

for the provision of the premises in which hearings take place, commit that stringent measures remain in place in all ET offices which are designed to protect the health and safety of those who enter the building, for whatever purpose.

This having been said I am very aware of the increased transmission rate of Covid 19 and its overall level in the community. I fully appreciate the need to conduct hearings as safely as possible and to minimise the number of people having to enter Employment Tribunal Offices. All Scottish Employment Judges will be doing whatever they can to facilitate fully (or, if need be, partly) remote hearings in as many cases as possible over the next few months. The decision about how a hearing is to be conducted remains a judicial one although judges will of course take into account any particular factors drawn to their attention by parties which are relevant to such a decision. In some instances, in cases where the hearing is already fixed to be in-person, they may revisit with parties whether an in-person hearing is absolutely necessary to achieve justice. As our experience of remote hearings has increased so the initial, understandable, scepticism about whether it was possible to conduct hearings in this way has declined. Parties who may previously have expressed strong views about the need for a hearing to be conducted in person may take a rather different view now. They should not hesitate to inform the tribunal if their position has changed in this regard, particularly if that hearing is scheduled to take place between now and the end of May 2021.

There is one very practical step you can take to assist us to make what progress we can, despite the current restrictions. As you may be aware, in Scotland a case management hearing by telephone is arranged 7-10 days before any in person hearing. This is to discuss, in particular, the social distancing measures in place to ensure the safety of participants. This is also an opportunity to discuss whether all or part of the hearing should be converted to video: it would be extremely helpful if representatives could ensure they have instructions on that issue and also email addresses for all participants to hand at that hearing.

I have every confidence that those who appear before Employment Tribunals in Scotland will continue to cooperate with me and my judicial colleagues to ensure that we hear as many cases as we can in the safest manner possible, commensurate with the interests of justice. My heartfelt thanks to all of you who will assist us in this endeavour.

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**We must
keep on protecting
each other.**



HANDS



FACE



SPACE

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