

6. **Statement of remedy/schedule of loss**

- 6.1 The claimants are ordered to provide to the respondent and to the Tribunal, so as to arrive on or before **15 February 2018** a properly itemised statement of the remedy sought (also called a schedule of loss).

7. **Disclosure of documents**

- 7.1 The parties are ordered to give mutual disclosure of documents relevant to the issues identified above by list and copy documents so as to arrive on or before **28 March 2018** this includes, from the claimant, documents relevant to all aspects of any remedy sought.

- 7.2 This order is made on the standard civil procedure rules basis which requires the parties to disclose all documents relevant to the issues which are in their possession, custody or control, whether they assist the party who produces them, the other party or appear neutral.

- 7.3 The parties shall comply with the date for disclosure given above, but if despite their best attempts, further documents come to light (or are created) after that date, then those documents shall be disclosed as soon as practicable in accordance with the duty of continuing disclosure.

8. **Bundle of documents**

- 8.1 It is ordered that the respondent has primary responsibility for the creation of the single joint bundle of documents required for the hearing.

- 8.2 To this end, the claimants are ordered to notify the respondent on or before **16 April 2018** the documents to be included in the bundle at their request. These must be documents to which they intend to refer, either by evidence in chief or by cross-examining the respondent's witnesses, during the course of the hearing.

- 8.3 The respondent is ordered to provide to the claimant a full, indexed, page numbered bundle to arrive on or before **30 April 2018**.

- 8.4 The respondent is ordered to bring sufficient copies (at least three) to the Tribunal for the Tribunal's use at the hearing, by 9.30 am on the morning of the hearing.

9. **Witness statements**

- 9.1 It is ordered that oral evidence in chief will be given by reference to typed witness statements from parties and witnesses.
- 9.2 The witness statements must be full, but not repetitive. They must set out all the facts about which a witness intends to tell the Tribunal, relevant to the issues as identified above. They must not include generalisations, argument, hypothesis or irrelevant material.
- 9.3 The facts must be set out in numbered paragraphs on numbered pages, in chronological order.
- 9.4 If a witness intends to refer to a document, the page number in the bundle must be set out by the reference.
- 9.5 It is ordered that witness statements are exchanged so as to arrive on or before **7 September 2018**.

CONSEQUENCES OF NON-COMPLIANCE

1. Failure to comply with an order for disclosure may result on summary conviction in a fine of up to £1,000 being imposed upon a person in default under s.7(4) of the Employment Tribunals Act 1996.
2. The tribunal may also make a further order (an “unless order”) providing that unless it is complied with, the claim or, as the case may be, the response shall be struck out on the date of non-compliance without further consideration of the proceedings or the need to give notice or hold a preliminary hearing or a hearing.
3. An order may be varied or revoked upon application by a person affected by the order or by a judge on his/her own initiative.

Employment Judge Smail

Date: 20 December 2017
South East Region

20/12/17

Judgment sent to the parties on
