**Tribunal Procedure Committee**

**Consultation on possible amendments to the Tribunal Procedure (First-tier Tribunal) (Health Education and Social Care Chamber) Rules 2008 regarding proposed changes to whether Special Educational Needs appeals can be dealt with on the papers without the consent of both parties**

**Questionnaire**

We would welcome responses to the following questions set out in the consultation paper. Please return the completed questionnaire by **05** **December 2024** to:

**Email:** [**tpcsecretariat@justice.gov.uk**](mailto:tpcsecretariat@justice.gov.uk)

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| **Respondent name** |  |
| **Organisation** |  |

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| Question 1: Do you agree with either of the proposed changes to Rule 23? Please give reasons for your answer. |
| Comments to Question 1: |
| Question 2: Do you consider that one of the two proposals is more desirable than the other? If so, please explain your reasons. |
| Comments to Question 2: |
| Question 3: Do you consider Proposal 1, to leave a decision on whether a refusal to assess case should be made on the papers or at a hearing entirely to judicial discretion, is appropriate? |
| Comments to Question 3: |
| Question 4: Do you consider Proposal 2, to remove the requirement for the respondent in Refusal Appeals to consent to a decision being made without a hearing (Rule 23(1)(a)) meaning that the appellant’s consent for the decision to be made on the papers, alongside the Tribunal’s agreement, would determine whether an appeal could proceed without a hearing, to be appropriate? |
| Comments to Question 4: |