

THE INDUSTRIAL TRIBUNALS

CASE REF: 4056/19

CLAIMANT: Anonymised Claimant

RESPONDENT: Anonymised Respondent

DECISION ON A PRE-HEARING REVIEW

The decision of the tribunal is that the application to exclude, at this stage, the claims of sexual harassment involving a particular individual on the grounds of time limitation was dismissed.

CONSTITUTION OF TRIBUNAL

Vice President (sitting alone): Mr N Kelly

APPEARANCES:

The claimant was represented by Mr Michael O'Brien, Barrister-at-Law, instructed by John Fahy & Co, Solicitors.

The respondent was represented by Mrs Anna McLarnon, Barrister-at-Law, instructed by DWF (NI) LLP Solicitors.

1. The application by the respondent to exclude at this stage the claims of sexual harassment involving a particular individual was dismissed in an oral decision given with reasons.
2. The tribunal determined that this was a matter where the allegations were inter-mingled to such an extent and where there was an arguable case of a continuing act, that it would be unsafe to reach a separate finding in this respect at this stage.
3. The Directions in relation to the hearing listed **for 11-14 November 2019** were amended as follows:
 - (i) The interlocutory process shall be completed in full **no later than 5.00 pm on 18 October 2019**.
 - (ii) The claimant shall provide **signed and dated** witness statements in respect of liability and remedy to the respondent's solicitor *by first class post or by email no later than 5.00 pm on 25 October 2019*.

- (iii) The respondent shall provide **signed and dated** witness statements in respect of liability and remedy to the claimant's solicitor *by first class post or by email no later than 5.00 pm on 1 November 2019.*
- (iv) The reading time at the start of the hearing **on 11 November 2019** will be between **10.00 am and 11.30 am.** The hearing will therefore start **at 11.30 am on 11 November 2019** and **at 10.00 am on subsequent days.**
- (v) The respondent shall provide the full name and address of Mr James Quinn **by 5.00 pm on 4 October 2019** to the tribunal. A Witness Attendance Order will then issue from the tribunal to Mr Quinn requiring his attendance at the hearing of this matter **on 13 November 2019.**

Vice President:

Date and place of hearing: 3 October 2019, Belfast.

Date decision recorded in register and issued to parties: