



## YOUR TELEPHONE HEARING (SSCS Tribunal) INFORMATION FOR APPELLANTS

The Tribunal has decided that as result of the Covid 19 pandemic and in order to avoid delay in deciding your appeal that it is in the interests of justice for you to take part in your appeal by telephone. This leaflet gives you information to help you prepare for your hearing and understand what will happen on the day.

### BEFORE THE HEARING

- Although your hearing is taking place by telephone it is just as important as if you were at the hearing centre in person.
- Before the hearing you will have been sent a bundle of documents. The Tribunal will have the same bundle. The Tribunal may ask you to look at certain pages of the bundle during the hearing so you should have it with you when the hearing starts.
- Make sure your telephone **can accept** calls from unknown numbers.
- It's important you're ready to accept the call at the time of the hearing so that you can take part.
- If you do not answer the call, the hearing may go ahead, and a decision could be made in your absence.
- You are not allowed to make an audio recording of the hearing. Anyone recording a hearing may be in contempt of court which is a serious offence. HMCTS will be making an official audio recording of the hearing. The Judge will also be keeping a written note of what is said during the hearing.
- If you have further evidence or submissions upon which you intend to rely or wish the Tribunal to see, these must be sent to the Tribunal as early as possible in advance of the hearing. The Tribunal will not be able to consider

evidence submitted on the day. Should you wish to rely upon evidence submitted late or which you wish to submit at the hearing, this may result in a postponement or adjournment of your hearing.

### ON THE DAY

- You should make sure that if there is an Amazon Echo, Google Home or other similar device in your home that this is turned off for the duration of the telephone hearing.
- The Tribunal will try to ensure they run to time: i.e. start at the time you have been given for your hearing. However, sometimes hearings over run and this might mean that your hearing starts a little bit late. Please bear with us if this happens and wait for the call. The Tribunal will contact you if they are running very late. If you are concerned you have missed the call you can contact HMCTS Cardiff by phone or email.
- On the day of the hearing the Judge will call you and anyone else joining the hearing. He or she will explain the procedure to be adopted during the hearing.
- You should note that the incoming call to your telephone number will not be from a local number.
- You will hear an automated voice saying you have been invited to take part in a call. Follow the instructions to join the telephone hearing (press \*1 to accept the call), and also to record your name (pressing the # key) – this is so the Tribunal can check who is taking part in the hearing.
- It will make it easier for you to speak to the Tribunal and tell it what you need to about your appeal if you make sure you won't be interrupted during the hearing. Please try to keep the door closed when you are taking the call and ask anyone else in the home not to disturb you. If there are interruptions or too much noise the Tribunal may not be able to continue with the hearing.
- There may be other people joined to the telephone hearing, e.g. other parties in your appeal (such as a presenting officer from the DWP), an interpreter or your representative (if you have one).
- The Judge will introduce the members of the Tribunal, if more than one, to you by name and you will hear their voices so you know who is speaking at any time during the hearing. S/he will introduce anyone else and explain their involvement in the hearing.

- The Judge may ask some questions to confirm your identity.
- The Judge will check whether you have other people with you and, if so, ask you to identify them. The Judge will check that you are ready to continue.
- It may help you to have a family member or friend with you during the hearing but it is important that they don't interrupt or prompt you. The Tribunal is not trying to test your memory and if you can't answer something you must say so.
- During the hearing you will be asked questions. It is important you answer those accurately and fully, because your answers help the Tribunal make its decision. The judge may ask you to pause from time to time because s/he will be making notes.
- If you have someone with you during the hearing it's important they don't interrupt when you or anyone else is talking. This would make it hard for the Tribunal to hear what is being said. If you want someone with you to speak to the Tribunal they will be able to do so after you have finished.
- The Tribunal will not be able to see how you are reacting to their questions. For example, you may be tired, in pain or upset. Please tell the Tribunal if you are experiencing any difficulties during the hearing.
- At the end of the hearing the judge will check that you and anyone else present have had the opportunity to tell it everything that you think is important about your case.
- The telephone hearing will then end and you will be asked to end the telephone call.
- The Tribunal will later decide your appeal and a Decision Notice will be sent to both parties in the post. Please do not call HMCTS to ask for the result of the appeal because the clerks are not allowed to give this information to callers.