



Neutral Citation Number: [2026] UKUT 266 (AAC)
Appeal No. UA-2026-000058-PIP

RULE 14 Order: No person may publish or disclose the identity of the appellant, or any information likely to identify her in connection with these proceedings. Failure to comply with this order may be dealt with as contempt of court, punishable by fine, imprisonment or other sanction.

**IN THE UPPER TRIBUNAL
ADMINISTRATIVE APPEALS CHAMBER**

Between:

TM

Appellant

- v -

SECRETARY OF STATE FOR WORK AND PENSIONS

Respondent

**Before: Upper Tribunal Judge Stout
Decided on consideration of the papers**

Representation:

Appellant: In person

Respondent: Ms S Hennessy, DMA Leeds

On appeal from:

Tribunal: First-Tier Tribunal (Social Entitlement Chamber)

First-tier Tribunal Case No: SC285/25/00434

First-tier Tribunal Digital Case No: 1736-5893-1231-2300

First-tier Tribunal Venue: Chesterfield (in person)

First-tier Tribunal Hearing Date: 12 August 2025

SUMMARY OF DECISION

PERSONAL INDEPENDENCE PAYMENT (41)

The First-tier Tribunal erred in law by failing to provide adequate reasons for its decision. This was in part as a result of inappropriate use of the “copy and paste” function. The Tribunal failed adequately to explain why it had rejected the appellant’s evidence or why it had reached the conclusions it did in relation to each of the activities. The Tribunal also committed a number of other errors, including:

- (a) determining the appeal on the papers without giving the appellant a further opportunity to attend a hearing, or providing adequate reasons for proceeding on the papers, in circumstances where it rejected the appellant's evidence in relation to most activities (*BV v SSWP* [2018] UKUT 444 at [30] and *JP v SSWP* [2011] UKUT 459 (AAC) at [12]-[14] applied);
- (b) in relation to daily living activity 9 (engaging with other people face to face), focusing on the appellant's ability to interact in a work setting and failing to assess her ability to engage socially (*KW v SSWP* [2024] UKUT 410 (AAC) at [17]-[19] applied) and failing to take account that the appellant's work involved interaction with vulnerable children rather than adults (*HA v SSWP (PIP)* [2018] UKUT 56 (AAC) at [16]-[17] applied);
- (c) in relation to mobility activity 1 (planning and following journeys), treating the appellant's ability to drive as determinative and failing to undertake a holistic assessment including her ability to use public transport (*SB v SSWP (PIP)* [2019] UKUT 274 (AAC) at [10] applied).

Please note the Summary of Decision is included for the convenience of readers. It does not form part of the decision. The Decision and Reasons of the judge follow.

DECISION

The decision of the Upper Tribunal is to allow the appeal. The decision of the First-tier Tribunal involved an error of law. Under section 12(2)(a), (b)(i) and (3) of the Tribunals, Courts and Enforcement Act 2007, I set that decision aside and remit the case to be reconsidered by a fresh tribunal in accordance with the following directions.

DIRECTIONS

- 1. This case is remitted to the First-tier Tribunal for reconsideration at an oral hearing.**
- 2. The new First-tier Tribunal should not involve the tribunal judge, medical member or disability member previously involved in considering this appeal on 12 August 2025.**
- 3. The appellant is reminded that the new First-tier Tribunal can only consider the appeal by reference to their health and other circumstances as they were at the date of the original decision by the Secretary of State under appeal (namely 15 October 2024).**
- 4. If the appellant has any further written evidence to put before the First-tier Tribunal relating to that period, including any further medical evidence, this should be sent to the relevant HMCTS regional tribunal office within one month of the issue of this decision.**
- 5. The new First-tier Tribunal is not bound in any way by the decision of the previous tribunal. Depending on the findings of fact it makes, the new tribunal may reach the same or a different outcome to the previous tribunal.**

These Directions may be supplemented by later directions by a Tribunal Caseworker, Tribunal Registrar or Judge in the Social Entitlement Chamber of the First-tier Tribunal.

REASONS FOR DECISION

Introduction

1. The appellant appeals against the First-tier Tribunal’s decision of 12 August 2025 refusing the appellant’s appeal against the decision of the Secretary of State of 15 October 2024 that the appellant was not entitled to Personal Independence Payment (PIP) under Part 4 of the Welfare Reform Act 2012 (**WRA 2012**) and *The Social Security (Personal Independence Payment) Regulations 2013* (SI 2013/377) (**the PIP Regulations**).
2. The Secretary of State supports the appeal. Both parties have asked me to determine the appeal on the papers without a hearing, as I am permitted to do by rule 34 of *The Tribunal Procedure (Upper Tribunal) Rules* (SI 2008/2698) (**the UT Rules**). I am satisfied that it is appropriate and in accordance with the overriding objective for me to do so, given the narrow scope of the appeal and the agreement between the parties.
3. Having regard to the Upper Tribunal’s *Practice Statement* (2 April 2025), I have directed that this decision be published on gov.uk in addition to The National Archives so that it may serve as a general reminder that inappropriate use of the “copy and paste” function in Word can lead to legal error in a decision.

Background

4. The appellant suffers from depression and has a history of self-harm. She also has a physical condition that affects her right (dominant) arm. There is no diagnosis, but according to the appellant it has been permanently swollen and obviously discoloured since she was 13 (she is now 37). She experiences shaking episodes and it causes her daily pain.
5. The appellant made a claim for PIP on 5 September 2024. She completed a PIP2 questionnaire form and underwent a telephone consultation with a Healthcare Practitioner (**HCP**).
6. In the light of the HCP report, the Secretary of State decided, in a decision notified on 15 October 2024, that the appellant scored 0 points for the daily living descriptors, and 0 points for the mobility descriptors. As such, the appellant scored insufficient points to be awarded any rate of either the daily living or mobility components of PIP. The decision remained unchanged on mandatory reconsideration.
7. The appellant appealed to the First-tier Tribunal. She requested a paper hearing of her appeal, and the First-tier Tribunal determined the appeal in her absence

on 12 August 2025. The First-tier Tribunal confirmed the Secretary of State's decision.

The First-tier Tribunal decision

8. The First-tier Tribunal's decision begins with a five-paragraph introduction. At paragraph 4 it dealt with its decision to proceed on the papers as follows:
 4. The Tribunal decided that it could fairly proceed in the absence of [the appellant]. On 27/6/25 she requested a paper determination of her appeal. No party objected to the appeal being decided without a hearing and the Tribunal considered that it was able to decide the appeal without a hearing.
9. At paragraphs 6-9, the First-tier Tribunal referred to the appellant's notice of appeal, PIP2 questionnaire, HCP report, and video footage of the appellant's hand shaking. The Tribunal then "copied and pasted" the contents of her appeal form.
10. At paragraphs 10-13 the First-tier Tribunal (correctly) summarised the relevant legal principles that it needed to apply.
11. At paragraphs 14-20, the First-tier Tribunal set out its "factual findings" as follows:
 14. [The] Consultant Plastic and Hand Surgeon states: There is no evidence to support the suggestion [the appellant] has KT (page L4). [The appellant] has no problem with her lower limbs. She describes some hand and upper limb shaking when she holds heavy objects for prolonged periods. She has had no surgery and no injections. There is no clinical evidence of nerve compression. Her right upper limb Doppler examination and venous duplex scan were normal. An angiogram showed no significant abnormality.
 15. [The appellant's] left upper limb is normal (page M2). Tests for carpal tunnel syndrome were negative and there was no local weakness on motor testing (page I3).
 16. [The appellant] has no aids for the activities of daily living, and no adaptations have been made to her home. She does not have any adapted equipment for work and has not taken time off work due to her condition. She does not take any medication for a mental health condition.
 17. [The appellant] has 2 dependent children, works as a complex needs practitioner for children affected by addiction full time and can speak to unfamiliar people. She goes to different schools to engage with vulnerable children and then writes reports of her findings. No workplace adjustments have been put in place for her. She has never been referred to occupational therapy or a pain clinic.

18. [The appellant] can use normal cutlery every day, shower unaided using a shower over a bath and dress herself every day in clean clothes while sitting down. She can clean herself after using the toilet and does not require any help with her personal care. She no longer has physiotherapy or takes medication.

19. [The appellant] has symptoms of a right arm condition. She has had this condition since childhood and has had no new referrals to physiotherapy. A sling/splint which was self-purchased is no longer worn by [the appellant]. She has not had regular input from a specialist and has minimal input from her GP.

20. [The appellant] can drive an unadapted car with a manual transmission on the majority of days. She drove for 3 hours, with a break after 1.5 hours, 5 days before the [HCP] assessment. The [HCP] (a functional specialist/pharmacist) identified no functional restriction during the telephone assessment from 08.00 to 09.06 on 9/10/24. [The appellant] had good memory/cognition/verbal communication and understanding and followed the [HCP] assessment well.

12. The First-tier Tribunal then dealt with each of the activities of daily living and mobility. For each of daily living activities 1-6 and 9, and mobility activity 1, the First-tier Tribunal's reasons follow the same pattern. The First-tier Tribunal:
- Quotes *verbatim* from the appellant's PIP2 questionnaire and grounds of appeal;
 - Sets out (correct) self-directions of law about each PIP activity;
 - Copies and pastes paragraphs 14-20 of its decision (quoted in the previous paragraph above); and
 - States "The [HCP] report is consistent with the other medical evidence ... It states [the appellant] can carry out [this activity] without restrictions. The Tribunal finds [the appellant] is able to [carry out this activity] unaided, for more than 40 per cent of the required period".

The grant of permission to appeal

13. Permission to appeal was granted by the First-tier Tribunal on 23 December 2025 on the following grounds:
- There are numerous paragraphs in the statement of reasons in relation to many of the activities which appear to have been the subject of a "copy and paste" exercise using the "factual findings" paragraphs, suggesting proper consideration may not have been given to the separate PIP activities;
 - With daily living activity 4 (washing and bathing), the Appellant had raised issues about it having taken her 2 hours to complete her personal care, and 4 hours to have a basic shower and put on basic clothes. However, the Tribunal's statement of reasons does not appear to address her arguments about these points, or explain why the Tribunal found she was able to undertake activity 4 in a timely manner;

- c) With daily living activity 9 (engaging with other people face to face), the statement of reasons does not appear to address the Appellant's ability to engage in social situations. Reference is made to her engaging with others at work, but not socially;
- d) With mobility activity 1 (planning and following journeys), the Appellant had argued she could not use public transport due to her having been self-conscious about her appearance, and also an inability to hold onto a bar or rails. In paragraph 119 the statement of reasons correctly states different types of transport must be considered, and in paragraph 125 reference is made to driving. However, the statement does not seem to address adequately or at all the ability to use public transport.

14. In granting further (unlimited) permission to appeal I said:

- 3. I agree with the First-tier Tribunal judge that there are arguable errors in the decision for the reasons identified.
- 4. In addition, it is arguable that the First-tier Tribunal erred in law in proceeding without a hearing in this case.
- 5. It is well established (see eg *BV v Secretary of State for Work and Pensions* [2018] UKUT 444 at [30]) that although the First-tier Tribunal has power to determine a case in a party's absence, the question it must consider is whether it would be fair to proceed in a party's absence.
- 6. Further, in *JP v SSWP* [2011] UKUT 459 (AAC) Judge Poynter held that the Tribunal would have failed to give adequate reasons for deciding to proceed with a paper hearing if it simply states that it has considered the provisions of the rules and is satisfied that it is appropriate to go ahead on that basis. Some reasons for concluding the rules are met must be given:

12. The statement shows the tribunal knew that, even in the light of those requests, it had to hold a hearing unless it considered that it was able to decide the matter without one (see rule 27(1)(b) of the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 ('the Rules') and the recent decision of Judge Mesher in *MM v SSWP (ESA)* [2011] UKUT 334 (AAC)). I am satisfied that the tribunal consciously exercised its discretion to proceed without a hearing.

13. However, whether the tribunal has given adequate reasons for the exercise of that discretion is a more difficult issue.

14. The effect of rules 2 and 27(1)(b) of the Rules is that the tribunal could not have proceeded on the papers unless it "felt that [it was] able to deal with the appeal fairly and justly in accordance with the overriding objective". For the tribunal to say, without more, that that is the case is to re-state its decision to proceed in different words, rather than to explain it. It amounts to saying that the

tribunal decided to proceed because it formed the view that the criteria which permit it to do so are satisfied. However, in my judgment, what is required by the decision in *MM v SSWP (ESA)* is an explanation, however brief, of why the tribunal concluded those criteria are satisfied.

7. In this case, the First-tier Tribunal did not give even brief reasons as to why it concluded it was fair to go ahead on the papers, it just stated that it considered it was.

8. Further, it is arguable that the First-tier Tribunal's conclusion that it was fair to proceed on the papers was perverse. In relation to almost every activity, the First-tier Tribunal rejected the appellant's evidence and case as set out in her notice of appeal. It is arguable that it was unfair to do so without giving her a second opportunity to attend a hearing and answer the First-tier Tribunal's concerns about her evidence.

The Secretary of State's response to the appeal

15. The Secretary of State has responded to the appeal and supports it on all grounds. In Ms Hennessy's very helpful submissions on behalf of the Secretary of State, she adds the following observations regarding the First-tier Tribunal's reasoning in this case (I add emphasis to highlight which activity is being dealt with):

4.9 Regarding **daily living activity 4 - Washing and bathing**; paragraphs 57 and 58 of the SOR quote the claimant's evidence from the PIP2 questionnaire [page 13] and SSCS1 [page 5] that it takes her several hours to shower and dress herself. ... the SOR does not address this evidence. The FtT's reasons at paragraphs 60 to 66 for awarding the claimant no points for daily living activity 4 do not specifically relate to washing and bathing, save for paragraph 64, where the FtT state the claimant can "shower every day unaided using a shower over a bath". These paragraphs are reproduced verbatim for each daily living activity considered in the SOR.

4.10 Regulation 4(2A) of The Social Security (Personal Independence Payment) Regulations 2013 states a claimant is to be assessed as satisfying a descriptor only if they can do so safely, to an acceptable standard, repeatedly, and within a reasonable time period. At paragraph 13 of the SOR, the FtT [has properly directed itself to that regulation] ...

While the SOR notes the claimant stated in the PIP2 "It can take me longer to shower, or wash my hair or open products the pain in my fingers and joints when gripping makes this challenging...I currently take around 2 hours to complete my personal care" [page 13] and in the SSCS1 "It takes me over 4 hours to have a basic shower and put on leggings and a baggy jumper every day" [page 5], the FtT do not appear to have made any findings of fact concerning the amount of time it takes the claimant to wash and bathe, or considered whether the amount of time she

describes taking to complete this activity represents a reasonable time period.

4.11 The claimant stated in the SSCS1 “getting ready takes so long, and causes additional pain so I only shower and dress on days I'm working” [page 5], and “i only really shower mon to Friday” in her written statement dated 18/02/2025 [page Addition A1], and “on a weekend i try to even avoid showering or dressing to enable me to complete other tasks” in her written statement dated 27/07/2025 [page Addition O1]. While the FtT found at paragraph 68 of the SOR the claimant was washing and bathing unaided on more than 50 percent of the days of the required period, it is unclear whether they also considered her ability to repeat this activity as often as reasonably required.

4.12 The inadequacy of reasons in respect of daily living activity 4 is compounded by the FtT's failure to draw a clear distinction between this activity and daily living activity 6. Some of the claimant's evidence in paragraphs 57 and 58, presented under the heading “Descriptor 4”, relates to **daily living activity 6 - Dressing and undressing**, and the SOR records no findings of fact as to how much of the 4 hours the claimant reported it took her to “have a basic shower and put on leggings and a baggy jumper” [page 5] was given to each activity. Regarding daily living activity 6, the FtT state at paragraph 107 that the claimant can “dress herself every day in clean clothes while sitting down”. The claimant's evidence that she only dresses on weekdays is not acknowledged, nor is the evidence from the [HCP]'s report that she “Takes an hour to get dressed and arm pain is worse after” [page 19].

4.13 I respectfully submit the FtT have failed to provide adequate reasons for determining the claimant satisfied descriptor 4a - Can wash and bathe unaided, and descriptor 6a - Can dress and undress unaided, safely, to an acceptable standard, repeatedly and within a reasonable time period under regulation 4(2A) of The Social Security (Personal Independence Payment) Regulations 2013. The FtT failed to consider the evidence in a holistic manner and make proper findings of fact concerning the claimant's difficulties with daily living activities 4 and 6. As a result, the FtT did not consider whether any of the scoring descriptors might apply on the majority of days.

4.14 Regarding **daily living activity 9 - Engaging with other people face-to face**; paragraphs 101 and 102 of the SOR quote the claimant's evidence from the PIP2 questionnaire and SSCS1 that she does not like meeting new people because she is self-conscious about the appearance of her right arm [page 14] and does not go anywhere besides work [page 3]. The SOR then repeats the 7 paragraphs of reasons given for every daily living activity; these include paragraph 107, which states the claimant “works as a complex needs practitioner for children affected by addiction full time and can speak to unfamiliar people. She goes to different schools to engage with vulnerable children and then writes reports of her findings”. The FtT concluded at paragraph 111 the claimant

“can engage with other people, unaided for more than 50 per cent of the days of the required period. She could (a) interact with others in a contextually and socially appropriate manner; (b) understand body language; and (c) establish relationships. Descriptor 9a is applicable.”

4.15 ... the SOR only addresses the claimant’s ability to engage with others at work, and not in social situations. *KW v SSWP* [2024] UKUT 410 (AAC) held a claimant’s ability to engage with people face-to-face outside of their work environment is a relevant consideration ...

4.16 The FtT’s error in relying solely on the claimant’s employment is compounded by their failure, having found as a fact she works as a complex needs practitioner for children, to make any finding as to whether her role required her to engage with adults. The HCP’s report notes that she “Will speak to unfamiliar children at school without difficulty as feels they do not notice condition, but feels self conscious with unfamiliar adults” [page 19]. *HA v SSWP (PIP)* [2018] UKUT 56 (AAC) held:

17. “In any event, all of the “other people” in the tribunal’s examples were, as the tribunal stated, of the claimant’s age (16). They would not, therefore, generally be regarded as adults. Just as Upper Tribunal Judge Jacobs was of the view that a claimant’s inability to engage with men (albeit having an ability to engage with women) was of such a magnitude as to satisfy the descriptors (*RC v Secretary of State for Work and Pensions* [2017] UKUT 0352 (AAC)), equally, in my judgment, a claimant’s inability to engage with adults falls into the same category, irrespective of his or her ability to engage with children and young people. There was ample evidence before the tribunal to indicate that the claimant had considerable difficulties engaging with adults due to his anxiety. In my judgment the tribunal did not adequately explain why it considered that he would be able to engage with adults if he simply had another person “reminding, encouraging or explaining” and why it considered that the higher point-scoring descriptors of daily living activity 9 were not satisfied.”

4.17 The HCP’s report notes the claimant “Does not have any hobbies outside the home as feels too self conscious of arm” [page 19]. The claimant’s evidence in the PIP2 questionnaire [page 3], reproduced in paragraph 102 of the SOR, was that “I go out only to work and ask others for help to go to the shop. I have to have shopping delivered and my daughter will carry this up and unpack the shopping.” The HCP’s report states the claimant “Is able to speak to cashiers in shops/petrol station but not for long as does not want to draw attention to arm” [page 19]; the claimant’s written statement dated 18/02/2025 explains “on the rare occasion i run out of things within the home and no one else is available to support i will go to the shop later on in the evening when its quieter and will only go to the same shops” [page Addition A2]. It is unclear how the FtT, in the absence of evidence clearly demonstrating the claimant

engages with any unfamiliar adults face-to-face, concluded she “can speak to unfamiliar people” [para 107].

4.18 I respectfully submit the FtT erred in relying on the claimant’s employment and failed to consider the evidence in a holistic manner and make proper findings of fact concerning her difficulties with daily living activity 9, and any prompting or support she received or reasonably required. As a result, the FtT did not consider whether any of the scoring descriptors might apply on the majority of days.

4.19 Regarding **mobility activity 1 - Planning and following journeys**; the FtT found at paragraph 125 of the SOR the claimant “leaves her home on the majority of days, drives a manual car, can follow routes/diversions and does not have overwhelming psychological distress, to bring her within the scope of mobility activity 1.” ... despite the SOR referring at paragraph 119 to the need to consider different modes of transport, the FtT’s reasons do not consider the claimant’s ability to use public transport. *SB v SSWP (PIP)* [2019] UKUT 274 (AAC) explains a holistic assessment encompassing various methods of transport is necessary: ...

4.20 Paragraph 118 of the SOR quotes the claimant’s evidence from the SSCS1 [page 3], “I don’t use public transport as I am very self-conscious about my appearance with my arm and my ability to hold on to a bar, or grip rails if needed as I can’t maintain an action for long.” [page 3]. The claimant further stated “I have not used public transport in over 16 years even when my car has broken down as like stated I would be scared I would be unable to hold on to a bar and would be very self conscious about my arm” [page 5]. I respectfully submit the FtT failed to provide adequate reasons for determining the claimant can plan and follow the routes of familiar and unfamiliar journeys unaided. Upon reading the SOR, the FtT relied on the claimant’s ability to drive rather than undertaking a holistic assessment of her ability to follow the route of a journey through various means of transport or making proper findings of fact concerning her difficulties with mobility activity 1. As a result, the FtT did not consider whether any of the scoring descriptors might apply on the majority of days.

Why I am allowing the appeal

16. I am satisfied that the First-tier Tribunal in this case erred in law in all the respects identified in the grant of permission to appeal, as further elaborated in the Secretary of State’s response. In particular:
 - a. The First-tier Tribunal erred in law in proceeding on the papers in this case. Although the appellant had opted for a paper hearing when completing the appeal form, it was still incumbent on the First-tier Tribunal to consider whether it was fair to proceed on the papers (*BV v Secretary of State for Work and Pensions* [2018] UKUT 444 at [30]). If proceeding on the papers, the First-tier Tribunal needed to give reasons

for doing so that went beyond merely restating the requirements of rule 27 of the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008: see *JP v SSWP* [2011] UKUT 459 (AAC) at [12]-[14]. The First-tier Tribunal in this case failed to give adequate reasons for proceeding on the papers. In my judgment it was also not reasonable open to the Tribunal to proceed on the papers in this case. Given that the First-tier Tribunal intended to reject the appellant's evidence and case in relation to most of the activities, fairness required that the First-tier Tribunal give her a specific opportunity to attend a hearing and address its concerns.

- b. Although reasons do not have to deal with every point raised by a party (see the *Practice Direction from the Senior President of Tribunals: Reasons for decisions*, 4 June 2024), they do need adequately to explain why a party 'won' or 'lost' on the main issues in dispute. Quoting a party's evidence and then stating a conclusion that implicitly rejects that evidence, without explaining why, is inadequate. Further, each of the activities of daily living and mobility are concerned with different issues. To be adequate, reasons must address the particular issues relevant to each activity. While there is nothing objectionable in principle about reusing common text within a decision, a tribunal must ensure that the reasons ultimately given address the distinct factual and legal issues arising under each activity. Copying and pasting the same generic findings of fact is highly unlikely to constitute an adequate explanation for a Tribunal's conclusion in relation to a particular activity, and did not in this case.
- c. In relation to daily living activities 4 (washing and bathing) and 6 (dressing), the First-tier Tribunal failed to address the appellant's evidence as to the length of time it takes her to undertake those activities and thus failed to provide adequate reasons for its conclusion that she is able to carry out those activities "within a reasonable time" as required by regulation 4(2A) of the PIP Regulations;
- d. In relation to daily living activity 9 (engaging with others face to face), the First-tier Tribunal focused on the appellant's ability to engage with people in a work environment and, in doing so:
 - i. failed to consider the appellant's ability to engage with people face-to-face in a social context, thus committing the same error as the First-tier Tribunal in *KW v SSWP* [2024] UKUT 410 (AAC) at [17]-[19]; and,
 - ii. failed to take into account the relevant factor that the evidence of the appellant's ability to engage with people at work related to engagement with the vulnerable children with whom she worked, and not with adults, thus committing the same error as the tribunal in *HA v SSWP (PIP)* [2018] UKUT 56 (AAC) at [16]-[17].
- e. In relation to mobility activity 1 (planning and following journeys), the First-tier Tribunal erred by considering only the appellant's ability to drive and failed to make a "holistic assessment encompassing [her] ability to

follow the route of a journey through various ways, including, travelling on foot and utilising public transport, with neither, of themselves, being determinative” as is required: see *SB v SSWP (PIP)* [2019] UKUT 274 (AAC) at [10].

Conclusion

17. The decision of the First-tier Tribunal thus involves errors of law. I allow the appeal and set aside the decision under section 12(2)(a) of the Tribunals, Courts and Enforcement Act 2007. The case is remitted must under section 12(2)(b)(i) for re-hearing by a new tribunal subject to the directions above.

Rule 14 order

18. The principle of open justice requires in general that judgments are published and that parties’ names are included. In this case, I consider that a departure from that principle is justified in order to protect the identity of the appellant. She is a vulnerable individual who has made an application for an anonymity order. I am satisfied in the light of the information in that application that the publication of this decision with her name on it would constitute a significant interference with her private life that would be harmful to her health.
19. It is therefore necessary in order to protect her interests to restrict open justice to a limited extent by making an anonymity order.
20. The initials used for the appellant are chosen at random and do not reflect her name.
21. Any person affected by this order may apply to have it set aside or varied. If an application is made, the parties will be notified and invited to comment.

Holly Stout
Judge of the Upper Tribunal

Authorised by the Judge for issue on 10 July 2026