



Remote Hearings in the First-tier Tribunal (General Regulatory Chamber)

1. Introduction

- 1.1. This guidance concerns the mode and listing of First-tier Tribunal (General Regulatory Chamber) ("GRC") hearings.
- 1.2. This guidance supersedes the First-tier Tribunal (General Regulatory Chamber) Presidential Guidance Note: Number 2 of 2025.
- 1.3. This guidance follows the Judicial Principles on remote participation, issued by the Lady Chief Justice and the Senior President of Tribunals, set out below: a) Remote Participation Overarching Guidance [create hyperlink] b) Remote Participation Judicial Principles
- 1.4. The decision to hold a hearing remotely, or to enable participants to attend remotely, is a judicial one.
- 1.5. Link to What to expect when joining a video hearing.

2. Rules of Procedure

- 2.1. Rule 2(3) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 ("the 2009 Rules") provides that the Tribunal must give effect to the Overriding Objective of fairness and justice when exercising any power under, or interpreting, the Rules.
- 2.2. Within this context, Rule 5(3)(g) in the 2009 Rules provides that it is for the Tribunal to decide the form of any hearing.

3. Mode of Hearing

- 3.1. A GRC hearing may take place remotely, partially remotely or in-person.
- 3.2. Remote hearings use video. A party may be permitted to join a video hearing by telephone. A hearing may be fully remote (by which none of the participants are present in the hearing venue) or partially remote (by which some participants are present in the hearing venue but some join remotely). The mode may also change during a multi-day hearing, with all participants present in the hearing venue on one day but some or all joining remotely on another day.

3.3. The Form used to commence Tribunal Proceedings¹ issued to the parties at the outset of the appeal, requires the appellant/applicant to indicate their preferred mode of determination of the appeal – the choices being “with a hearing” or “without a hearing”.

4. Default approaches when listing cases for a hearing

4.1. To ensure the efficient despatch of business, the default approach is for hearings in the GRC to be listed as remote hearings.

5. Relevant factors

5.1. The question of whether a hearing should be remote remains a matter of discretion for the Tribunal.

5.2. For appeals that are to be determined with a hearing, the Case Management Questionnaire provides an opportunity for all parties to express a preference as to the mode of the final hearing. The options are: A. remotely, B. partially remotely, or C. in-person. The expectation is that all case management hearings will be listed remotely.

5.3. Listing is a judicial function. The decision regarding the mode of hearing is made on a case-by-case basis and remains at all times one for the Tribunal. It is a judicial decision involving appropriate exercise of judicial discretion.

5.4. When considering the mode of hearing, all relevant circumstances will be considered. This includes: the parties’ views; the need to deal with cases in a manner which is proportionate to their importance and complexity; the anticipated costs of the case and the resources of the parties (r.2(2)(a)) of the 2009 Rules; ensuring, as far as practicable, that parties are able to participate fully in the proceedings (r.2(2)(c)); and avoiding delay so far as compatible with the proper consideration of the issues (r.2(2)(e)).

5.5. Relevant considerations may also include (but are not limited to):

- Any reasonable adjustments required due to disability or a health condition.
- The safety of the panel and other court users.
- Interpreter requirements affecting effective participation.
- The need to access physical documents.
- The timing of any application.
- The impact on the business of the Tribunal, including other cases with which it must deal.

¹ Forms GRC1 to GRC 4

- Any implications for open justice.

5.6. There are some cases that are not suitable for remote hearings, including in circumstances where a party is unable to participate in such a hearing, for example by reason of a lack of access to the technology, or the Tribunal is required to take evidence in circumstances that render a remote hearing unsuited to that task.

5.7. Administrative difficulties of the GRC in obtaining the use of a suitable Tribunal or Court hearing centre for an in-person hearing cannot, of itself, justify a decision to hold a hearing remotely.

6. Changes to mode of hearing

6.1. A judge may change the mode of hearing at short notice, such as by converting an in-person hearing to a remote one.

6.2. This may follow an application by a party. Once the parties have been notified of the mode of hearing, any application to change the mode of hearing must be made promptly using Form GRC5, and sent by email to GRC@justice.gov.uk or by post to:

General Regulatory Chamber
HM Courts and Tribunals Service
PO Box 11230
Leicester LE1 8FQ United Kingdom

6.3. This may also happen because a Judge, Registrar or Legal Officer has taken that decision on their own initiative, driven by circumstances that are difficult to predict in advance.

Chamber President

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