



EMPLOYMENT TRIBUNALS (ENGLAND & WALES)

PRESIDENTIAL CASE MANAGEMENT ORDER

The President of Employment Tribunals may issue case management orders to further the [overriding objective](#) and, in particular, he may do so where claims are underway around England and Wales raising the same or similar issues.

Where claims are also underway in Scotland, the President in England and Wales may liaise with the President in Scotland so that they can jointly decide the appropriate location in Great Britain that accords with the interests of justice and furthers the overriding objective.

This case management order of the President concerns claims presented against:

The Ministry of Defence

Background

1. Reservists have presented claims to various Employment Tribunal offices across Great Britain, naming the Ministry of Defence as a respondent, which refer to the judgment of a tribunal sitting in Glasgow in the case of [Milroy](#) (4103202/2020). That judgment is currently under appeal.
2. By these claims, Reservists complain about their exclusion from the Armed Forces Pension Scheme 1975 (and successor schemes) and about the divisor used to calculate their daily rate of pay, and they allege a breach of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.
3. These claims raise the same or similar issues. Having consulted the President of Employment Tribunals in Scotland, I make the orders set out below.

Orders

4. All claims from Reservists brought in England and Wales relying on the tribunal's judgment in [Milroy](#) and/or raising the same or similar issues shall be transferred to the Employment Tribunal office in Glasgow where they will be subject to further orders and directions from the Vice-President in Scotland or any such Employment Judge as she may nominate.

5. Any and all case management orders that may have been made in respect of those claims (save for this presidential order) will be suspended and any hearings vacated.
6. All future such claims, where not otherwise presented to the Employment Tribunals in Scotland, shall also be transferred to the Employment Tribunal office in Glasgow where they will be subject to further orders and directions from the Vice-President in Scotland or any such Employment Judge as she may nominate.
7. If any party or representative wishes to make representations regarding the conduct of such claims they should write to the Vice-President in Scotland (with a copy to the other parties in accordance with [rule 92](#) of the Employment Tribunals Rules of Procedure).
8. A copy of this case management order shall be sent to ACAS, all known interested parties and published on the website of the Employment Tribunals at the link below: <https://www.judiciary.uk/guidance-and-resources/directions-employment-tribunals-england-wales>

SIGNED:

A handwritten signature in black ink, appearing to read 'Barry Clarke', with a long horizontal stroke extending to the right.

Judge Barry Clarke
President

DATED: 23 October 2024