



TRIBUNALS
JUDICIARY

JUDGE BARRY CLARKE
PRESIDENT
EMPLOYMENT TRIBUNALS (ENGLAND & WALES)

To all members of the national user group for the Employment Tribunals in England & Wales

6 January 2021

Dear all

Over the last nine months, the Employment Tribunals have worked alongside HMCTS to develop effective remote hearing capabilities, supported by improved hardware and software. Because of our extensive use of the Cloud Video Platform, we can continue to hold hearings in volume despite the tighter restrictions that are now in place across England and Wales.

Attendance at an in-person hearing is still permitted under the relevant legislative provisions operating in England and Wales. Our users should assume, for the moment, that any hearing that has been scheduled to take place on an in-person or hybrid basis will continue to take place on that basis, unless they hear to the contrary from the relevant regional office.

While tighter restrictions operate, however, the aim is for **physical attendance at an Employment Tribunal venue in England and Wales to be the exception, and only where it is necessary in the interests of justice**. The Employment Tribunals in England and Wales will facilitate remote attendance as often as possible. Therefore, as quickly as judicial and administrative resources permit, the forward lists are being examined to see whether in-person hearings can be converted to hybrid or fully remote hearings, or whether hybrid hearings can be converted to fully remote hearings. Decisions on the format of hearing made earlier in 2020 may be revisited; at that point, there may have been more scepticism about the effectiveness of remote hearings and an expectation that the situation would have improved by early 2021. While the format of hearing remains a judicial decision, paragraphs 16 and 17 of my Presidential Guidance document [here](#) will assist.

I thank our users for their support and co-operation during these challenging times.

With best wishes.

Judge Barry Clarke
President