



University of Strathclyde
LAW CLINIC

4A. Preliminary Hearing Introduction

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Preliminary Hearing Guide

These Slides will cover:

What is a Preliminary Hearing?

Preliminary Hearing for Case Management

Reasons Hearing on Preliminary Matters

Agenda and Agenda Response

Schedule to Agenda Response

What is a Preliminary Hearing (PH)?


The Tribunal is aware that some cases can be more complex than others.

This complexity is often reflected in the number of days a case is assigned for the Merits Hearing.

- i.e. the more complex, the more days allocated.

What is a Preliminary Hearing (PH)?

The types of cases that the Tribunal assumes will be more complex are:
discrimination claims; and
whistleblowing claims.



The Tribunal uses PHs that are referred to as 'Case Management Hearings' to help progress the case. This type of PH will come first in a case.

What is a Preliminary Hearing (PH)?

In order to help everyone prepare better for cases, the Tribunal will assign a PH date at the very outset of the case.

This will be a short procedural hearing of around 1 hour.



What is a Preliminary Hearing?

- ▶ Parties and or their representatives will attend the Tribunal to go through an **Agenda**.
- ▶ This can be a telephone conference call or a virtual hearing or a hearing in person.
- ▶ The Agenda will have been issued in advance to help everyone prepare for the PH. For more information regarding the agenda please refer to slideshow 4D.



What is a Preliminary Hearing?

A Case Management Preliminary Hearing is a private hearing.

It will only be attended by the relevant parties and or their representatives and the Employment Tribunal Judge.