

# Tribunals Service Glossary of Terms

Click on a letter below to jump to terms

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

## A

### **Act**

Law, as an Act of Parliament; a statute passed by both Houses of Parliament and ratified by Royal Assent.

### **Adjourn**

To postpone an appeal hearing until a later date.

### **Adjudicator**

A person appointed by the Lord Chancellor to determine appeals.

### **Administrative Court**

A specialised part of the High Court in London that deals with claims for judicial review in England and Wales.

### **Administrative Support Centre (ASC)**

A consolidated 'back office' for the administrative work undertaken by Tribunals.

### **Advocate**

A person representing a case before a Tribunal, e.g. a barrister (Counsel), or a solicitor, or a lay representative.

### **Allow/ed**

An appeal which succeeds (at least in part) is said to have been allowed (cf. dismissed).

### **Alternative Dispute Resolution**

These are schemes such as arbitration, mediation and conciliation which are designed to allow parties to find a resolution to their problem, without the need for Tribunal intervention.

### **Appeal**

To apply for a reconsideration of a decision made by Government.

### **Appellant/ Applicant**

The person, people or organisation bringing an appeal to a Tribunal. (Also known as the applicant).

### **Application**

The act of applying to a civil court to ask it to do something, for example to start proceedings.

**Asylum**

The protection given to a person by a country other than his or her home country because of persecution, or the threat of persecution, in that home country.

**B****Bail application**

An application for the appellant to be released from detention.

**Bail variation**

An application to consider changes to the appellant's bail conditions.

**Bundle**

The set of documents relevant to the issues to be decided at a hearing.

**C****Case**

The arguments put forward by parties to Tribunal proceedings.

**Case disposal**

The outcome of an appeal. I.e. the case is removed from the Tribunal process.

**Case progression hearing**

A hearing to determine how the case will move forward. Something may be stopping the case from proceeding in the normal way so a hearing is needed to decide what will happen

**Case Statements**

A submission of evidence to the tribunal to support your case.

**Cause List**

The daily list of hearings.

**Chamber**

The grouping together of similar Tribunal jurisdictions.

**Citizens Advice Bureau (CAB)**

A charity which can offer free legal and financial advice to the general public.

**Civil**

Matters concerning private rights as opposed to 'criminal' which concerns offences against the Law.

**Compensation**

Usually a sum of money offered in recompense (to make amends) for an act,

error or omission that harmed someone. The harm suffered may have been loss, personal injury or inconvenience.

### **Counsel**

A barrister or solicitor in legal proceedings.

### **Court of Appeal**

a higher court for England & Wales. The Civil Division hears appeals from the High Court, Tribunals and, in certain circumstances, County Courts.

### **Court of Session**

The Scottish equivalent of the High Court and Court Appeal in England and Wales.

## **D**

### **Decision**

The written judgement of a case. Also referred to as a **determination**.

### **Devolved**

To transfer power from central government to local or regional administrations. For example, the Welsh Assembly is a devolved administration.

### **Directions**

A written instruction, by or on behalf of a judge, on the procedure that must be followed in an appeal.

### **Directions hearing**

A hearing to decide when specific stages of an appeal will take place and when certain documents should be sent in.

### **Dismissed**

An appeal which fails is said to have been dismissed (cf. allowed).

### **Disposal**

(See case disposal).

## **E**

### **Ex-parte**

A hearing at which only the appellant will be heard – preliminary hearings are sometimes ex-parte

## **F**

## **G**

## H

### **Hearing**

A session held in front of a Tribunal Panel for the purposes of considering appeal evidence and determining issues.

### **Hearing Centre**

The building in which a hearing takes place.

### **Hearing Panel**

The judging panel who consider the evidence submitted at hearings and makes a decision.

### **High Court**

Deals with higher level civil disputes in England and Wales.

### **House of Lords**

The final court of appeal on points of law for the whole of the United Kingdom

## I

### **In camera**

A hearing from which the public are excluded.

### **Inter-partes**

A hearing at which both appellant and respondent will be heard.

## J

### **Judge (Tribunal)**

An officer appointed by the Lord Chancellor to administer the law and who has authority to hear Tribunal cases. (see also Principle Judge and Non legal member)

### **Judicial Review**

A procedure whereby the High Court in England and Wales or the Court of Session in Scotland can review the lawfulness of a decision against which there is no right of appeal, such as a refusal to grant leave to appeal.

### **Jurisdiction**

The area of matters over which a Tribunal has legal authority.

## K

## L

### **Law**

The system made up of rules established by an Act of parliament.

**Lawyer**

(see solicitor)

**Lay representative**

A person, not legally qualified, who accompanies another during a Tribunal hearing. The person may be a colleague, friend or spouse.

**Leave to appeal**

Permission to appeal against a Tribunal decision.

**Legal advice**

Advice about the law and your options from a qualified legal representative of advice centre.

**Legal Aid**

State funded assistance, for those on low incomes, to cover legal fees.

**Legal officers**

In-house lawyers who assist judges in the Upper Tribunal.

**Legal precedents**

The decision of a case which established principles of law that act as an authority for future cases of a similar nature.

**Listing of appeal**

The date that the hearing is scheduled to be heard.

**Litigant**

A party in legal proceedings.

**Litigant in person**

A party who defends themselves without legal representation. Such a person is entitled to be accompanied by another person who may advise them, but cannot address the court.

**Lodge**

Deliver an appeal or some other document to the Tribunal.

**M****Maladministration**

Administration that leads to injustice because of such factors as excessive delay, bias or arbitrary decision-making.

**McKenzie Friend**

This is someone who assists the appellant during their hearing but does not act on their behalf in the way that a solicitor or other professional representative might do.

**Mediation**

A process for resolving disagreements in which an impartial third party (the mediator) helps people in dispute to find a mutually acceptable resolution.

**Ministry of Justice**

The Department with responsibility for leading the government's constitutional, rights and legal reform programmes, which include work on institutional reform, data protection and sharing, electoral modernisation, human rights, devolution and encouraging people to take an active part in the democratic process.

**Multi Jurisdictional Hearing Centre (MJHC)**

A hearing centre with the capacity to hear a range of jurisdictional appeals e.g. Social Security & Child Support, Employment etc – as opposed to just concentrating on one specific jurisdiction.

**N****Non-devolved**

(see devolved).

**Non-legal Member**

A non legally qualified Tribunal panel member who is considered a specialist on the appeal matter at issue.

**Notice of Appeal**

A submission of an appeal setting out the reasons for the appeal.

**O****Ombudsman**

Independent 'referees' who consider complaints against public and private organisations in a wide range of fields. They are often used as a last resort when complaints cannot be resolved through an organisation's own complaints procedure.

**Out of time**

Received after the deadline.

**P****Panel Member**

A person appointed by the Lord Chancellor to decide appeals. May also be called an Adjudicator.

**Party/ies**

The two sides involved in a Tribunal appeal matter i.e. Appellant and respondent

**Permission**

(see Leave).

**Practitioner**

A professional representative, not necessarily with legal qualifications.

**Preliminary hearing**

A hearing held prior to the main hearing in which the Judge ensures that the parties understand what they must do to comply with any directions, and offers guidance on matters such as the use of witnesses.

**Principal Judge**

A Tribunal judge with a leadership role.

**Pro bono**

Services provided by the legal profession at no charge.

**Q****Quantum**

The amount (e.g. of compensation).

**R****Redress**

To set right, remedy or rectify.

**Reserved**

When a judgment is provided in written form after the hearing, as opposed to being given orally at the end of the hearing.

**Respondent**

The person, people or organisation that has had an appeal made against them.

**Review**

The process whereby the Tribunal can re-visit a previous decision and determine whether it was fully correct. A review is a separate process from an appeal.

**Ruling**

A determination by a Tribunal judge on a procedural issue. A ruling may, for example, decide whether you are to be given permission to appeal or it may decide whether your request for an oral hearing has been granted.

**S****Secretary of State**

The Minister in charge of a Government department. In practice decisions

made by officials of a department are decisions of the Secretary of State. If someone appeals against such a decision, the Secretary of State will be a party to the appeal.

### **Senior President**

The Senior President of Tribunals is the judicial head of the tribunals' judiciary.

### **Set aside**

If a decision of a tribunal is set aside by that or a higher, tribunal it is treated as if it had never been made.

### **Sift**

The process of deciding how an appeal should progress.

### **Skeleton Argument**

An outline of the arguments a party intends to put forward at their hearing.

### **Statutory Instrument**

A document issued by the delegated authority (usually a Government Minister or committee) named within an Act of Parliament which affects the working of the original Act.

### **Statutory powers**

Legal powers derived from statutes, i.e. Acts of Parliament.

### **Statutory fee**

The fee payable for the preparation of a case.

### **Stay**

An order for an appeal to be put on hold.

### **Strike out**

When an appeal decision is treated as if it had never been made.

## **T**

### **Tribunal**

A tribunal is a body outside of the court structure. They hear disputes relating to specific areas such as immigration, employment and some tax matters and are required to adjudicate on them.

## **U**

## **V**

### **Vexatious Litigant**

A party who is subject to a restriction of proceedings order – a party who has

initiated many legal actions which have proved unfounded, so is now required to seek permission to start any further actions (or to continue existing actions).

## **W**

### **Withdraw**

If you do not want to continue with your appeal, you can usually withdraw by giving notice in writing.

### **Witness**

A person who gives evidence at an appeal hearing.

## **X**

## **Y**

## **Z**