

## **Memery Crystal – Employment tribunals pricing (unfair dismissal and wrongful dismissal)**

### **Costs**

Our Employment team provides advice to both claimants and respondents in relation to claims for unfair dismissal and wrongful dismissal before the Employment Tribunal. We charge for our work on a time spent basis, based on hourly rates ranging from £165 - £565 per hour<sup>1</sup>, depending on the seniority and level of experience of the fee earner working on the matter. To find out more about our Employment Practice and our Employment team's individual profiles, please click [here](#).

The overall cost of a matter will vary depending on the complexity of the issues raised, among other factors.

Our estimated fees<sup>2</sup> for bringing and defending claims in the Employment Tribunal for 'ordinary' unfair dismissal or wrongful dismissal are as follows:

- Simple case: £17,500 - £35,000
- Medium complexity: £35,000 - £55,000
- Highly complex case: £55,000 - £100,000+

Please note that any fee estimate we may provide will only be an estimate and will not constitute a fixed-fee arrangement or similar. If any unexpected complications arise we will inform you immediately to discuss the potential consequences and the impact this may have on our fees, before they are incurred. Complicating factors that can lead to an increase in costs include:

- number of additional claimants or respondents.
- the extent to which the other side defends proceedings.
- whether additional applications to amend or to provide further information about an existing claim are necessary.
- making or defending a costs application.
- the level of disclosure and evidence required, including the volume of documents and number of witnesses required.
- Tribunal delays and postponement of hearings.
- the need for a Preliminary Hearing.
- whether the claim is not straightforward and involves an automatically unfair reason, such as whistleblowing or TUPE.
- if there are additional free-standing claims such as discrimination, harassment or victimisation.
- the length of the Tribunal Hearing.
- the level of correspondence produced by the other side.

### **Additional disbursements**

As part of a Tribunal Hearing you may also have to pay additional expenses. These costs will be in addition to our estimated fees above.

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<sup>1</sup> Our rates are subject to review annually on or about 30 September.

<sup>2</sup> Excluding VAT and disbursements.

You may be responsible for paying disbursements such as counsel's fees and expert witnesses. A barrister's fees will vary depending on their experience, the complexity of the case and the hearing length. We will discuss potential options and costs with you.

We may pay costs such as copying charges and courier fees on your behalf.

## **Key stages**

The main stages of a Tribunal claim include, but are not limited to:

- taking initial instructions, reviewing necessary documentation and advising on the merits of a case;
- exploring the potential for a settlement to be reached, if necessary;
- preparing a claim or response;
- reviewing the other side's claim or response;
- communicating with the Employment Tribunal and the other side;
- drafting, agreeing and finalising Tribunal documents, including a schedule of loss, witness statements, a list of issues and cast lists;
- reviewing Tribunal documents submitted by other parties;
- instructing and liaising with counsel;
- exchanging documents with the other side and agreeing a bundle of documents; and
- preparation for and attendance at Tribunal Hearings.

## **Timescale**

Tribunal claims can last in excess of 12 months, although this will depend on the complexity of the case, delays at the Employment Tribunal and whether the matter is settled before a Tribunal Hearing. This is an estimate and once we have a full understanding of a case we will be able to provide a more accurate guidance on the likely timescale.

## **Additional costs**

Please note that any fee estimate will not include the following work:

- advising or engaging in settlement negotiations;
- advising or preparing any settlement documentation;
- advising on or responding to data subject access requests and other General Data Protection Regulation queries;
- advising on or participating in any form of mediation;
- involvement of counsel at any stage in the litigation process; and
- any orders requiring you to pay the other side's costs or time spent preparing any dispute over costs.

All fees and costs are exclusive of VAT and disbursements which will be added where applicable to each bill.