



**Birmingham Peoples
Centre**

Putting People First

Formalities during the Hearing

There is an order in which hearings are taken and they will normally proceed as follows:

Either:

The claimant calls their first witness

The respondent cross-examines

The claimant calls the second witness

The respondent cross-examines

And so forth until the claimant has no more witnesses to call

The respondent then call their witnesses in order

The claimant cross-examines them all

The respondent makes their closing submissions

The claimant makes their closing submissions

Or:

The respondent calls their witnesses

The claimant cross-examines them

The claimant calls all their witnesses

The respondent cross-examines them

The claimant makes closing submissions

The respondent makes closing submissions

The choice between these two scenarios depends on which side has something to prove. For example, in a discrimination case a claimant cannot succeed without showing discrimination and so calls their witnesses first. In an unfair dismissal case the respondent starts by showing that they had an acceptable reason for dismissal. If you require any clarification about this please get in touch with us.



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Room 118, Gazette Buildings, 168 Corporation Street
Birmingham, B4 6TF

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✉ trevor@bhampc.co.uk ☎ 07972 437396, 0121 6631224 🌐 www.bpcentre.org.uk