



**Birmingham Peoples  
Centre**

Putting People First

## Preliminary Hearings

A preliminary hearing is a hearing that is arranged by a judge to deal with procedural issues about the case before the full hearing.

When the ET1 and the ET3 are submitted they are examined by a judge. From those documents a judge will be in a position to determine if a preliminary hearing is required or not. Preliminary hearings can be face-to-face at the tribunal offices or over the telephone via a conference call. If a judge determines that a preliminary hearing is required the judge will send both parties a questionnaire entitled; Agenda for Case management at Preliminary Hearing.

This questionnaire will require both parties to outline the main issues of the case and once completed you will have to send the other side and the tribunal a copy of the completed questionnaire before the date of the preliminary hearing.

We have developed a factsheet entitled **Agenda for Case management at Preliminary Hearing: possible questions.**

There are a number of issues that can be dealt with during a preliminary hearing including; whether the tribunal has the jurisdiction to hear the case, has the claim been brought in time and employment status of the claimant. If any of these points go against either the claimant that will be the end of the case.

The preliminary hearing may well include hearing from any witnesses involved in the case. If the judge considers the claim to be weak they could strike out the case or impose a deposit order. There is more information about this in our factsheet entitled Striking Out and Deposit Orders.

It is very important that you prepare for any preliminary hearing because what it essentially means is that there are potential problems with the case that the judge needs to sort out.



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