



searching for serial litigants, made easy

Serial-Litigants in Employment Tribunals

Invitation to a one hour briefing

Partners Employment Lawyers and
Damian McCarthy, Barrister, Cloisters

26 November 2009

10:00- 11:00 hrs (morning session)

18:00 to 19:00hrs (evening session)

At: The Honourable Society of Lincolns Inn
33 Chancery Lane
WC2A 1EN

[www.lincolnsinn.org.uk/loc_maps1.asp]

Places are limited.

To reserve call: 0844 800 9239 or

email: info@serial-litigants.com

Recent statistics show that 151,000 Employment Tribunal claims were lodged in 2008-2009.

Many of these claims were made by serial-litigants.

Our new service is designed to identify serial-litigants and assist employers in dealing with them.

Partners employment lawyers (www.partnerslaw.net) have joined forces with Barrister, Damian McCarthy (www.cloisters.com) to provide a unique and valuable service to those who find themselves caught up in employment tribunal litigation.

For more details please attend either of our free briefing sessions:

- Introduction to the serial-litigant problem with case studies;
- How to identify a potentially vexatious claim: the serial-litigant.com search service;
- Responding to a serial-litigant;
- Strike-out applications in the Employment Tribunal

Alternatively please visit our web-site: www.serial-litigants.com.

Our service

We provide a unique and valuable service to those caught up in employment tribunal litigation.

We undertake a nation-wide search of your opponent to find out whether they have previously been involved in any employment tribunal cases.

We make no judgments about the motives of any particular litigant. That is a matter for the parties and the tribunal who may well see information, such as the number and type of claims brought and conduct of earlier cases, as valuable evidence.

Searching for an opposing party can be a very expensive and time consuming process as there is no readily accessible database of employment tribunal decisions. Serial-litigants tend to benefit from this anonymity.

This is where our service can be of benefit to parties. By searching, and collecting, information we allow parties, and their lawyers, to check if an opposing party may be a serial-litigant. Armed with information about other claims, the opportunities for achieving a successful outcome (or even a strike-out without a full cost hearing) can be greatly increased. In our experience some serial-litigants simply drop their case once confronted with a clear picture of the history of earlier claims.

We call this litigation due diligence. In fact we believe that sometimes it is difficult to conduct a case properly until you know all the facts.

Facts

Number of claims

- Figures published by the Tribunal Service in October 2009 revealed that 151,000 claims had been accepted in 2008-09.
- Single claims have jumped to 63,000 in 2008-09 - a rise of 15% on the year before.
- In 1998-99 the total number of claims was 91,913

Increasing awards for “injury to feelings”

The Employment Appeal Tribunal has handed down a judgment in *Da-Bell v NSPCC* increasing the injury to feelings awards in discrimination cases. The upper limits will now be:

- £6,000 for the lowest band (increased from £5,000)
- £18,000 for the middle band (increased from £15,000)
- £30,000 for the top band (increased from £25,000).

Costs

With costs ordered in just 0.25% of cases, there is little to deter to dissuade employees from pursuing weak or nuisance claims.