



Case Number: 2203235/2023

# EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

and

Respondent

Mr M West

Harrods Ltd

## JUDGMENT AND ORDER ON INTERIM RELIEF HEARING

HELD AT: London Central

ON: 14 April 2023

BEFORE: Employment Judge A M Snelson (sitting alone)

On hearing Mr D Patel, counsel, on behalf of the Claimant and Ms A Greenley, counsel, on behalf of the Respondent, the Tribunal determines and orders that:

### JUDGMENT

The Claimant's application for interim relief under the Trade Union & Labour Relations (Consolidation) Act 1992, s161 is dismissed.

### ORDER

- (1) The Claimant's application to amend the claim form to add complaints of 'ordinary' unfair dismissal and wrongful dismissal is granted. Re-service is dispensed with.
- (2) Time for delivering a response form is extended to 2 May 2023.
- (3) No later than 5 May 2023 the Claimant shall deliver to the Respondent's representative and copy to the Tribunal a schedule of all remedies claimed in the proceedings.
- (4) No later than 19 May 2023 the parties shall deliver to the Tribunal a final, agreed list of issues.
- (5) A private preliminary hearing for case management shall be held by CVP at 10.00 a.m. on 9 June 2023, with two hours allowed.
- (6) No later than 21 July 2023 the parties shall exchange:

- (a) lists of all documents which are, or have been, in their possession or control and which are, or may be, relevant to any issue in the proceedings including, for the avoidance of doubt, any document which may not assist the disclosing party's case and/or may assist the opposing party's case; and
  - (b) copies of all listed documents.
- (7) The parties shall cooperate to agree a common bundle of documents for use at the hearing referred to below ("the hearing"), primary responsibility for its preparation resting with the Respondent. The form of the bundle shall be finalised no later than 13 October 2023 and one electronic copy supplied at once to the Claimant's representative. The Respondent shall produce five paper copies of the bundle at the hearing, for the Tribunal's use.
- (8) No later than 5 January 2024 the parties shall exchange witness statements in the names of all witnesses (including the Claimant) whom they intend to call to give evidence at the hearing. Except with the special permission of the Tribunal, no witness may be called at the hearing unless a statement in his/her name has been prepared and delivered to the opposing party in accordance with the above directions. At the hearing the parties shall produce for the Tribunal's use five paper copies of every witness statement relied upon.
- (9) No later than 2 February 2024 the Claimant shall deliver to the Respondent's representative and copy to the Tribunal an updated schedule of remedies.
- (10) No later than 9 February 2024 the Respondents shall send by email to [londoncentralet@justice.gov.uk](mailto:londoncentralet@justice.gov.uk) electronic copies of the papers to be presented at the hearing, including the trial bundle, the witness statements, skeleton arguments or written openings and any chronology or other relevant document, or a link to a website from which they can be downloaded. The following points should be carefully noted:
  - (a) all documents should be sent in pdf format;
  - (b) the index to the trial bundle should be sent as a separate document, so that the page numbers of the hearing bundle align with the thumbnail page numbers of the pdf;
  - (c) any late additions to the trial bundle must be inserted at the end, not in the middle;
  - (d) witness statements should be contained in a separate pdf bundle;
  - (e) chronologies, skeleton arguments and other sundry documents should be contained in a further, separate pdf bundle.
- (11) The parties shall agree and produce to the Tribunal no later than 12 February 2024
  - (a) a chronology;
  - (b) a cast list;
  - (c) a pre-reading list; and
  - (d) a proposed trial timetable.

- (12) The final hearing of all issues of liability and remedy shall be held at 10.00 a.m. on 12 February 2024, with five consecutive days allocated on the basis that the evidence and submissions on liability must be completed by the end of day four at the very latest.

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**NOTES:**

- (1) Any person who without reasonable excuse fails to comply with an Order to which section 7(4) of the Employment Tribunals Act 1996 applies shall be liable on summary conviction to a fine of £1,000.00.
- (2) The Employment Tribunals Rules of Procedure 2013 (to which any reference below to a rule refers) provide by rule 6 that if an Order is not complied with, the Tribunal may take such action as it considers just, which may include waiving or varying the requirement, striking out the claim or response (in whole or in part), barring or restricting a party's participation in the proceedings and/or awarding costs.
- (3) You may apply under rule 29 for this Order to be varied, suspended or set aside.
- (4) Where reasons have been given orally on any disputed issue, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

**COMMENTARY**

1. The case management hearing (Order, para (5)) was listed on a precautionary basis. I hope that it will be possible to vacate it.
2. Attention is drawn to my Order, para (9), which was not discussed.
3. Save for that, my directions were agreed.

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EMPLOYMENT JUDGE- Snelson  
17/04/2023

**Judgment entered in the Register and copies sent to the parties on: 17/04/2023**

**For Office of the Tribunals**