



COMPETITION APPEAL TRIBUNAL

STRATEGY 2023 – 2025

1. The United Kingdom Competition Appeal Tribunal is a specialist judicial body with cross-disciplinary expertise in law, economics, business and accountancy whose function is to hear and decide cases involving competition or economic regulatory issues.
2. The role of the Competition Service is to fund and provide support services to the Tribunal in order to facilitate the carrying out of the Tribunal's duty.
3. The Tribunal's duty is to resolve cases falling within its jurisdiction in accordance with the governing principles set out in rule 4¹ of the Competition Appeal Tribunal Rules 2015. The legislative framework governing the functions of the Tribunal does not allow it to select or refuse to decide the cases that come before it; and it cannot prioritise or subordinate cases save in accordance with those governing principles.
4. In short, the Tribunal is a court; and the effective performance of its judicial functions is its paramount objective² ("**Paramount Objective**") and informs the setting of the Competition Service's administrative and organisational priorities ("**Priorities**").
5. The purpose of articulating, on a three-year basis, a series of Priorities (the "**Strategy**") must, therefore, be justified, given the immutable and non-derogable nature of the Paramount Objective. The justification for the Strategy is that certain Priorities, intended to further the Paramount Objective, can be identified and the Tribunal's progress, with regard to the achievement or implementation of those Priorities, can be monitored in order to further the Paramount Objective.
6. It is intended that the Strategy will be published annually, on a rolling basis, and the Tribunal's progress in achieving the Priorities encompassed by the Strategy articulated annually. This is the first such strategy document, and so is entirely forward looking.
7. The Priorities that the Tribunal intends to pursue over the next three years are as follows:
 - a. Expansion of infrastructure and human resources to deal with an increasing caseload. The Tribunal's jurisdictions (which are statutory) have grown over time, causing an increase in the Tribunal's caseload. The Tribunal requires more infrastructure and human resources: chairs; ordinary members (particularly economists); court rooms; and conference rooms for parties.

¹ [The Competition Appeal Tribunal Rules 2015](#); Rule 4 (Governing Principles), page 7.

² The CAT's role as a court is central and underlies all the legislation that confers jurisdiction on the case; this is stated in the Framework Document drawn up by the Department for Business, Energy & Industrial Strategy (BEIS) in collaboration with the Competition Appeal Tribunal (CAT) and the Competition Service (CS).

b. Further implementation of remote hearings. In common with the best practice of courts across the United Kingdom, the Tribunal's default position is to conduct hearings in person, and only conduct remote hearings where (for whatever reason) this can be justified. The decision as to hearing format is a judicial one, for the Tribunal chair in any given case. Nevertheless, the Tribunal will continue to evolve its practice with regard to remote hearings by:

- (i) working towards a protocol articulating the infrastructure that parties participating in remote hearings must have in order to participate effectively, as well as setting out other aspects of best practice; and
- (ii) examining the extent to which, in order to enhance delivery of the Paramount Objective, it is appropriate to adjust the traditional approach to the conduct of hearings.

The Tribunal already conducts remote hearings in a conference room which has temporarily been configured for that purpose. The plan is to make the configuration of the room permanent (and improve it) and to rig – for use on an emergency basis – one or both of the Tribunal's meeting rooms.

c. Extending electronic processes. We will extend electronic processes to all aspects of the handling of cases before the Tribunal and will move as closely as possible to a paperless operation. This is a complex and difficult undertaking (linked in part to the role of remote hearings) which will take time to implement.

d. Furthering public understanding of the role and functions of the Tribunal and competition law generally. This priority will be pursued through various appropriate types of "outreach" activity. For example, through liaison with stakeholders through the Tribunal's User Group and other channels; organising and speaking at conferences both in national and international contexts; and continuing the Tribunal's long-standing involvement with the Association of European Competition Law Judges.

Sir Marcus Smith
President

Charles Dhanowa OBE, KC (Hon)
Registrar

1 March 2023