



EMPLOYMENT TRIBUNALS

Claimant: Ms S Harrison

Respondent: Eaton Golf Club Ltd

RECORD OF A PRELIMINARY HEARING

Heard at: Liverpool (in private via CVP)

On: 10 December 2020

Before: Judge Brian Doyle

Appearances

For the claimant: In person

For the respondent: Mr J Jenkins, of counsel

CASE MANAGEMENT ORDERS

Final hearing

1. These case management orders are made following a preliminary hearing as to time limits only, held by me today, at which I permitted the claim to proceed to a final hearing.
2. The final hearing has been listed previously as a result of a case management hearing conducted by Employment Judge Horne on 3 September 2020.
3. The final hearing will take place at **Liverpool** on **26 and 27 April 2021**. The case will be heard by an Employment Judge. The hearing will start at 10.00 am. You must arrive by 9.30 am.
4. Sometimes hearings start late, are moved to a different address or are cancelled at short notice. You will be told if this happens.

Hearing timetable

5. The hearing is listed for **2 days**. As identified by Judge Horne, there are remaining preliminary issues, but it has been agreed that they can be dealt with at the final hearing.
6. I do not consider that it is necessary to set a hearing timetable at this stage.
7. If you think that more or less time will be needed for the hearing, you must tell the Tribunal as soon as possible.

Claims and Issues

8. The claims and issues were discussed and agreed at the previous preliminary hearing before Judge Horne. See his case summary and case management orders. If you think the list is wrong or incomplete, you must write to the Tribunal and the other side by **11 January 2021**. If you do not, the list will be treated as final unless the Tribunal decides otherwise.

Schedule of Loss

9. The claimant must by **11 January 2021** send to the respondent and the Tribunal a document setting out how much compensation for lost earnings or other losses she is claiming and how the amount has been calculated. This is called a Schedule of Loss.
10. If the claimant has been dismissed and wants to be reinstated or re-engaged, the Schedule of Loss must say so.

Documents

11. By **25 January 2021** the respondent must send the claimant copies of all documents relevant to the issues as previously listed in Judge Horne's case summary.
12. By **8 February 2021** the claimant must send the respondent copies of any other documents relevant to those issues. This includes documents relevant to financial losses, including mitigation of loss.
13. Documents includes recordings, emails, text messages, social media and other electronic information. You must send all relevant documents you have in your possession or control even if they do not support your case. A document is in your control if you could reasonably be expected to obtain a copy by asking somebody else for it.

File of documents

14. By **22 February 2021**, the claimant and the respondent must agree which documents are going to be used at the hearing.

15. The respondent must prepare a file of those documents with an index and page numbers. They must send a hard copy to the claimant by **1 March 2021**.
16. The file should contain:
 - 16.1 The claim and response forms, any changes or additions to them, and any relevant tribunal orders. Put these at the front of the file.
 - 16.2 Other documents or parts of documents that are going to be used at the hearing. Put these in date order.
17. The claimant and the respondent must both bring a copy of the file to the hearing for their own use.
18. The respondent must bring two more copies of the file to the hearing for the Tribunal to use by 9.30 am on the first morning.

Witness statements

19. The claimant and the respondent must prepare witness statements for use at the hearing. Everybody who is going to be a witness at the hearing, including the claimant, needs a witness statement.
20. A witness statement is a document containing everything relevant the witness can tell the Tribunal. Witnesses will not be allowed to add to their statements unless the Tribunal agrees.
21. Witness statements should be typed if possible. They must have paragraph numbers and page numbers. They must set out events, usually in the order they happened. They must also include any evidence about financial losses and any other remedy the claimant is asking for. If the witness statement refers to a document in the file it should give the page number.
22. At the hearing, the Tribunal will read the witness statements. Witnesses may be asked questions about their statements by the other side and the Tribunal.
23. The claimant and the respondent must send each other copies of all their witness statements by **22 March 2021**.
24. The claimant and the respondent must both bring copies of all the witness statements to the hearing for their own use.
25. The respondent must bring two more copies of the witness statements to the hearing for the Tribunal to use by 9.30 am on the first morning.

Checklist

Date	Order	✓
11 January 2021	Schedule of Loss	
25 January 2021	Respondent's documents	
8 February 2021	Claimant's documents	
1 March 2021	File	
22 March 2021	Witness statements	

Hearing preparation

- 26. By **5 April 2021**, the claimant and the respondent must both write to the Tribunal to confirm that they are ready for the hearing or, if not, to explain why.
- 27. The respondent must prepare and try to agree:
 - 27.1 a neutral chronology, listing the key events and when they happened. The chronology should refer to page numbers from the file;
 - 27.2 a list of people involved in key events and their job titles;
 - 27.3 a list of the key documents in the file, with the page numbers, that the Tribunal needs to read at the start of the hearing.
- 28. By **12 April 2021**, the respondent must send copies to the claimant.
- 29. The respondent must bring one copy to the hearing for the Tribunal to use.

Variation of dates

- 30. The parties may agree to vary a date in any order by **up to 14 days** without the Tribunal's permission, but not if this would affect the hearing date.

About these orders

- 31. These orders were made following the preliminary hearing this morning.
- 32. If any of these orders is not complied with, the Tribunal may: (a) waive or vary the requirement; (b) strike out the claim or the response; (c) bar or restrict participation in the proceedings; and/or (d) award costs in accordance with the Employment Tribunal Rules.
- 33. Anyone affected by any of these orders may apply for it to be varied, suspended or set aside.

Writing to the Tribunal

34. Whenever they write to the Tribunal, the claimant and the respondent must copy their correspondence to each other.

Useful information

35. All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.
36. There is information about Employment Tribunal procedures, including case management and preparation, compensation for injury to feelings, and pension loss, here:
<https://www.judiciary.uk/publications/employment-rules-and-legislation-practice-directions/>
37. The Employment Tribunals Rules of Procedure are here:
<https://www.gov.uk/government/publications/employment-tribunal-procedure-rules>
38. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here:
<https://www.gov.uk/appeal-employment-appeal-tribunal>.

Judge Brian Doyle

Date: 10 December 2020

Sent to the parties on:

25 January 2021

For the Tribunal Office: