

University House (Legal Advice Centre)
ET Proceedings CMPH Project

Name of project	ET Proceedings Case Management Preliminary Hearing Project
Delivered by	University House (Legal Advice Centre)
Type of work / opportunity	Casework
Topic area	Employment/Discrimination Law
What is it?	To provide support and help to an individual claimant preparing for a Case Management Preliminary Hearing, and to represent (but not on the record) at the CMPH.
Where is it?	Virtual. Hearings are also mostly remote.
Duration	Varies depending on complexity of cases.
Frequency	Commitment is flexible.
Who is the opportunity open to?	Any trained lawyer (USA/UK qualified) and trainees.
What expertise does the lawyer need to have?	Whilst it would be ideal to have lawyers with an employment or litigation background, with training and pairing up with a mentor and supervision and support from us, all lawyers could be trained. There is also a role for less experienced pro bono lawyers to attend a CMPH as a companion rather than as a representative.
What do the pro bono volunteers do?	This project pairs up a pro bono lawyer with a claimant who has a listed CMPH. When the case is listed the parties receive a case management agenda. • The pro bono lawyer will work with the claimant to agree the agenda with the respondent and crucially, try to agree a list of issues and/or at least get a good draft out to be finalised at the CMPH. • It is also an opportunity to discuss whether the claims have been properly articulated and whether amendments are required, whether some claims should be withdrawn and potentially to discuss settlement. • The pro bono lawyer can also give some advice about merit, if they are confident to do this. The pro bono lawyer will then attend the CMPH and explain they are representing the claimant but are not on the record. The ET rules of procedure are very flexible about representation and judges are often grateful for people, lay or professional, attending with claimants. The benefit for a claimant is the case is trial-ready and the best it will be for the final hearing. There is also an opportunity for settlement.
Insurance position	Our own insurance covers all our volunteers.
Other support from organisation/charity	Training and supervision is provided. Training can be packaged as a breakfast or lunchtime training event.

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Fee/cost	Yes, minimum annual donation for an organisation to take part in the clinic is £8K.
Contact	Please contact NPBC In House Pro Bono lead mary@dobsonsmith.consulting for a direct introduction
Background to project/scheme	Most claimants in the Employment Tribunal are not represented, or if they are, they are represented by 'lay' representatives. Most respondents are represented. All discrimination, public interest disclosure and other complex cases are automatically listed for a case management preliminary hearing (CMPH), via CVP for 2 or 3 hours. The purpose of the CMPH is to get the case ready for the final hearing which involves dealing with disability matters, if appropriate, giving case management directions, listing the case and crucially agreeing the 'list of issues' i.e. confirming what the case is about. This also involves dismissing complaints not being pursued and dealing with amendments for complaints not/poorly articulated in the ET1. The benefit for the pro bono lawyer is an opportunity to work with claimants, on a piece of litigation and advocacy that can be ring-fenced. As complex cases are usually listed for 4+ days, there is limited scope for pro bono representation at final hearings, but getting a case trial-ready is probably the next best thing and given the lack of funding for litigation in the Employment Tribunal is a pragmatic approach to access to justice.