



**EMPLOYMENT TRIBUNALS
England & Wales**

46th MEETING OF NATIONAL USER GROUP

**Minutes of the National User Group meeting
held via Microsoft Teams on 27 April 2022**

1 Attendance

Name	Organisation
Judge Barry Clarke	President, Employment Tribunals (England & Wales)
Judge Susan Walker	Vice President, Employment Tribunals (Scotland)
Judge Lorna Findlay	Regional Employment Judge (Midlands West)
Judge Andrew Freer	Regional Employment Judge (London South)
Judge George Foxwell	Regional Employment Judge (South East)
Judge Joanna Wade	Regional Employment Judge (London Central)
Judge Rohan Pirani	Regional Employment Judge (South West)
Mark Lewis	HMCTS
Helen Nolan	HMCTS
Sue Bolton	HMCTS
Bernadette McQueen	HMCTS
Leanna Conradson	HMCTS
Nicole Clarke	Acas
Tony Lowe	Acas
Richard Boyd	BEIS
Robin Rimmer	MoJ
Richard Fox	Employment Lawyers Association
Caspar Glyn QC	Employment Lawyers Association
Felicia Epstein	Employment Lawyers Association
Mohinderpal Sethi QC	Employment Law Bar Association
Shantha David	Law Society's Employment Law Committee
Philip Thornton	Lexis Nexis
John Sprack	Law Works
James Potts	Peninsula
Simon Pender	Make UK
Tracey Moss	Citizens Advice

1.1 Apologies

Apologies were received from Andrew Willis (Croner Group), Katie Miller (CBI), Laura Garner (Thomson Reuters) and Daniel Barnett (barrister).

2 Welcome & introductions

The President welcomed members to the 46th meeting of the Employment Tribunals (England & Wales) National User Group, held via Microsoft Teams.

3 President's report

3.1 Covid-19

The President confirmed that, following the lifting of all Covid-19 restrictions, there was no requirement for face coverings to be worn in the Employment Tribunal buildings within England & Wales. Personal choices to wear a face covering would, of course, be respected.

3.2 Management information/transparency data

The President said that the continuing lack of management information/transparency data would be covered by Mark Lewis of HMCTS later in the meeting. The headline point was that HMCTS was still unable to publish audited data on the numbers of claims being received and disposed of and, therefore, the size of the outstanding caseload. However, based on his regular discussions with the Regional Employment Judges, the President considered that the number of receipts (that is, claims received) had stabilised at pre-pandemic levels.

3.3 Recruitment and training

JAC recruitment campaigns were ongoing for new salaried Employment Judges and fee paid Employment Judges, with the hope of securing approximately 50 of each. Both selection exercises would be reporting in the Autumn of 2022 with judges starting in early 2023. The President emphasised that the Employment Tribunals can only utilise additional judges if given the funding to sit them.

The President updated the national user group on the induction training of nearly 200 new fee paid and cross-assigned judges who had been appointed in the early Autumn of 2021. A cycle of six courses had taken place between October 2021 and March 2022. Later this year, in a cycle of courses between October 2022 and February 2023, they would enter the second phase of their induction training. This would enable them to sit on open track cases (discrimination and whistleblowing detriment) alongside non-legal members.

The ET's backlog of cases includes many drawn from the open track, where waiting times are longest. The President hoped that the real work to bring down the backlog would begin in Spring 2023, when these new judges could hear a wider range of claims, but this was subject to being allocated sufficient sitting days.

The President announced that a new national director of training for the Employment Tribunals would be taking on the role within the next two months. Regional Employment Judge George Foxwell would succeed Regional Employment Judge Stuart Robertson.

3.4 Waiting times

The President turned to waiting times across England and Wales. Waiting times differ from one region to another due to the lack of uniformity in the distribution of

resources across England & Wales. This includes resources such as the number of judges, the number of available venues and the number of HMCTS staff. In the absence of audited HMCTS data, the President obtained data on waiting times directly from the Regional Employment Judges.

As at the end of April 2022, most regions were listing hearings of 1-2 days' duration (mainly short track and standard track claims) within the 2022 calendar year. Some regions could manage them only in the early part of 2023; these were the Liverpool venue for the North West region, the Watford, Reading and Cambridge venues of the South East region, and the London South region. As for hearings of 3-5 days' duration, most regions were listing them in the first half of 2023, but there were longer waiting times for such cases (extending to the second half of 2023) in London East, London South and the Reading venue of the South East region.

The greatest variation was in respect of hearings of 6-10+ days' duration. The shortest waiting times were in Leeds, where such cases could just about be heard in 2022. Most other regions were listing them in 2023. The longest waiting times for such cases were in the North West of England, in London South and at the Watford venue of the South East region, where such cases were more likely to be listed in the first half of 2024.

The President noted that there were always exceptions where cases took even longer to get to a final hearing. This is because some cases require numerous preliminary hearings, or will have been postponed for good reason, or will have had their progress interrupted by an appeal.

The virtual region, which hears cases on a fully remote basis, continued to mitigate the impact of these variations in judicial and estate resources. It had found judges for hundreds of cases that might otherwise have had their hearings cancelled or postponed.

3.5 Remote hearings

Turning to the current approach to remote hearings, the President mentioned that he and his counterpart in Scotland, Judge Shona Simon, had jointly issued a [road map for the 2022-23 financial year](#).

The latest road map reflected their shared aspiration that whistleblowing and discrimination cases should return in greater numbers to being heard in person. This was generally achievable in Scotland and in the North East of England. However, various other parts of the country were still more dependent upon video. This was especially the case in London Central (where Victory House is impaired as a workable venue), Wales (where generally far fewer hearing rooms are available for use by the Employment Tribunals, which must compete with other jurisdictions for rooms to use), and in other parts of London and the South East making extensive use of the virtual region. The road map was intended to be flexible enough to allow for such variation.

3.6 Evidence from abroad

Both Presidents had just promulgated [joint guidance concerning the taking of oral evidence from persons located abroad](#). They had done so following the judgment of the Upper Tribunal in [Aqbabiaka \[2021\] UKUT 286](#). Internal guidance had been issued to Employment Judges shortly after the judgment first came out, but it had

taken some time for the guidance to be made public due to a number of policy considerations.

3.7 HMCTS reform

The President referred to the [HMCTS reform programme](#). Its purpose was to introduce fully digital case files to the Employment Tribunals, increased automation (around issues such as listing, performance reports, case progression and hearing bundles), and new online processes for submitting claims and responses. A large team of HMCTS staff and contractors were engaged full time on the project. HMCTS seek, through the introduction of reform in the Employment Tribunals, to realise significant savings; this is partly because increased automation should result in a leaner operation requiring fewer staff. The programme anticipates that HMCTS staff will work on an increasingly centralised basis, from one of the new [Courts and Tribunals Services Centres](#). Some aspects of reform were already well underway. These included increased reliance on video (and piloting the new Video Hearing service in the South West England region) and the recruitment of legal officers to undertake delegated judicial tasks and other case progression duties. Both would be discussed further in the meeting.

The President confirmed that the judiciary were being consulted. They were working alongside HMCTS on various reform committees and working groups, some of which were weekly. It was a challenging process for several reasons: the timeline for implementation was ambitious; it was important for designers to understand ET practices and procedures, which required time to explain; it was not possible for HMCTS to implement all aspects of the judicial “wish list”; and funding was, of course, finite. The President emphasised that this was ultimately a process of HMCTS reform, not judicial reform. The judiciary recognised and supported the importance of increased digitisation, but wanted to ensure that it was consistent with access to justice.

The President said that reform was taking up a great deal of his time, as well as the time of several leadership judges involved in its implementation. These included the Vice President in Scotland (Judge Susan Walker) and Regional Employment Judges Rohan Pirani, David Franey, Paul Swann and Stuart Robertson.

Judge Robertson, who leads the ET judiciary in the North East of England, had agreed that Leeds Employment Tribunal would be an “early adopter” site for some of the components of the new digital processes. Work was ongoing to decide the scope of the minimal viable product that would be rolled out in July 2022 as a “private beta”. Judge Robertson would be working closely in the coming months with Judge Walker, as Glasgow was the early adopter site for Scotland and the two offices needed to learn from each other’s experiences.

The President was keen that HMCTS should keep users informed. He was pleased to note that, on the same day as today’s national user group meeting, HMCTS had issued a FAQ document to members of the national user group (and which had been [circulated more widely by Daniel Barnett](#)). He encouraged HMCTS to maximise engagement with members of the national user group. Mark Lewis of HMCTS said that he would say more about the reform programme later in the meeting, but he confirmed that the FAQ document was a public document and could be circulated widely.

3.8 Scotland

The President informed the members that the Judge Susan Walker, Vice President of the Employment Tribunals in Scotland, would be Acting President until such time as a substantive appointment is made.

4 Regional updates

The President turned the meeting over to the Regional Employment Judges in attendance, so that they could give updates about regional performance.

Judge Joanna Wade (London Central) said that the main problem remained the quality of Victory House and, specifically, the limit on how many people could be in a hearing room at any time due to the lack of a functioning system for air circulation. It can be too hot in the summer and (because windows must remain open) too cold in the winter. Most hearings were still proceeding on video as a result, but in-person hearings were being arranged where they were needed, for example due to the vulnerability of a participant. Two of the salaried Employment Judges had unexpectedly been away for a considerable period of time, which had a negative effect on throughput of cases. She urged parties to “read to the end” of case management orders to ensure that they complied with directions for the production of electronic bundles.

Judge Andrew Freer (London South) said that he had introduced a new regional listing policy in January 2022. This had successfully reduced the number of cases turned away and increased the number of cases that could “backfill” the list when other claims were settled. To give effect to the road map, the number of hearings heard in person was increasing. All their new fee paid judges were starting to sit. He was looking at ways to optimise Croydon’s use of the virtual region.

Judge George Foxwell (South East England) pointed out that his region was a geographically large and dispersed region, which received about a sixth of the single cases received in Great Britain and held a similar proportion of the outstanding caseload. Across five main venues (Watford, Reading, Bury St Edmunds, Cambridge and Norwich), the region was regularly fielding 20 to 30 judges a day. They were doing all they could to address long waiting times and reduce the backlog. He was aware of particular problems in Reading, where the size and quality of the building placed limits on the throughput of cases.

Judge Lorna Findlay (Midlands West) said that she was trying to increase the proportion of in-person hearings in open track cases, in accordance with the latest presidential road map. A particular problem was that the region had too few judges able to conduct case management hearings in open track cases; she hoped this would improve as the new fee paid judges progressed later this year through the second phase of their induction. She mentioned that she had co-led national training in judicial mediation for dozens of ET judges earlier in 2022, which should increase opportunities for mediation across England and Wales. She referred to the ADR scheme operating in Birmingham; although there were no audited statistics, signs remained good that this was having a positive effect, with hundreds of hearing days saved. Since the last meeting, she had also met with representatives of the Employment Lawyers Association to explain more about the scheme.

Judge Rohan Pirani (South West England) reported that, with the agreement of HMCTS and the President, his region had piloted some digitisation of files. The South West region had two new legal officers, both of whom were appointed from among existing HMCTS staff. Restrictions in respect of in-person hearings had been lifted in Keble House, Exeter, while some use could be made of the “nightingale”

facility in Southampton. He mentioned ongoing work in respect of the pilot of Video Hearing service, the intended successor to the Cloud Video Platform, which would be discussed further later in the meeting.

5 Intermediaries

The President informed the meeting about new contractual arrangements set up by HMCTS in respect of the use of intermediaries in the civil and tribunal jurisdictions.

By way of context, he explained that there had been increased awareness in recent years about the impact on different types of vulnerability in respect of delivering a fair hearing in which individuals could achieve their best evidence. His predecessor, Judge Brian Doyle, had issued [Presidential Guidance on the topic](#) for Employment Tribunals in England and Wales in April 2020. In civil proceedings before the County Court, a [Practice Direction on vulnerable parties and witnesses](#) had taken effect in April 2021. Measures had been in place for longer in [the Family Court](#) and in the [criminal justice system](#).

The President described intermediaries as independent communication specialists who work on behalf of HMCTS to support people with communication difficulties to participate effectively in a court or tribunal hearing; a useful analogy is an interpreter. They are often qualified in speech and language therapy. The [Equal Treatment Bench Book](#) provides more information about their use in the justice system, particularly in chapter 2. There is also guidance available on [The Advocate's Gateway](#).

The President considered that vulnerable adults and children were more likely to be a feature of the criminal and family jurisdictions than the employment jurisdiction. In most cases before the Employment Tribunals, effective participation in the proceedings could be secured through the application of skilful judicial case management. A range of measures, many described in the Equal Treatment Bench Book and in Judge Doyle's guidance, had long been available to judges. These included taking extra breaks; adjusting the length of the sitting day; ensuring that shorter and simpler questions were asked; use of video or a physical screen; additional case management hearings to set "ground rules"; and so on. However, for a small number of people who used the Employment Tribunals, perhaps because of a learning difficulty or neurodivergence, their impaired communication was such that an intermediary might be appropriate.

The possibility of involving an intermediary may be raised by a party or a witness, including through a legal representative, or by the tribunal on its own initiative using its powers under rules 29 or 41. An intermediary could then be involved in the Employment Tribunals in one of two ways. First, having assessed the vulnerable person, they may provide a written report, if ordered by a judge, on how to ensure their effective participation in the proceedings. Their report might make recommendations on matters such as the way questions are framed or the physical arrangements of the hearing room. Second, perhaps in a smaller number of cases, they might attend the hearing itself to sit alongside the vulnerable person, just as an interpreter would do, assisting the vulnerable person in understanding the proceedings.

The Ministry of Justice had considerable experience in procuring intermediaries in family and crime, but they were used only occasionally in other jurisdictions. The MoJ had recently agreed to explore the possibility of a formal system for the procurement of intermediaries in civil and tribunal jurisdictions. The President explained that a

procurement process had commenced in May 2021, which resulted in the awarding of contracts to a variety of service providers taking effect from April 2022.

HMCTS has provided [online information about intermediaries](#), and a list of [managed and approved service providers](#). Importantly, HMCTS funds the involvement of the intermediary, as it funds the involvement of an interpreter.

The President said that he would personally have preferred HMCTS to assume responsibility for booking all intermediaries, as they do with interpreters, but the scheme developed by MoJ requires that HMCTS only identifies and books an intermediary where it is for an **unrepresented** person. Where a party is professionally represented, those representatives must select the intermediary from the approved list of service providers (albeit HMCTS then pays for their use).

6 Recording and transcription of hearings

The President moved onto the issue of whether Employment Tribunal hearings could or should be recorded and transcribed. There had been [criticism](#) recently of the lack of recordings in the Employment Tribunals.

The President wished to emphasise two points: first, no judicial decision had ever been made to oppose the recording of Employment Tribunal hearings; and, second, it was the responsibility of HMCTS, not the judiciary, to procure the equipment that would enable routine recording of hearings, and then to arrange for the storage and transcription of recordings.

The President thought it would be helpful to provide some historical context for why Employment Tribunal hearings had not hitherto been recorded. He explained that, when the Industrial Tribunals were set up in the 1960s, they were not intended to mirror the formality of courts, which used stenographers to make an official record of the proceedings. The tribunals were meant to be informal bodies where parties could feel free to speak as they wished, especially when they were not professionally represented (which, in those days, was the vast majority of cases). Stenographers only existed in the courts, although there were rare exceptions when the parties paid to use them in their own proceedings before the Employment Tribunals.

[Over a decade ago](#), stenographers were replaced in the courts by an electronic system, known as the Digital Audio Recording, Transcription & Storage system (or “DARTS” for short). This system records the hearing and allows, where appropriate, a transcription to be produced afterwards from the recording. A form, [EX107](#), exists by which parties can request a transcription of a hearing in the civil courts. DARTS has multiple microphones and an integrated timer, which enable the transcriber to identify who is speaking (and when) when preparing the transcript. It is not a cheap system.

The DARTS system was not installed in Employment Tribunal hearing venues (or any other tribunals). There was no need to do so in jurisdictions where hearings were not routinely recorded. The Employment Tribunals in England and Wales regularly use about 135 hearing rooms, and most of them are found in leasehold premises that are separate from the Crown Court, Magistrates’ Court and County Court. However, in a few locations, the Employment Tribunals are co-located with courts jurisdictions and make use of hearing rooms that have the DARTS system installed. Where DARTS is installed and available to be used by the Employment Tribunals, and trained staff are on hand to operate it, its use is encouraged. An example is Bristol.

The President explained that, before the pandemic, efforts were being made by HMCTS to procure devices that could record Employment Tribunal hearings. This was mentioned in [the minutes of the 37th meeting of the national user group](#), held in February 2019. The intention at that time was to produce a protocol for the practice of recording hearings and arranging for transcriptions. Those devices were obtained but, regrettably, they were not successful. First, there was too few of them to ensure national coverage (for example, only two were available for the whole of London). Second, staff were uncertain how to use them. Third, they did not have microphones capable of picking up who was speaking at any one time; consequently, they did not support the preparation of a transcript.

The pandemic saw the Employment Tribunals pivot to video hearings as the mechanism to continue the administration of workplace justice, principally through use of the Cloud Video Platform (CVP). The CVP system has an in-built recording functionality which, if properly utilised, could enable the recording of hearings – at least those that are fully or partly remote. Work commenced on the development of judicial and administrative policy in this regard and, in the Autumn of 2020, the Employment Tribunals in Wales commenced a pilot to record video hearings using CVP.

In summary, there has been no judicial policy decision to refuse to record hearings. Indeed, there is consensus among the ET’s leadership judges that hearings should be recorded. It is first necessary, however, to develop a suitable protocol for their use and to liaise with HMCTS over practical arrangements.

Ahead of the meeting, the President had circulated to members of the national user group a draft practice direction and presidential guidance (and a bespoke transcript request form) for comment, as part of what will likely prove to be a lengthy process before a suitable approach can be settled upon. There will be consultation with the BEIS, MoJ, the Council of Employment Judges and the judges of the EAT. The President referred to the EAT decision in *Kumar v MES Environmental Ltd* [\[2022\] EAT 60](#), which would also influence the development of the practice direction.

7 Legal Officers

The President said that he had been pleased with the innovative ways of working introduced by the cadre of legal officers who began work for the Employment Tribunals in 2021, dealing with a range of delegated judicial powers as well as improving systems for case progression. He introduced their senior manager, Bernadette MacQueen, to the user group to talk about their work, alongside Leanna Conradson, a legal officer based in Wales.

Bernadette explained that there were now about 30 legal officers working for the Employment Tribunals, falling under the HMCTS Legal Operations Directorate. She was keen that they should develop strong jurisdictional expertise. Leanna described a typical “day in the life” of a legal officer and how the work differed from her time as a member of administrative staff working for HMCTS. She went through the delegated powers given to the legal officers and discussed the training process they had received as part of their induction. She talked about how there were plans for legal officers to develop responsibilities in respect of the handling of national “multiple” claims.

Richard Fox asked Leanna how many times decisions made by legal officers were being subjected to an application under [Regulation 10A\(2\)](#) to be considered afresh

by a judge. She was not aware of any within Wales. The REJs present said that, between them, they were not aware of any either. The President said he was aware of a few such applications; it was early days yet but the signs were users appeared to accept decisions when they were taken by legal officers. That was a tribute, he thought, to the quality of their decisions.

8 Other questions

Caspar Glyn raised three points on behalf of ELA: he expressed concerned at the lack of performance data published by HMCTS; he reported that users said that London South ET was unable to accommodate hearings of more than ten days in length; and he asked for users to be consulted on plans for intermediaries. As to the first point, Mark Lewis of HMCTS said that every effort was being made to produce accurate data. On the second point, REJ Freer said this was a misunderstanding based on his efforts to instil a new approach to listing in Croydon with the intention of reducing the number of cases that were “turned away” at the last moment. On the third point, Mark Lewis said that HMCTS had engaged in wider publicity and communication about the contractual arrangements for intermediaries. The President said that, in due course, he would reflect on whether it was appropriate to update the [presidential guidance on vulnerable parties and witnesses](#) in view of the new contractual arrangements for intermediaries.

In response to questions raised by Felicia Epstein on behalf of ELA about lack of consistency between ET regions on the use of electronic bundles, the President referred to paragraphs 22 to 30 his [presidential guidance on the topic](#).

9 HMCTS update

Mark Lewis told the user group that HMCTS was hoping that performance data would be capable of publication by June 2022. Such data is likely to remain heavily caveated for some time. He explained that the difficulty arose from the transition from the previous case management system (Ethos) to the new one (ECM, which works on the same core database that underpins HMCTS reform in other jurisdictions). It has unfortunately proved too labour-intensive and costly to continue attempting to amalgamate the data fully.

Turning to HMCTS reform, Mark explained that it would first be rolled out to two early adopter sites in the Employment Tribunals, which the judiciary and HMCTS had agreed would be Glasgow and Leeds. There was currently intense activity on matters such as a new ET1 journey (which would differ slightly for represented and unrepresented users), a new ET3 journey, the vetting process for both, and interaction with Acas. It was necessary to build a suitable “user interface”, which would be “Citizen UI” for unrepresented users and “MyHMCTS” for legal representatives. He pointed out that there was also intensive activity in other jurisdictions: civil, family and various chambers of the First-tier Tribunal. He said that the timescale for rolling out reform nationally was challenging and HMCTS were working hard to deliver. He was grateful for a good working relationship with the judiciary. He said he hoped that the recently issued FAQ document would be helpful to users and he accepted the importance of consultation with members of user community.

On that point, Caspar Glyn said that ELA had held a useful meeting with the ET3 development team. It had lasted for two hours because ELA had a lot to say. He emphasised how keen ELA were to be involved in matters of design as well as implementation.

Caspar asked Mark if there was any update as to the number of sitting days for the Employment Tribunals in 2022/23. Mark said that there was nothing yet to report because the number had not yet been finally decided within HMCTS.

Richard Fox asked some questions about the public FAQ document on reform. How much had been discussed with the profession about the “MyHMCTS” portal? His concern was that it suggests that an administrator needs to be appointed from within particular law firms who wish to participate. Could that be only one such person? What if they were absent from the office? How will it work in practice? Mark said that “MyHMCTS” was one of the so-called “common components” of reform – one of the common “building blocks” across multiple jurisdictions – and was already being used successfully in other jurisdictions where there has been significant engagement with users. Mark said that he would expect greater clarity to emerge as the design work continued.

The President said he strongly agreed with the need for consultation with system users. He thought that the national user group is the best forum by which that can be done; documents and updates can be circulated via the membership list.

The President added that, in respect of “MyHMCTS”, he had asked for clarification on whether, given the range of representatives who appear in the Employment Tribunals, it was available for use by claims managers, HR representatives, trade union officials and the like. That remains to be established.

10 MoJ update

Robin Rimmer discussed the Judicial Review and Courts Bill, and the proposal to transfer the rule-making power for Employment Tribunals from BEIS to the [Tribunal Procedure Committee](#), a non-departmental public body sponsored by the Ministry of Justice. There remained some uncertainty about how the transitional arrangements would operate. The President said that the judiciary welcomed this move and hoped it would make the process of revising the rules swifter and more straightforward.

The President mentioned that the Judicial Review and Courts Bill, when enacted, would also amend the Legal Services Act 2007, empowering reserved tribunals in the UK, including the Employment Tribunals, to make pro bono costs orders in respect of representation provided on or after a specified date. A pro bono costs order would be an order to make a payment to a prescribed charity (currently the Access to Justice Foundation) in respect of the representation of a party to proceedings, where that party’s representation had been provided free of charge by a solicitor, barrister or advocate in England, Wales, Scotland or Northern Ireland.

11 Video Hearings service

Mark Lewis introduced Sue Bolton, a service manager on the video hearings project.

The “VH” service is a reform product, the development of which started prior to the pandemic, but where many learning points have been gleaned from the experience of running hearings remotely in various different jurisdictions. HMCTS have worked closely with the judiciary in developing the product further, especially in the South West England region of the Employment Tribunals where it was being piloted with oversight from Regional Employment Judge Pirani. Sue shared her screen to demonstrate a case heard through the VH platform, stage by stage. The President

thanked Sue for the demonstration, and he thanked the judges and users in the South West region for their efforts in supporting the pilot.

Philip Thornton asked a question about how documents would be displayed on screen or handled in the course of a hearing. REJ Pirani said it would be like a shared screen on Teams or CVP. Caspar Glyn asked about reconfiguration of the “tiles” on screen showing the participants, as it was sometimes a frustrating experience when a witness or other hearing participant occupied a larger place on screen than those actually speaking. It can be difficult, he said, with multiple people on the screen because CVP makes them all appear small. REJ Pirani said that it is necessary to balance the screen configuration with the stability of the platform; functionality improvements could sometimes only be achieved at the expense of the stability of the platform. The system needed an active clerk to ensure the right people were “pinned” on screen at the appropriate time. The President added his own concern that the screen configuration gave less prominence to the non-legal members; they often did not speak during a hearing (and so were in a small tile), but their importance to the decision-making process should not be underestimated and ought to be reflected in how they were shown on screen.

12 BEIS update

Richard Boyd said that, due to pressures of time, he would provide a fuller report on the next occasion.

13 Acas Update

Nicole Clarke said that Acas intended to publish its annual report in June. Like the Employment Tribunals, they had not seen a spike in claims when the furlough scheme was wound down. However, they had recently seen a small spike in the so-called “no job no job” cases.

14 Any other business

The President reminded members to reply by the end of May 2022 for comments about the draft documents on recording and transcription.

On the topic of HMCTS reform, he urged all user group members and stakeholders not to wait to be approached by HMCTS if they thought they had something useful to offer or say; they should contact Mark Lewis.