



5 November 2008

A new unified tribunals system

We are pleased to confirm that, following final parliamentary approval, the First-tier and Upper Tribunals were launched on Monday 3 November.

This marks an historic occasion for the Tribunals Service, putting in place a new flexible structure within which the administration and judiciary will work together to build services which are increasingly responsive to the needs of users.

From 3 November 2008, new chamber rules apply to:

- the three First-tier Chambers - Social Entitlement; Health, Education and Social Care; and the War Pensions and Armed Forces Compensation Chamber
- The Administrative Appeals Chamber of the Upper Tribunal

These rules are available on the Tribunals website at

<http://www.tribunals.gov.uk/Tribunals/Rules/rules.htm>

This is the first phase of the implementation of the Tribunals, Courts and Enforcement Act, and the next stage of the Government's tribunal reform programme, following Sir Andrew Leggatt's Review of Tribunals in 2001. The changes are part of a major overhaul of the tribunals' structure, designed to strengthen the system and achieve improved and consistent standards for tribunal users.



Impact on you

You will already be aware that the primary change for Local Authorities is that you will no longer need to send out the Enquiry Form (TAS 1) to users with your submission. The Tribunals Service will send out a new Enquiry Pack once you have notified us of an appeal. We have attached a document which outlines key rules changes that will impact on you.

Business as usual for tribunal users

Whilst the tribunals' infrastructure may change with the creation of the First-tier and Upper tribunals, the experience for users' will not. Appeals will be heard, as always, by expert panels skilled and experienced in the specific appeals they hear.

Existing tribunal judges and non-legal members will transfer into the new statutory tribunal structure, to continue their specialist decision making. This will preserve jurisdictional expertise and help us maintain the standard of service users currently receive.

Benefits/advantages of the unified system

Whilst the nature of these reforms mean that it is business as usual for users, this is the first major structural reform of tribunals for over 50 years. It provides the basis for significant service improvements for users, with a two tier system making it easier for administrative case law to develop. Clear decisions on points of law in the Upper Tribunal will provide greater clarity for First-tier tribunal jurisdictions.

Currently there is no single mechanism for appealing against a tribunal decision. The Act creates a unified appeal structure, with an Upper Tribunal, which will hear appeals on points of law from First –tier jurisdictions. For some this will create new statutory appeal rights, and for others it will bring the appeal rights within the tribunals rather than the courts structures. The Upper Tribunal gives us the opportunity to build a coherent and cohesive system of administrative law, which will benefit all tribunal users.

Tribunals are often the public's only experience of the legal process and it is vital that experience is effective, specialised and responsive and serves their needs. We see the passage of this legislation as a crucial step forward in ensuring this, and we are determined that nothing in the changes should have any adverse effect on the user experience. We look forward to working together in partnership with you to achieve this.

If you have any questions or would like to discuss the changes please email
Emily.Synnott@tribunals.gsi.gov.uk