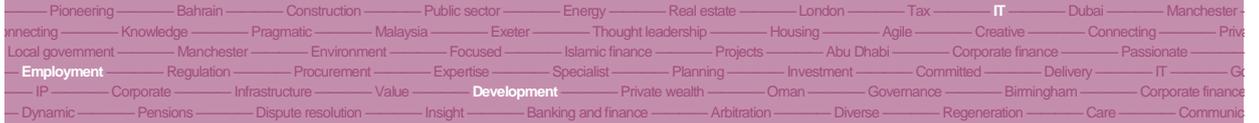




Legal update — February 2017

Employment

Online judgements of the Employment Tribunal are here!



A new Government database that allows anyone to search and access first instance judgments of the Employment Tribunal has gone live for the first time.

This will be welcome news for those who have previously had to submit written requests (and wait!) for copies of judgments and pay the compulsory £10 fee. Judgments of the Employment Appeal Tribunal (EAT) and higher courts have been freely accessible for many years via the EAT's online service and the British and Irish Legal Information Institute, however, the new online service could afford access to first instance decisions on a scale not previously possible.

The website is still a beta version and currently features a selection of approximately 150 judgments from 2015, 2016 and 2017. It's not yet clear how far back the database may go. More judgments may be available in future. The site allows any member of the public to search for judgments by the name of either party. There are also a number of helpful features that allow searches to be limited by date, type of claim, judge and/or jurisdiction.



Source: Fotolia

The judgments available include those made at final and preliminary hearings together with those issued on the withdrawal of a claim. This means that, even if a claim is settled by an employer, the existence of the claim can be accessed by as little as one internet search.

So what about searching for those vexatious litigants? Claimants who have brought claims under the Equality Act 2010 remain protected from victimisation, including by a prospective employer, but will that stop

organisations searching for this freely available information? Similarly, an employer's claims record will be available to existing, former and potential employees who may themselves be thinking of bringing a claim, including the evidence given and the arguments an employer has won and lost previously.

If you need advice or would like to discuss this further, please contact a member of our Employment department.

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