



PENSIONS APPEAL TRIBUNALS SCOTLAND

PENSIONS APPEAL TRIBUNALS ACT 1943

PENSIONS APPEAL TRIBUNALS (SCOTLAND) RULES 1981

Practice Direction --- Arrangements for hearings in the Pensions Appeal Tribunals for Scotland

1. This Practice Direction is made under paragraphs 3A and 3B of the Schedule to the Pensions Appeal Tribunals Act 1943 ('the 1943 Act'). The Pensions Appeal Tribunals Rules 1981, as amended ('the 1981 Rules'), are subject to the changes made to procedure by this Practice Direction.
2. This practice direction applies to all appeals and applications in the Pensions Appeal Tribunal Scotland ("PAT").
3. The default position for hearings before the PAT is that each individual appeal is listed for oral hearing. The appellant and the Secretary of State for Defence (SSD) are entitled to be present and to be represented. Both parties are entitled to call witnesses.
4. On 31 March 2020, I issued a Pilot Practice Direction in order to facilitate the hearing of appeals during the Covid-19 pandemic. While Covid is now less of an issue within the community, it has become apparent that many of the practices adopted to facilitate hearings during the pandemic have proved convenient and popular with appellants and have enabled the hearing of appeals where a party would not otherwise have been able to attend in person.
5. Subject to rule 20A (appellant resident abroad), for the moment, until wider consideration can be given to the implications of permanent changes to tribunal practice and procedure, it will continue to be the case that hearings may be held entirely in person, entirely remotely with participants attending by telephone or video conference , or by a mixture of participants attending in person and remotely.

6. This Practice Direction shall remain in force until rescinded.

A handwritten signature in black ink that reads "Marion Caldwell". The script is cursive and fluid.

Marion Caldwell KC
President Pensions Appeal Tribunals Scotland

6 June 2024