



Tribunals Judiciary

PRACTICE DIRECTION UPPER TRIBUNAL TRANSCRIPTS OF PROCEEDINGS

TRANSCRIPTS OF PROCEEDINGS

1. At any hearing where the proceedings are recorded such recordings must be preserved by the Tribunal for six months from the date of the hearing to which the recording relates, and any party to the proceedings may, within that period, apply in writing for a transcript and a transcript must be supplied to that party.
2. If a transcript is supplied to a party under paragraph 1, that party must pay for the production and supply of the transcript unless they have applied in writing for, and the Tribunal has given, a direction that the transcript be produced and supplied at public expense.
3. The Tribunal may direct a transcript be supplied at public expense if satisfied that:
 - a. a recording of the relevant proceedings is in existence; and
 - b. the party making the application;
 - i. has applied, or intends to apply, for permission to challenge the Upper Tribunal's decision in another court and has reasonable grounds for bringing or intending to challenge that decision; or
 - ii. has been granted permission to challenge the Upper Tribunal's decision and has brought, or intends to bring, such proceedings; or
 - iii. is a respondent to any such challenge to a decision of the Upper Tribunal in another court; and
 - c. the transcript is necessary for the purpose of challenging the Upper Tribunal's decision; and
 - d. the party's financial circumstances are such that that party cannot afford to pay for the transcript from their own income or funds.
4. Any transcript of proceedings directed to be supplied at public expense must be restricted to that part of the proceedings necessary for the purposes of any such challenge.
5. For the purposes of considering an application for a transcript at public expense, the Tribunal may give directions, for example, requiring the party to disclose details of their financial circumstances.
6. This Practice Direction is made by the Senior President of Tribunals with the agreement of the Lord Chancellor. It is made in the exercise of powers conferred by the Tribunals, Courts and Enforcement Act 2007.

**LORD JUSTICE CARNWATH
SENIOR PRESIDENT OF TRIBUNALS
30 October 2008**