**Tribunal Hearings**

Some face to face hearings may resume soon but very limited numbers and only after full risk assessment.

Telephone hearings have been taking place instead-limit of 40 participants

Interpreter, representative, presenting officer, witnesses etc can all take part as with face to face hearings.  Conference calls are made to join each party.

Hearings are recorded.

If good reason can ask for a video hearing or face to face e.g. if appellant is deaf

Capability for video hearings will be very soon.

Representatives cannot be added to the conference calls unless there is an address for the rep on record. Unable to dial extension numbers and also when office landlines are directed to individual mobiles, it is also not possible to connect and the call goes to original number only.

**Sift and Triage**

PIP Appeals are still being triaged by district judges before being listed for hearing to assess whether a provisional decision can be made. Triage decisions will  almost always be in favour of the appellant. If there is no objection by DWP then the decision is finalised. Only in very strict circs a triage decision can be negative but that is rarely used.  Normally would just list for a hearing if can’t make a positive triage decision.

Codes for identifying if case has been triaged;

A=audio hearing

V= video hearing

P= paper hearing

T= triage decision

Judges are **prioritising certain types of case** to be herd sooner, where appellant is without income e.g. failed to attend an ESA medical assessment.

Posting **appeal bundles** to reps and delays-it’s DWP responsibility not HMCTS- but if this causes problems with preparing for appeal, rep  can write in to ask for more time and judge will consider.

**Electronic communication**

HMCTS are behind with technology- still operating some parts under old system like the scheduling and listing of hearings, this is why hearings cannot be notified by email and are still sent by post, even though appeals can be done online.

It is possible for HMCTS to receive evidence from representative by email but HMCTS system does not allow for all correspondence on an appeal to be sent to rep/appellant by email.  However, if you make individual requests for a document this can be sent by email as long as authorisation is on system e.g. they can send a decision notice.  This has been looked at but HMCTS simply do not have the resources/technology to change it right now.

**Notification of representative**

Only need ‘written’ notice of the representative’s name and address. So this can be done by email.

Kind regards

Fatima Begum