24, compared to 2022/23 (53%), receipts again increased by 36% in 2024/25. In the last financial year, the number of asylum/protection receipts as a proportion of overall receipts increased, and made up over half (51%) of FTTIAC receipts. The increase in receipts has inevitably impacted the outstanding caseload, which increased by 80% in 2024/25. However, disposals increased by 4%, reflecting the consistently hard work of FTTIAC judges.

Many asylum appeals involve vulnerable appellants and detailed evidence of difficult and traumatic events including torture, persecution and family separation. Appeals must be determined pursuant to a changing and complex legal landscape, often in the public eye, including changes to Refugee Convention interpretation in the Nationality and Borders Act 2022. For these reasons asylum appeals are amongst the more complex and demanding of time for FTTIAC judges. The change in case-mix has also included more deportation, deprivation of citizenship and EU Settlement Scheme appeals, which are also difficult cases, with wide-ranging guidance from the higher courts still emerging. Added to that is an increase in appellant in person appeals, which require judges to take a more inquisitorial role in proceedings in order for progress to be made.

IAC decisions have been subject to significant media coverage over 2025 and this has very regrettably led to a heightened level of unwarranted abuse of individual judges. However with the support of judicial colleagues and leadership judges, IAC judges continue to apply the applicable legal framework, in accordance with the rule of law.

It was also important to prepare carefully for the Illegal Migration Act 2023. The enormity of the changes in force and the proposed changes to the legal and procedural framework demanded intense preparation and planning on the part of leadership judges, training leads and subject leads, working in collaboration with the Upper Tribunal ('UT'), the MOJ, HMCTS and the Judicial College. With the change in government there has been a change in policy priorities and preparation is now underway to prepare for the Border Security, Immigration and Asylum Bill 2025, including the 24-week statutory timetable, which will apply in the main to asylum appellants in supported accommodation.

The year has embedded further changes to judicial working practices, consistent with the "Programme for Change". The overarching aim to re-focus preparation, hearings and written decisions through a more issues-based and structured lens, consistent with the manner in which Reform is expected to work in FTTIAC, continues to be bolstered by a judicial toolkit of up-to-date online guidance and support for judges in the main subject areas of FTTIAC work. This is a collaborative effort on the part of judicial subject leads under the supervision of the training team, previously led by (then Resident) Judge Julian Phillips and now by his former deputies, Acting Resident Judge Stuart Buchanan and Assistant Resident Judge Bindi Athwal.

An integral part of the Programme for Change is the foundation of an IAC Improvement Group, chaired by RJ Frantzis, which works closely with the Upper Tribunal and whose focus is on procedural rigour in the IAC through collaboration with relevant stakeholders including the Home Office and the Immigration Law Practitioners Association. This has led to improved working relationships and improved procedures and protocols in place. The Improvement Group has provided a forum to drive home efficiencies in listing practices by open dialogue on the listing of Protection appeals in the float lists and by moving to greater flexibility when considering remote working. This work has informed a transformative new approach to FTTIAC practice and procedure in the 1 November 2024 Practice Direction, which places the overriding objective, procedural rigour and narrowing the principal controversial issues in dispute at the centre of the appeals process.

The FTTIAC Virtual Region continues to successfully determine appeals that can be heard and dealt with in a just and effective way by remote means, increasing the Chamber's overall hearing capacity. It has been possible to shorten the time usually taken between inception of the appeal and delivery of the written decision, leading to greater efficiency and making best use of the available UK-wide judicial resource, with deployment to virtual lists not necessarily tied to a particular hearing centre or region. Plans are now in place to expand the Virtual Region to double capacity by January 2026.

The judicial leads have sought to work closely with HMCTS colleagues to ensure appeals are listed, heard and determined in a manner that is both efficient and fair. This has included collaborative working and improvements under the leadership of Resident Judge Froom, in relation to detained appeals. FTTIAC has closely analysed its caseload of deportation and detained appeals to identify the means of ensuring the appeal journey can be shortened wherever possible, with the help of a streamlined detained process map. Its recommendations have been fed into a multi-agency improvement group leading to the reduction of obstacles to effective hearings.

Diversity, inclusion and wellbeing

FTTIAC is proud of the diversity of the background of its judges. Part of that diversity is reflected in the diversity data for 2025 in the table below.

Appointment	Women	Non-barrister	Ethnic minorities
All Judges (Courts & Tribunals)	44%	40%	12%
FTTIAC Judges	49%	53%	27%

Proactive efforts have been made to ensure the chamber benefits from the diversity and inclusion of its judicial family through a variety of events. This has been spearheaded by the Diversity & Inclusion Committee, working together with the training team. The Diversity & Inclusion Committee has also assisted in building on local initiatives to involve outside groups in the work of judges. Special mention must be made of Judge Meyler who worked tirelessly with a wide cross-section of judges across the jurisdictions to produce two successful conferences for Liverpool law students from underrepresented backgrounds.

There have been many hearing centre gatherings, including legal officer certification ceremonies, Judicial swearing-in ceremonies and retirement functions. These have involved judges, legal officers and administrative staff celebrating together. We were delighted to welcome the Lady Chief Justice and the former Senior President of Tribunals (SPT), Sir Keith Lindblom, to Taylor House, London during the year. The newly appointed SPT, Lord Justice Dingemans, and Deputy SPT, Lord Justice Dove, have already been to visit hearing centres and to talk to and listen to judges.

People and places

This has been another busy year for judicial movements. Two very popular and experienced Resident Judges retired: Juliet Grant-Hutchison (Glasgow/Belfast) and Julian Phillips (Newport). Judge Phillips continues to be part of the FTTIAC judicial family by sitting in retirement. We also thank the FTTIAC Judges who have retired in the last year for their service to the chamber and wish them a healthy and happy retirement.

Three new Resident Judges have been appointed following a JAC selection exercise: Leighton Hughes (currently Taylor House), Graeme Clarke (Birmingham) and Gareth Wilson (Newport). Stuart Buchanan and Anne Grimes (jointly Glasgow/Belfast) and Jonathan Austin (Manchester) have been appointed Acting Resident Judges. They have all made impressive starts in their centre leadership role, as well as their national lead roles assisting the President. Assistant Resident Judge Chohan provided valuable interim leadership at Birmingham. We have welcomed new

salaried and fee-paid judges, who have all settled in after induction training making best use of the Programme for Change judicial toolkit. Special mention must be made of our former President, Judge Melanie Plimmer, who led the chamber with distinction and who recently became the Deputy Chamber President of the Upper Tribunal Immigration and Asylum Chamber.

Finally, we pay tribute to Nick Renton, a former Birmingham Resident Judge, who sadly passed away in July 2025.

Property Chamber

President: Judge Siobhan McGrath

The jurisdictional landscape

The Property Chamber deals with numerous landlord and tenant, housing and property disputes. We are a *party v party* Tribunal. The Chamber has three Divisions: Residential Property; Land Registration and Agricultural Land and Drainage. At hearings, judges may sit alone or with experts and/or lay members. We provide adjudication in a wide range of jurisdictions. Housing and Property have an increasingly important priority in Government policy and our aim is to provide accessible and proportionate justice to those involved in disputes affecting their homes.

Overall, the number of applications, references and appeals that we received increased over the past year. In Land Registration and Agricultural Land and Drainage, numbers have remained relatively stable but in Residential Property there has been an upward trend.

This has been a busy year in the appellate courts including the Upper Tribunal where useful guidance has been provided including in the following cases: LBWF V Marble Properties [2025] UKUT 2 (LC); Lehner v Lant Street Management Company Ltd [2024] UKUT 135 (LC); Newell v Abbott 2024] UKUT 181 (LC) and Atesheva v Halifax Management Ltd [2024] UKUT 314 (LC).

The Building Safety Act 2022 continues to be significant. The legislation was introduced to address issues that were identified following the Grenfell Tower Fire. Applications seeking Remediation Orders and Remediation Contribution Orders can be of very high value. We are working with the Technology and Construction Court to develop a joint approach and guidance in cases where both the High Court and the tribunal jurisdictions are engaged in respect of the same property. The Building Safety Act 2022 is complex. Cases have been considered by both the Supreme Court and the Court of Appeal during 2025 in URS Corporation Ltd v BWD Trading Ltd v [2025] UKSC 21; Adriatic Land 5 Limited v London Leaseholders at Hippersley Point [2025] EWCA Civ 856 and Triathlon Homes LLP v Stratford Village Development Partnership [2025] EWCA Civ 846.

In our leasehold management jurisdictions there has been one other Supreme Court decision in A1 Properties (Sunderland) Ltd v Tudor Studios RTM Company Ltd [2024] UKSC 27 and four Court of Appeal decisions: Plymouth Community Homes Ltd v Crisplane Ltd [2025] EWCA Civ 346; Davies v Benwell Road RTM Company Ltd [2025] EWCA Civ 368; 159-167 Prince of Wales Road RTM Co Ltd v Assethold Ltd [2024] EWCA Civ 1544 and Lea v GP Ilfracombe Management Co Ltd [2024] EWCA Civ 1241.

In May 2024, the Leasehold and Freehold Reform Act received Royal Assent. The Act is far reaching and significant and, if fully enacted, would change the basis for valuation for lease extensions and for enfranchisement. It would also introduce regulation for freehold estate charges, make provision for greater transparency in how service charges are calculated and levied, bring further regulation for insurance costs and change the basis on which legal costs can be charged and recovered. All of this will mean a significant increase in the Residential Property Division's work.

The Renters Rights Act received Royal Assent in October 2025. The Act intends to abolish "no-fault" eviction and to regulate the private rented sector by introducing a landlord registration scheme, imposing a decent homes standard for residential property, and strengthening a tenant's right to challenge rent increases. We have established a judicial working party to review our practice and procedure in rents cases in anticipation of a significant increase in work.

The Court of Appeal has decided two further cases one in respect of Financial Penalty appeals in Bradford DC v Kazi [2024] EWCA Civ 1037 and the other, Cabo v Dezotti [2024] EWCA Civ 1358, relates to Rent Repayment Orders. The Renters Rights Act has also introduced additional Financial Penalty and Rent Repayment Order jurisdictions.

This year we have continued to increase the number of mediations we offer. This is part of a drive within the tribunal to ensure that parties have an opportunity to access appropriate ways of resolving their dispute. We believe that mediation can represent a good way of resolving cases where there is likely to be a continuing relationship between the parties. Additionally, in our Southern Region a project is underway to test whether "conciliation" can be effective. This is where the tribunal does not mediate but, with the parties, explores the best way to resolve a dispute without having to proceed to a full hearing.

Last year I reported on the introduction of the GLIMR case management system for our Land Registration Division. This year, *ResCase* has been introduced for Residential Property and Agricultural Land and Drainage. Further changes to our IT systems may be needed to accommodate work from the new legislation.

Diversity, inclusion and wellbeing

The Property Chamber is fully committed to ensuring that all judicial office holders feel equally included and that diversity, in all its forms, is appreciated. Diversity and inclusion is still a standing item in both our training and management meetings, and we were delighted to hear from Lady Justice Whipple at our recent Judicial Planning Conference (held jointly with Upper Tribunal Lands Chamber). The Diversity & Inclusion Steering Group are near completion of the 2024/25 Action Plan and are looking forward to devising a new plan for 2026.

We have welcomed 7 new salaried judges to the Residential Property Division of the Chamber this year, which has led to the salaried team being almost equal in terms of gender balance, with female judges now making up 40% of salaried judges in that division. In terms of overall Diversity Data of the Property Chamber to March 2025, the gender balance of our legal members has increased slightly, with females now making up 41%. In terms of ethnic minority legal members, our figures also improved slightly, from 8% to 11%.

We appreciate that there is more work to be done and, since the last Annual Report, we have (alongside the Judicial Office) run pre-application seminars for our Valuer Members, Valuer Chairs, Fee-paid Judges and Salaried Judge competitions. These are open for all to attend, but with targeted advertising to under-represented groups. They are very well attended (over 400 attendees between them) and we hope that this will lead to our chamber becoming even more representative in the upcoming years.

People and places

As ever, I am very grateful for the work and dedication of the Principal and Regional Judges and their teams who lead the jurisdictions so well. I would also like to thank the fee-paid judiciary who make high quality and expert decisions in a complex and important area of law.

Finally, I would like to express my thanks to my Private Office, where we have welcomed two new members of staff since last year's Report and said farewell to a long-standing member of the team, who has moved into a new role after 23 years with the tribunal.

The last year has been extremely busy and the coming year will bring further challenge. As always we are fortunate to have the support of our administrative teams, our registrars and legal officers and, of course, my Presidential support team, without whom I would not be able to operate effectively.

Employment Tribunals

Employment Appeal Tribunal

President: Lord Fairley

The jurisdictional landscape

The Employment Appeal Tribunal ("EAT") is an independent tribunal which determines legal disputes relating to employment law throughout Great Britain; it is a superior court of record. Most of the EAT's work relates to appeals against decisions made by the Employment Tribunal; an appeal lies to the EAT against a decision of the Employment Tribunal on any question of law (section 21 Employment Tribunals Act 1996). The EAT also hears appeals and applications about decisions made by the Certification Officer and the Central Arbitration Committee and has a limited original jurisdiction.

The workload of the EAT has continued on an upward trajectory, with new appeals having increased from 1,760 in 2023/24 to 1,964 in 2024/25. The EAT sits principally in London and Edinburgh. During the course of this year, the EAT has resumed sittings in Wales.

The changes made to the EAT's rules in 2023, reducing the requirements for the lodging of documentation, and introducing a power to forgive minor errors in the provision of required documents, have been bolstered by a series of decisions of the Court of Appeal also promoting a flexible approach in this area. This has meant that the welcome trend of reduction in resource being devoted by the Registrar and EAT judiciary to determining such issues has continued.

On 1 February 2025 the EAT Rules were amended to mandate eFiling for legally represented parties and a revised 2024 Practice Direction came into force dealing with that change and making some other minor improvements.

Pro bono legal advice schemes - the Employment Law Appeal Advice Scheme (ELAAS) in London and Scottish Employment Law Appeal Legal Assistance Scheme (SEALAS) in Scotland - continue to operate successfully at the EAT. We also benefit from the contribution of professional representatives appearing pro bono on full appeal hearings, generally acting through the Free Representation Unit and Advocate.

The EAT continues to maintain contact with a wide range of judicial and legal organisations. There are regular meetings with the Presidents of the ETs in both England and Wales (Judge Barry Clarke) and Scotland (Judge Susan Walker). A user group, chaired by Deshpal Panesar KC, meets the judges of the EAT twice yearly to discuss issues of concern.

EAT judgments are often of importance to employment law and raise issues of more general importance. Significant decisions include: Thomas v Surrey and Borders Partnership NHS Foundation Trust [2024] IRLR 938 on the scope of the protected characteristic of belief; Omar v Epping Forest District Citizens Advice [2024] ICR 301 on "heat of the moment" resignations; and Abel Estate Agent v Reynolds [2025] ICR 1032 on the effect of a failure to comply with ACAS Early Conciliation requirements.

Diversity, inclusion and wellbeing

The EAT fosters inclusion and collegiality and pursues an active outreach programme, seeking to encourage those from less well-represented backgrounds to consider a career on the bench; over the last year, this has included EAT judges taking part in a very well attended and successful outreach event at Gray's Inn in November 2024 , together with a more formal mentoring partnership programme for those seeking to apply for judicial roles. More generally, EAT judges undertake a range of external engagement and outreach work in order to increase people's understanding of the work of the EAT, which includes marshalling, speaking at events throughout the United Kingdom, meetings with the Employment Law Bar Association and Employment Lawyers Association, participation in the Bridging the Bar Outreach Programme, and presenting at 2024 Council of Employment Judges' annual conference. Employment Tribunal judges have continued to be welcomed to sit in and observe proceedings to better understand the work of the EAT.

Within the EAT itself, inclusion and collegiality is promoted by the daily lunches that all EAT judges are encouraged to attend, which provides an opportunity to discuss the practices of the EAT and recent developments in the law. More recently, EAT judges have joined together for a weekly lunch with salaried judges of the Upper Tribunal Administrative Appeals Chamber and Upper Tribunal Tax and Chancery Chamber to foster wider collegiality.

More formally, annual career discussions are offered to the salaried judges of the EAT, which include: a performance self-assessment; and feedback from the President on a selection of judgments and, where appropriate, a hearing. A follow-up meeting is then held with the President to discuss and identify development opportunities.

A voluntary appraisal scheme, offering feedback on judgments and the conduct of proceedings, is also offered to fee-paid judges, and this will be extended to visiting salaried judges.

His Honour Judge Auerbach is the EAT's training lead judge. The EAT held its annual training day for its judges and lay members in June 2025, which was an enjoyable and stimulating gathering. This included a session on the Employment Rights Bill, a major piece of legislation which is expected to have a significant impact on the work of the EAT in the future.

People and places

The EAT said farewell to The Honourable Mrs Justice Eady DBE in January 2025 and welcomed a new President, Lord Fairley.

The EAT currently has three permanent judges: the President, and two Senior Circuit Judges, His Honour Judge Auerbach and His Honour Judge Tayler. A Judicial Appointments Commission competition is underway to recruit an additional two Circuit Judges. The EAT is otherwise dependent upon its visiting Judges, both salaried and fee-paid, who (consistent with the aims of One Judiciary) are drawn from the judiciary of both the courts and tribunals.

In September 2024, on the expiration of their term as Deputy High Court Judges, the EAT appointments of Jason Coppell KC, Mathew Gullick KC and Gavin Mansfield KC sadly expired, marked by a valedictory on 11 October 2024.

In November 2024 Andrew Hochhauser KC and Dr Marcus Pilgerstorfer KC were appointed as Temporary Additional Judges of the EAT; as were Rachel Crasnow KC, Sarah Fraser Butlin KC, Mathew Gullick KC, Sean Jones KC and Gavin Mansfield KC in May 2025. These new and returning judges are welcome additions to the EAT's cohort of visiting judges.

In April 2025 Lady Poole was appointed as a Scottish judge of the EAT.

Lay Member Desmond Smith retired in December 2024 and Martin Pilkington resigned from his appointment on renewal in July 2025. They are both thanked for their dedicated service to the EAT.

Although such full hearings rarely occur, from May 2024 to May 2025 six members have been cleared to hear National Security appeals.

The high calibre of all the judges assigned to the EAT reflects the complexity and importance of the cases we hear and we also recognise the EAT's long tradition of sitting with lay members with special knowledge and experience of industrial relations. We are grateful for the work and commitment of all those who sit with us.

The efficient, effective and well-managed operation of the EAT continues and I take this opportunity once again to thank all our staff for their hard work, commitment and professionalism: the EAT is very lucky to have them.

Employment Tribunals in England and Wales

President: Judge Barry Clarke

The jurisdictional landscape

Change has continued apace in the Employment Tribunals in England and Wales.

As the last annual report went to press in 2024, the Employment Tribunals had just concluded rollout of "HMCTS reform". This was a national programme of change, intended to bring about end-to-end digital working across all courts and tribunals. It started in earnest in 2016. The programme embraced the Employment Tribunals in July 2022. The initial focus, in the "early adopter" locations of Leeds and Glasgow, was on the claim "journey". It extended to the administrative centres in Nottingham and Bristol in December 2022. These four locations expanded their use of the platform over the following 18 months, soon encompassing the respondent "journey". It was ready for national implementation by the summer of 2024. Since then, most proceedings across Great Britain have begun, and are then handled, on the new platform. Users will know if their proceedings are on the new platform if the allocated case number begins with a '6' in England and Wales or an '8' in Scotland. Our website explains how this affects users' methods of communication with the tribunal.

There are five points to bear in mind. First, it will take time for the Employment Tribunals to work through the long tail of legacy casework. Users will experience the old system for some time yet (although HMCTS hopes to migrate old cases to the new platform later in 2025). Second, this is not – and probably never will be – a "finished product", at least in the usual sense. Change must be constant for improvement to continue; the system will improve iteratively. For example, HMCTS hopes in the next year to bring on board employer contract claims and "multiples" (that is, group claims). The judiciary is working closely with HMCTS to maximise the effectiveness of digital working arrangements for judges, staff and users alike. Third, HMCTS continues to engage with the various professional associations that support or represent ET users so that their concerns about the new system are addressed. Fourth, this system should, in the fullness of time, produce the management data we so desperately need, and which has been lacking since March 2021. Fifth and finally, we want these changes to improve the overall efficiency of the Employment Tribunal system; of course we do. But it takes more than digitalisation to bring about such improvement. It requires better ways of working generally. It also requires investment in multiple resource groups such as judges, IT, staff and estate.

Much more has happened besides digitalisation. Panel composition arrangements in the Employment Tribunals, last reformed in 2012, were changed again last year. On 29 October 2024, the Senior President introduced a Practice Direction that made panel composition a matter for judicial discretion in most cases. This was accompanied by Presidential Guidance jointly issued by me and my counterpart

in Scotland, Judge Susan Walker, who has said more about this topic in her own part of this report. Under this new approach, users may have noticed lay members sitting more often on short cases alleging unfair dismissal (and may perhaps have noticed them sitting less often on long cases alleging discrimination). As part of the arrangements by which judges are trained and appraised, users may also have seen very occasional deployment of two-judge panels.

On 6 January 2025, the Senior President introduced by Practice Statement a revised list of delegated judicial functions that legal officers may exercise. The changes introduced greater consistency and enhanced the powers of legal officers in a few key areas.

Also on 6 January 2025, the Employment Tribunal Procedure Rules 2024 came into effect. They made mostly cosmetic changes ahead of a planned larger review in 2025/26, the result of which should feature more in next year's annual report. As a companion change on 16 April 2025, I issued a Practice Direction harmonising the arrangements for presenting both claims and responses. This step was designed to direct as much work as possible away from email and into the new digital portal. This required changes to longstanding ways of working – especially for respondents.

Further efficiencies were achieved through growth in the use of Dispute Resolution Appointments and the continued deployment of judges through the virtual region. Our mediation efforts save thousands of sitting days a year, while the virtual hearing handles thousands of hearings that would otherwise be at risk of postponement for the lack of an available judge.

Readers who want to know more about these developments can read the published minutes of the meetings of the national user group.

Looking to the future, we await the impact of the Employment Rights Act, albeit now subject to a revised timetable for implementation. Not unrelated, we continue in our efforts to recruit the judiciary we need to tackle our stock of outstanding cases. As this report goes to print, the Judicial Appointments Commission is running an exercise to select new salaried judges (especially in London, Brimingham and parts of the South East). The JAC will also shortly launch an exercise to recruit new lay members.

2025 marks the 60th birthday of the Employment Tribunals (and our predecessor jurisdiction, the Industrial Tribunals). The first hearing was held in Harrogate on 9 August 1965. It came before the inaugural President, Sir Diarmaid Conroy, who had previously been Chief Justice of Zambia. Indeed, he heard four industrial training levy appeals in a single day. Much has changed since then. I think Sir Diarmaid might struggle to recognise the system as it is today, where nearly two-thirds of our casework now involves complex allegations such as discrimination. It would be rather more challenging to get through four of those cases in a day.

Diversity, inclusion and wellbeing

This jurisdiction's work on equality, diversity and inclusion continues, and it is overseen by a committee of salaried judges drawn from all regions across England and Wales. We conducted our annual survey of judges and lay members about their workplace attitudes; we now offer career conversations with lay members possessing legal qualifications, to assist them in pursuing appointment as a judge (which has already borne fruit); our "professional review" scheme, introducing appraisals for judges, is fully underway. Our judges continue to give talks to students in schools and universities, to improve understanding of the rule of law and to promote judicial careers to those from underrepresented backgrounds. To underscore our commitment to judicial wellbeing, several of our judges act as "welfare judges"; our lead welfare judge is Emma Burns, to whom I express my gratitude.

People and places

Regional Employment Judge Paul Swann retired from his leadership role in the East Midlands region on 22 March 2025. Regional Employment Judge Stuart Robertson followed him into retirement on 1 May 2025. Recruitment is underway to identify their successors. In addition, six salaried judges retired during the period covered by this annual report: Saleem Ahmed, Nick Roper, Jean Laidler, Robin Postle, Sarah Goodman and Frances Spencer.

These eight judges had accumulated, between them, 166 years of service in the salaried judiciary; their departure, as colleagues and mentors, is keenly felt. All save for Judge Goodman expressed a wish to sit in retirement on a fee-paid basis and have been duly appointed to do so.

Two salaried judges, Daniel Dyal and Kenderik Horne, were appointed in the last year to the Circuit Bench. They now sit respectively at Woolwich Crown Court and Bolton Crown Court. Judge Horne's parting ET judgment before his elevation was the final equal value judgment in the Asda equal pay litigation, extending to 365 pages. Another salaried judge, Farin Anthony, moved sideways to the District Bench.

As at August 2025, this jurisdiction now comprises one President; eight Regional Employment Judges (with further appointments awaited); 150 salaried Employment Judges; 339 fee-paid Employment Judges (of whom 22 are cross assigned from the First-tier Tribunal); and 704 non-legal members. Two-thirds of our salaried judges work fractionally, which means that our full-time equivalent number is in fact 126.

I end by noting the sad deaths of two of my esteemed predecessors. The ninth President, Dr Brian Doyle, who had also been Professor of Law at the University of Liverpool, died aged 69 on 27 October 2024. The sixth President, His Honour John Prophet, died aged 93 on 13 December 2024. We also said goodbye to two salaried judges, Veronica Dean (who died in service aged 65) and Gerald Johnson (who died aged 68 shortly after retiring). They are all missed.

Employment Tribunals in Scotland

President: Judge Susan Walker KC

The jurisdictional landscape

With a change of government, there is an increased focus on workers' rights. The Employment Rights Act proposes a number of legislative changes that would, when implemented, be expected to increase the caseload of the Employment Tribunals. At the time of writing, much of the detail is still subject to consultation and parliamentary procedure. However, it seems likely that the legislation will introduce new kinds of claims and expand the eligibility criteria for existing complaints. These include the length of service required to claim unfair dismissal and the time period within which some claims may be brought.

Although official statistics are limited, the case load of the Employment Tribunals has shifted significantly over the last decade with the majority of cases now falling into the most complex categories of discrimination and whistleblowing. This is supported by the statistics collected by ACAS. These cases are often brought by party litigants who may struggle with the complexity of the legislation and require significant, and skilled, judicial case management to prepare the case for a hearing. The hearings themselves will usually also take longer than other types of case with listings of over 10 days not unusual.

The most high-profile cases currently being brought in the jurisdiction involve claims brought by those who allege that they have been discriminated against because of their gender critical beliefs. An example is the case of Peggie v NHS Fife.

A significant change in the last year was the change to panel composition in Employment Tribunals. When originally introduced, Industrial Tribunals (as they were then called) were made up of a legally qualified chairman and two non-legal members, one nominated by the Trades Union Congress and one by the Confederation of British Industry. This was often described as an "industrial jury". The process for appointing non-legal members has changed over time but they are still appointed for their experience from an employer or employee perspective. Over time, Employment Judges were permitted by statute to sit alone in some jurisdictions, including unfair dismissal, but otherwise a panel including non-legal members were required. This was, most commonly, whether there was a complaint of discrimination or detriment for whistleblowing.

Section 35 of the *Judicial Review and Courts Act 2022* gave the Lord Chancellor the responsibility to make regulations determining panel composition in the Employment Tribunals and the Employment Appeal Tribunal. The Employment Tribunals and Employment Appeal Tribunal (Composition of Tribunal) Regulations 2024 delegated that responsibility to the Senior President of Tribunals. He then issued a Practice Direction that a Judge would decide whether the tribunal for

any contested hearing is to consist of a judge sitting alone or as a panel including non-legal members. That took effect on 29 October 2024 and on the same date, joint Presidential Guidance was issued by myself and the President of Employment Tribunals (England and Wales) to assist judges in deciding whether a case should be heard by a panel or an Employment Judge sitting alone. A key consideration is whether the members' experience is likely to add significant value to the adjudication. There is now no type of complaint that must be heard by a panel including non-legal members. It will take some time for statistics to be published that will demonstrate the effect of this change.

In the past year, I have also issued Presidential Guidance on the Taking of Evidence from Witnesses Abroad and Presidential Guidance on Open justice.

Diversity, inclusion and wellbeing

The scheme for appraisal (called professional review) is well established in the Employment Tribunals (Scotland) with the second three-year cycle of all Employment Judges (salaried and fee-paid) now completed. While this scheme is intended to provide public assurance as to the quality of judicial work, it is also a useful source of support and encouragement for Employment Judges. This runs alongside the judicial mentoring scheme that has been in place for over 15 years.

Our Lead Diversity and Inclusion Judge continues to focus on outreach work targeted at students from underrepresented backgrounds and there is some element of Diversity and Inclusion incorporated into every training event.

While there is no scope for complacency, the Judicial Attitude Survey 2024 provides grounds for optimism as Employment Judges responded reasonably positively compared to other judicial office holders (JOHs).

People and places

Since the last annual report, Judge Jane Porter and Judge Ian Mcfatridge have retired as salaried judges. Some fee-paid judges have also resigned or retired. These include Judge Jim Young who has been an Employment Judge since 2008 and Judge Sandy Meiklejohn who was appointed as a Chairman (as it then was) in 1993. Judge Brian Campbell has been appointed as a salaried judge based in Glasgow and the Lord President has agreed to appoint Judges Porter and Mcfatridge to sit in retirement for 2 years.

Legal officers continue to provide significant support to Employment Judges in Scotland. Following a successful pilot, they now intervene in defended money claims to clarify the issues in dispute. In most cases, this results in a resolution without the need for a hearing. As a result, we have discontinued the longstanding practice in Scotland of listing such cases on receipt. A hearing is only listed if one is required.

Digital working is now well-established in Employment Tribunals in Scotland using the Reformed case management system. Over 90% of claims are submitted online. However, most responses to claims were still being presented by email. In April 2025, new Practice Directions for the Presentation of Claims and Responses were issued separately for Scotland and for England and Wales. These removed the possibility of submitting a response by email, other than in exceptional circumstances where there was a system malfunction. Use of digital working has enabled most of the administrative work of the Tribunal to be centralised in the Glasgow office.

Judicial security continues to be a keen area of focus for leadership judges working with administrative colleagues. Judicial Liaison Judges have been appointed for each venue, security protocols reinforced and some alterations made to the Edinburgh office including new doors with vision panels being installed.

OGL

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