

Modernisation of employment tribunals: what do claimants want and need?

Judge Brian Doyle

**Institute of Employment Rights
Employment Law Update 2019**

**Liverpool 21 November 2019
London 4 December 2019**

Original objectives

- Open
- Fair
- Impartial
- Expert
- Speedy
- Informal
- Accessible
- Tripartite

And now?

- Open
- Fair
- Impartial
- Expert
- Not so speedy
- Not so informal
- Not so accessible
- Relatively tripartite still

Reform

- 2 threads
- HMCTS reform
 - all courts and tribunals
 - £1.1bn
 - in progress
- ET Reform Project
 - commencing November 2019
 - no particular budget
 - likely to need some legislation

Issues and problems

- Fees?
- Resources
 - Judges and members
 - Sitting days
 - Staff
- Buildings
 - Courts and tribunals service centres
 - Multi-jurisdiction hearing centres
 - Online hearings

Issues and problems

- Case management database
 - Ethos degradation
 - Employment Case Management (ECM) replacement
- Digitalisation
 - Claims
 - Responses
 - Applications
 - Orders and directions
 - Hearing documents
- Use of smartphone technology

Issues and problems

- Online dispute resolution
- Triage
- ADR (alternative dispute resolution)
- Delegation to legal officers
- Remote hearings
 - Telephone conferences
 - Skype
 - Video hearings
- Online decisions

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