



## **EMPLOYMENT TRIBUNALS (ENGLAND AND WALES)**

### **PRESIDENTIAL CASE MANAGEMENT ORDER**

**The President of Employment Tribunals may issue case management orders to further the overriding objective and he may do so, in particular, where claims brought before the Employment Tribunals in England and Wales raise the same or similar issues.**

**The President may direct that the claims are heard in a particular region or administrative office. In doing so, the President will have regard to whether the interests of justice are advanced by considering the claims together; the distribution of judicial and administrative workload and resources as between the Employment Tribunal regions (including waiting times); and any views expressed by the parties.**

**This case management order of the President concerns:**

**Claims by Physician Associates against the Royal College of General Practitioners, the Royal College of Physicians, the British Medical Association and their individual employers**

#### **Background**

1. Claims of sex discrimination and unfair dismissal have been presented by a number of Physician Associates against their individual employers and also against the Royal College of General Practitioners, the Royal College of Physicians of London and/or the British Medical Association, on the basis that those bodies instructed, caused or induced the treatment that is the subject of the claims.
2. All the claims raise common issues about whether those bodies are liable for that treatment. If they are, that will have consequences in relation to the claims against individual employers too.

#### **Discussion**

3. On 24 September 2025 a draft Presidential Case Management Order was sent to the parties giving them the opportunity to make written representations with respect to the proposal that all such claims be consolidated and transferred to the North East Region to be managed there.

4. Save for the first respondent in case numbers 6029771/2025 and 6030068/2025 and the first respondent in case number 6018742/2025, the parties agreed with the proposed order or made no representations.
5. The objection to the proposal from the representatives of the first respondents in the above cases was that the dismissal of the claimants was not influenced at all by the actions which form the basis of indirect discrimination claims against other respondents, the Royal College of Physicians, of London, the Royal College of General Practitioners and the British Medical Association. In respect of claims against the employing entities, that is the first respondents, it is submitted there are no common issues in the claims because, even if the Tribunal were to find that the actions of the other respondents did amount to indirect sex discrimination, it would still be necessary to determine whether those matters had anything to do with the claimants' dismissals which it is said, robustly, they did not. The circumstances of the dismissals of these claimants are said to be specific to them and, in that respect, no common issues can possibly arise.
6. The claimants do not agree to withdraw any of the claims against the other respondents and to pursue only the employing entity.
7. I am satisfied that it is in the interests of justice to make the order I had proposed. I recognise that the circumstances relating to the claims between the claimants and the employing entities may have specific issues which have no commonality. That said, it would not be appropriate for any cases between a claimant and the employing entities to be adjudicated upon before the claims against other respondents have been decided. Even those representatives of first respondents who object to the proposal acknowledge that common issues arise with respect to the claims concerning the claimants and the other respondents. The interests of justice are obviously advanced if a lead or sample case (or lead or sample cases) is (are) heard with respect to the common issues, to reduce cost and delay in a multiplicity of such claims and to provide for consistency.
8. One suggestion was not to transfer the claims out of their regions but to stay them against the first respondents pending the determination of the common issues which involve the other respondents. I do not agree. It would be better for a judge in one region to have an overview of all claims. That will provide a better context against which to make orders about the determination of claims and issues and the sequence that should follow. Whether it becomes appropriate to return cases to their region at a later stage of this litigation would better be decided then.

## **Orders**

9. For the reasons given above, all claims identified as raising the same or similar issues brought by Physician Associates against their individual employers and/or the Royal College of General Practitioners, the Royal College of Physicians of London and/or the British Medical Association shall be transferred to the Newcastle Employment Tribunal.

10. All such claims will be consolidated. The claims will be case managed in accordance with directions made by the Regional Employment Judge for the North East region (or any other Employment Judge as nominated by them).
11. If any party or representative wishes to make representations regarding the conduct of such claims they should write to the Regional Employment Judge at the Newcastle Employment Tribunal (with a copy to all other parties in accordance with [rule 90](#) of the Employment Tribunal Procedure Rules 2024).
12. 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:



Judge Barry Clarke  
President

DATED: 18 December 2025