

# UPPER TRIBUNAL (ADMINISTRATIVE APPEALS CHAMBER)

## OPEN JUSTICE PRACTICE GUIDANCE

*Issued by the Chamber President under paragraph 7 of Schedule 4 to the Tribunals, Courts and Enforcement Act 2007*

1. The Upper Tribunal (Administrative Appeals Chamber) (UTAAC) previously operated a practice of only using the initials of parties in published decisions in social security and child support cases.
2. This practice will cease on the 30<sup>th</sup> of March 2026
3. As with other types of case dealt with by UTAAC, where anonymity is required in a particular case, a formal order will be made under rule 14 of The Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698). If there is no application for an order, the judge who decides the case will consider whether to make an order or issue appropriate directions.
4. To implement this decision, the UT1 application form has been amended to include relevant guidance and a section that an appellant may complete if they wish to apply for anonymity or other restriction on open justice.
5. Further information is set out in the Annex to this Practice Guidance.

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President of the Administrative Appeals Chamber of the Upper Tribunal

20 March 2026

## ANNEX

### OPEN JUSTICE IN SOCIAL SECURITY AND CHILD SUPPORT CASES

#### ***The open justice principle in UTAAC***

1. The principle that justice must not only be done but must also be seen to be done is of fundamental importance in our legal system. Its main purposes are to ensure public scrutiny of the administration of justice and to help the public understand how the system operates and why decisions are made.
2. The open justice principle means that, in general:
  - a. hearings are open to the public;
  - b. the parties' names are made public;
  - c. judgments are public;
  - d. the public has the right to publish reports of cases; and,
  - e. the public may be given appropriate access to case documents.
3. Normally in UTAAC:
  - a. hearings are held in public;
  - b. cause lists identifying the parties' names and the case number are published in advance of the hearing [online](#) and outside the hearing room; and,
  - c. final decisions are published online (see the [Practice Statement of 7 April 2025](#)).

#### ***Restrictions on open justice***

4. However, UTAAC has power under rules 5, 14 and 37 of [The Tribunal Procedure \(Upper Tribunal\) Rules 2008 \(SI 2008/2698\)](#) to make orders that restrict the open justice principle, including orders that:
  - a. Particular information (such as contact details, medical records or other personal information) be kept confidential to the parties or to specified individuals;
  - b. Anonymise any child or other vulnerable person involved in the case;
  - c. Anonymise a party to the case so that the party's name and any other details that could identify them are not made public.
5. UTAAC may make such an order where this is necessary in the interests of justice or in order to protect private interests, including rights under the European Convention on Human Rights (ECHR). UTAAC will make an order that protects those interests while minimising interference with the open justice principle and the right to freedom of expression under the ECHR.
6. In general, there is no category of information that is automatically kept private. Unless a specific order is made, in principle the names of all parties and witnesses in a case (including children and people who lack capacity), and all

information and documents (including medical and other personal information) may become public if referred to at a public hearing or in a published decision.

7. There are some exceptions or cases where special rules apply, including:
  - a. *Child support cases* - if a party requested their address be kept confidential in the First-tier Tribunal, that will also happen in UTAAC; on request, a party may also secure confidentiality for the first time in UTAAC (see rule 19);
  - b. *Victims of offences* – in certain circumstances, victims of alleged sexual offences, trafficking or female genital mutilation are entitled to lifelong anonymity;
  - c. *Children involved in family law proceedings*;
  - d. *Children subject to proceedings before Youth Courts*.

### ***What happens normally in social security and child support cases***

8. In social security cases, most UTAAC decisions are made on paper without a hearing. If a hearing is held, it will be a public hearing, although in practice it is rare for any member of the public to attend a hearing.
9. If permission to appeal is given, the final decision is usually published online, whether or not there has been a public hearing.
10. Usually, all parties in the case have access to all the documents in the case, but members of the public do not. Occasionally, someone who is not a party to the case may need or request access to documents. UTAAC will not normally disclose documents or other information filed by the parties to a member of the public without providing the parties with an opportunity to object.

### ***Applying for an anonymity or other privacy order***

11. You need to tell UTAAC if:
  - a. You do not want your name to be made public, or if someone else's name (like your child or a relative) should stay private;
  - b. There are documents or information you do not want made public;
  - c. Sharing documents or information with another party to the case would cause serious harm to you or someone else;
  - d. You think your case may be one to which an exception or special rule mentioned in paragraph 7 above may apply; or
  - e. You want all or part of a hearing to be held in private or a particular person to be excluded from the hearing.
12. You can tell UTAAC by:
  - a. Filling in the anonymity section on the appeal or response form.
  - b. Writing to the Upper Tribunal by:
    - i. **Email:** [adminappeals@justice.gov.uk](mailto:adminappeals@justice.gov.uk)
    - ii. **Post:** UTAAC, Fifth Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL.

13. If you need help with writing because of a disability, you may also **telephone** 020 7071 5662.
14. When you write to UTAAC, you must explain **why** you need anonymity or privacy. You can also send **evidence**, such as a letter from a doctor saying why it would harm your or another person's health if anonymity or privacy were not granted.
15. An Upper Tribunal Judge or Registrar will then decide whether an order should be made. Any party or other person who may be affected by the order may be asked for comments before a decision is made.
16. If an anonymity order is made, it will usually direct that the anonymised person is referred to by letters that are not the person's initials and that other information that is likely to identify the person is also kept confidential.
17. An Upper Tribunal Judge or Registrar may also make an order of their own motion without an application from a party.

### ***Public access to hearings***

18. In-person hearings are held in court or tribunal buildings and may be attended by any media representative or member of the public.
19. Hearings may also be held remotely by video or telephone. Any media representative or other member of the public wishing to attend a remote hearing must contact [adminappeals@justice.gov.uk](mailto:adminappeals@justice.gov.uk). They must provide their full name and email address. Requests will be dealt with in accordance with [The Remote Observation and Recording \(Courts and Tribunals\) Regulations 2022](#) (SI 2022/705). See also [The Open Justice Remote Observation of Hearings – New Power Practice Guidance \(June 2022\)](#).
20. Anyone attending a hearing, whether in-person or remotely, must conduct themselves appropriately and in accordance with any directions of the Judge.

### ***Procedure for applying for public access to documents/information***

21. There is no automatic right of public access to documents and other information relating to proceedings, even where such material has been referred to in an open hearing. However, members of the public may seek access where this is necessary to fulfil the purposes of the open justice principle (see paragraph 1 above).
22. A person who wishes to have access to documents or information relating to a case (including information as to the name of any party who has been anonymised in a published decision), should contact UTAAC (preferably by email [adminappeals@justice.gov.uk](mailto:adminappeals@justice.gov.uk)). They should explain who they are and why they are making the application.
23. The application will be considered by a Judge or Registrar. Parties and anyone else who may be affected by the application will normally be given an opportunity to comment on the application in writing or at a hearing.

**Effect of UTAAC orders**

24. Any breach of a UTAAC order may be treated as a contempt of court and may be punishable by imprisonment, fine or other sanctions under section 25 of the [Tribunals, Courts and Enforcement Act 2007](#). The maximum punishment that may be imposed is a sentence of two years' imprisonment or an unlimited fine.
25. The fact that a UTAAC hearing is held in private or an order or decision is sent only to the parties rather than being published online does not of itself prevent a report of that hearing, or the order or decision, being made public unless UTAAC has made a specific order to that effect (see section 12 of the [Administration of Justice Act 1960](#)).

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President of the Administrative Appeals Chamber of the Upper Tribunal  
20 March 2026