



To: Stakeholders of the Information Tribunal

Re: Transfer of work from the Information tribunal into the unified tribunal system 4 August 2009

Dear stakeholder,

We last wrote to you in February regarding the transfer of the Information tribunal into the unified tribunal structure. The tribunal is due to transfer into the new General Regulatory Chamber (GRC) within the First-tier Tribunal in January 2010, subject to Parliamentary approval. The GRC is a new chamber that will bring together individual tribunals that hear appeals on regulatory issues.

I am writing to provide an update on progress since this time and forward plans for the transfer.

Aims and impacts of the transfer

The transfer is part of a programme of tribunal reform that began with the establishment of the First-tier and Upper Tribunals in November last year. This put in place a new flexible structure where we can build services that are increasingly responsive to the needs of users.

From January 2010, information rights proceedings will generally be heard in the GRC, in the First-tier Tribunal. Onward appeals will be heard in the Administrative Appeals Chamber of the Upper Tribunal.

For some information rights appeals, cases will be heard in the first instance in the Upper Tribunal. This will occur where it is considered that:

- the appeal raises complex or unusual issues and
- the importance of the case would merit it being dealt with in the higher Tribunal.

As you know, the Tribunals Procedure Committee (TPC) ran a public consultation exercise on the draft procedure rules for the GRC, which concluded on 8 May. The consultation asked whether stakeholders considered that appeals against National Security Certificates under section 28 of the Data Protection Act 1998 and Section 60 of the Freedom of Information Act 2000, should automatically be dealt with by Upper Tribunal. The Committee have confirmed that this will be a requirement, and will be reflected in the rules laid later this year.

The tribunal rules will specify in detail when cases will be heard in the Upper Tribunal, and the process for a case to transfer from the First-tier to the Upper Tribunal.

Tribunal users will continue to receive a specialist service following transfer, as judiciary and members of the Tribunal will move into the new structure and continue to hear information rights appeals.

Procedure rules - update

I am pleased to advise that, following parliamentary approval of the transfer of the tribunals, the procedure rules have now been finalised and laid before Parliament for Tribunals moving into the GRC in September this year. This includes the Charity Tribunal, Estate Agents Appeals Panel; Consumer Credit Appeals Tribunal, and some functions of the Transport Tribunal. The rules can be accessed at http://www.opsi.gov.uk/si/si2009/uksi_20091976_en_1

There are no specific rules reflecting the jurisdictions that will be transferring into the General Regulatory Chamber in January 2010 as yet. This is because the TPC stated in its consultation that it would not give final approval to rules for jurisdictions until Parliament has approved their transfer. For January transfers, this is expected later this year, and the rules will be amended to add any specific rules for the Information tribunal once this has taken place.

A formal consultation response document, incorporating details of changes made, will be published after rules have also been made for January 2010 transfers. Ahead of this if you have any specific questions about changes to the rules, or how issues raised in your response were addressed by the TPC, please e-mail tpcsecretariat@justice.gsi.gov.uk

I will keep you informed of progress and you can view regular updates on the GRC page of the Tribunals Service website: www.tribunals.gov.uk/Tribunals/PlannedChanges/generalregulatorychamber.htm

Should you wish to discuss any aspects of the transfer and its implications, please email informationtribunal@tribunals.gsi.gov.uk

Yours sincerely



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