

27 February 2014

9:45

J - private hearing with TKC, AM, NFC + TS

- Meet amongst proposal - Cl prepared w.s. already
- witness departs from statement - possibly hostile - (i) don't call at all - just her statement... her evidence not key but quite central. Suggest ET has power to require att. if evidence of assistance + so both sides can ask questions. Cl here + that is a suggestion I propose.

L - Accept

H - object. Cl att. under w. order - applied for by (i). Don't understand how another order could be granted when one is in place. Not breached.

- App. premature. It's evidence in chief - nothing to suggest she will be hostile - no basis to treat her as hostile / app. to be made.

- sole purpose - to seek to x-examine her - call witness to support your case. Evidence is what it is. All because it's unfavourable - can't treat her as hostile. Any real need to x-examine?

- Party calls witness to support case - if evidence unfavourable - don't call - can't x-examine / treat as hostile just because it's unfavourable.

- poor judgement call by (i) to call her.

- ~~might~~ ^{not} right forum to call her.

- premature app. not a basis in fact / law to make order

- Gt to give evidence as per order

T - why ET minded to consider? Rationale is to enable (i) x-examine. (i) no basis to make app.

- identical future litigation ft - for another day.

- witness here. ET can ask her questions appropriate.

(i) not entitled to x-examine + so only reason for order is to allow (i) to x-examine. Not in favour of overruling objective.

L - made application - given advice @ start by lawyers

about QDOS process. Told to guess evidence + then answer - prejudiced our case. Since QDOS process stopped then started to try and get info. from them. inc. transcripts + recordings. Had to make threats to take them to ct. for info. Alleged intimidation followed. we wanted to x-exam her but (C) Ref. said we'd lost them a witness. Transcripts terrible - we had to track change docs - they were useless. QDOS wouldn't give word doc - took us 4 hrs. QDOS (unc) called our case. lots of docs. in bundle from QDOS. QDOS handed things to (C) + not (P) to help (C) case.

J - type out order - was to hear evidence from CIP - (P) previously given notice it intended to apply for hostile witness. Advised (P) of hostile witness treatment - buttuffan. CMC in private - I put suggest to parties that CIP a witness for ET. NFL accepted. Hoagerty + TRC opposed. (H) - already existed. TRC - entering into arena on (P) behalf. NFL revealed he'd been stitched up by QDOS. Not prepared to sub. an order for his once CIP confirmed evidence NFL has to make app after.

L - JB evidence yesterday - named Tracy Smith. Doug Smith in ct. Phoned wife - she drove up from Devon.

TS claiming forgery. Tracy Smith wants public / private meeting with judge

J - leave it there - no.

10:10

10:15

J - CIP here on w.o. @ (C) request. (C) - your last chance - do you intend to call her?

L - if not hostile can ask open questions.

J - if CIP not hostile - to be treated as - can refer her to docs in bundle for clarification but cannot x-exam.

L - want her as witness.

J - CP will confirm statement first.

CP - takes oath

J - appreciate basis here - under w.o. + reluctance.

- Go to end of statement - no signature

CP - read it + no changes

[CP signs statement]

J - you have your sol. here - grant (M) right audience here.

L - happy to go on record that nothing said here will be used in litigation outside these walls.

J - NL deaf in 1 ear - level of delivery is dramatic at times.

H - para 2 statement - initial instruction fee?

CP - don't know

L - 'initial instruction' - so subsequent?

CP - yes from Pat V-A.

L - what were they

CP - To look @ grievance, outcome, met with him on 10th + asked to look @ recommendations

L - P341

CP - we were asked to prepare prospect's report for insurers

L - P341 LS notice of intended grievance 18/3

- P342? - PT 15/3

- para 4 - you say ms smith + PT complained b&h on 18/3 - after date of grievance

H - object - x - exam

J - outcome was actions taken on 18/3 - background. CP is correctly saying yes.

T - in CP's statement already.

L - Page 2 of suff. bundle - just above E. so mark 'NL' - I guess how they complain about meeting.

CP - say it can include other things

L - correct?

J - x - exam! [Stop]

L - Page 434-436 of bundle. letters giving times and dates of meetings.

GP - yes

L - 434 - 3:30pm NB

- 435 - 11:30am CS

- 436 - 2pm PT

- did © turn up individually

GP - collectively + then went away + told them to come @ PPA times?

L - Any reason why?

J - You could have asked © that.

L - PA...

- para 1 - 'did you contact (co)' - go to para 6. CS says 'I'd never spoken to me or met me? odd to change...'

J - No - leading.

L - PS45

- ask NB if evidence can be made available for us -
response

GP - didn't wait it disclosed

* [act correct - send happy on a card.]

L - How much evidence?

GP - 10" docs all 3.

L - How much disc. to us?

GP - none at that point.

L - P555 ... sorry 552

- highlighted para.

GP - not just grievance. relates to prospect's report - not grievance.

L - no more questions.

J - LS - evidence - para 14(a) of your Statement. See letter (c) - change duties - no loss of status. See P562 - your outcome letter to LS - bottom para + then over page. position - element of fluidity

GP - yes.

T - right that LS told you no change to pay / duties

GP - yes

T - So, how would there be redundancy

GP - LS seemed responsible for several things. only change - removal from NC list. Job content the same. LS picked up lots work other than her duties. Named an grievance process as person to report to.

T - refer to j.d.?

GP - she described job to me.

T - P798 - draft j.d. NB he drafted - given these?

GP - no.

T - P798-799 - Shum read these - your understanding of her role?

GP - fair summary of position.

T - only change - NC list removal. So outcome letter - redundancy - no change to her duties other than this so do you accept new - seeing that j.d. - that change not fair

GP - Title alone - not fair. if I was doing job evaluation - looking @ content - LS not losing anything but for a loss of status but job content not dissimilar.

T - No change but for NC list. Change in title - loss of status.

GP - yes.

- looked at what she told me about job - what was looking at.

T - para 'g)' of w.o.s. - upheld both claim 18/3 meeting not DPA issue or change in job title + not breach of t&c. Say LS good relationship with SC + so breakdown by NW + NPL. SC let LS down

GP - yes

T - you knew NFL + PW had full function

GP - yes

T - PW + NFL had most contact with (C) in context full function @ time

GP - yes

T - PT (?) of w.s. - see letter 'L' - upheld PT claim re: Confidence. Difference between PT + CS

GP - PT had other discussions about role change + temp. status - after NFL + PW got involved. PT spoke with other Board Members + so this more extended - difference between individuals + (C) + (C) + (C) - larger issue.

- issues arose after NFL + PW put in charge.

T - acknowledge LS told you about SL?

GP - felt let down by SL

T - no diff. between 2 claims?

GP - there was for reasons stated.

T - PSBS - 3rd page PT letter to your manager upon receipt of outcome. Start @ PS84 - last para. He did call you about notes

GP - yes

T - email sent

GP - yes

T - ...

GP - said if he was unhappy about notes - had a screen (notes being typed @ meeting) showing notes. Asked for changes after mins. read.

T - PT - reassured not verbatim

GP - yes - can't type @ talking speed + asked for clarification of any changes later

T - fair to say - upholding min. necessary to min. damage to MNC

GP - fair investigation + outcome for all concerned

T - no further questions.

L - No further questions - thank GP.

J - where vexed interview with PT - where he said things about Muter?

T - p484 - p486 in particular.

J - Read bits in black on p486. PT objected to accuracy - recall him objecting @ time?

GP - don't recall it but not to say he didn't.

J - 'pre-pubescent' - recall this?

GP - No.

10:55

10:57

J - Mrs Smith - w.s.?

L - No.

J - length?

L - 5 min.

J - she will deny. J.B. Comment yesterday.

L - JB stated ① TS who paraded him around

J - not interested

L - ② TS told him difficult enquiries were going to be got rid of.

T - so what? Hypochung proceedings. JB not here. obvious what TS will say.

L - truthfulness always an issue... answered truthfully.

J - dealing with case as it stands - peripheral - evidence just about conversation.

TS - Tracy Smith, High Leigh, Cheshire, Bishopscotton, Bamstaple.

J - para 6 of JB's Statement: read this. JB x-exam said discussed with you in a bar.

TS - inaccurate.

L - deal with election issues

J - No

T - No questions.

11:09

11:05

L - Turn to statement

PW - signature, my statement, read it + no corrections

T - PSSO

- meet Mr Phillips before Aic

PW - yes - met + had eve meal

T - accept Summary of Camp

PW - whether true or not . . .

T - there?

PW - yes

T - time?

PW - can't say

T - can't recall?

PW - 7/8/9 ppl in nasy pubs

T - possible discussed but can't recall

PW - yes

T - put yourself forwards @ to do things set out in email?

E.g. removal of NB/LS

PW - no

T - distrust of @

PW - no - but distrust of US . . .

T - P11

- email exchange Feb. 2012. Exchange of emails. 'puts them in place' - didn't have high regard for NB

PW - NB trying to get support to oust NFL.

T - P134

- NFL to NB email after your election. '1/2 way through last para - 'basically' Sentence before refers to (and you went to see NFL

PW - not me - got Lawson - NFL made mistake.

T - hearing issue? your showing

T - NFL wrong

PW - I was not @ meeting.

T - P153 - email about overland @ top. 'it's a start'

- Ref. how to ensure NB + PT wd be ~~staffed~~?
- PW - ① date email - Sept - ② on that date week after broken leg - can't recall writing - on tramadol. Aug 25 or 26 end Oct Start Nov. in hospital heavily sedated - can't recall.
- V. concerned about staff having workload + asked for issue to be raised. Taking eye off ball day to day emp.
- NB explained equal partners but PT did 80% contribution. Said PT a workaholic. Not a hobby like any other. Believed it + dropped it at that.
- T - P137 + P138 - 2 meetings where issue raised + dealt with. Board satisfied.
- P138 - your evidence = not satisfied.
- PW - told not satisfied.
- T - 2nd para on P138 - so matter had been dealt with
- PW - no... no... no PT had no right to make decision - Board has to deal. Paul failed in his duty.
- T - PT on Board in 2011
- PW - Yes
- T - P166 - email to DP workload - something on internet - Sept. 2012 - you say 2 yrs time they (PT + NB) will go away in 2 yrs time - accept.
- PW - went away in Feb. this yr. Not 2 yrs - 18 months
- T - accept 18 months away?
- PW - yes
- T - 14 days
- PW - yes
- T - 18 months in advance want to know plans unreasonable?

RW - no - hasn't been to the Board. Heard they'd meet customers on 1st day of their trip. You're wrong. Looking @ potential problem.

T - P177 - list of functions - ref. to yourself. (from NB to DP) essentially asking DP to consider which D.S. to have resp. for C.O. Staff. Ref. to 'Kete' - you. Did member of Staff contact you about this?

RW - yes

T - Can you recall any conversations Staff had with you

RW - no - on tramadol... cd have happened.

T - P143... AP not on Board of D.? NC?

RW - He was going to stand as vice chair.

T - not right

RW - intention to be in upper ech. of group - not D.
- discussed overland with him

T - P146

- email NFL expressing anger about incident between you + potential new contact - led of docs. NFL considers health from C.O. + LS - share

RW - no. 12 docs. produced - full accs. on this. set of accs - staff wages. Appears to have fallen into Wainwright's hands.

- spoke to lady in charge of doc - she didn't leak it + I believed her

T - 'Fucking up effort...' didn't agree with NFL

RW - Julie didn't leak it

T - LS?

RW - told LS didn't have access to that doc. DP had thought it was member of Staff

T - NFL wrong to have news

RW - DP had obsession.

T - P150 - ff email to you - said concerns about NFL is angling for LS demise + NFL a bully

- present @ meeting?

RW - @ CoO.

T - Accept in att?

RW - Yes

T - Summary?

RW - inaccurate

T - NFL gunnery for LS demise

RW - AP send LS should go

T - 257 - sent list from NB setting out email lists
+ who was on them. were you sent email?

RW - unaware. Told by DP D. list for D. only.
If NB sent list I didn't check it.

T - March 2013 - NFL accepts by sept. 2013 board +
D. list.

11:32

[Computer break]

11:40

T - 257 - aware NB on Board list

RW - Yes

T - knew he'd seen 'hussy ft' comment

RW - May have been wrong

T - 261 - putting RL Committee ft. across - knew NB
ft junction didn't you?

RW - Question?

T - RL committee - removing NB ft resp.

RW - NO - intention to consult.

T - removal of some duties

RW - Yes

T - 18/3 - rang ACAS

RW - on 15/3

T - in advance of 18/3. Did you tell them of
Context - concerns about NFL - background
given?

PW - Situation @ time

T - email @ P319 - did you tell them about this?
(dishonest allegations re: stress)?

- 323 - Consulting with ACAS

- explain to ACAS NFL asserting stress dishonest

PW - no

T - 'car crash' meeting - employees crying - accept Mudeh?

PW - Greek Tragedy

T - NFL raise ... Took LS outside?

PW - Had panic attack after learning. I was there
when NFL came out by was talking to D.

T - Para 48 - grievance rejected as P.V.A directed GP.
Inaccurate summary?

- P710 - para 74. QOS say PVA involved in rec. + not
outcome + so your evidence incorrect.

PW - PVA said he directed them.

T - Greek tragedy - why didn't you step in to stop
meeting?

PW - no intention anyone losing their job - none
lost job that day. Tapes missing from interviews
one with LS + one with NB. met offered a fresh
start from that day. I don't think NB would
lie to you.

T - what I asked - why you didn't stop

PW - not what happened - not as portrayed here.
NB didn't want to be managed

T - Accept panic attack - didn't agree with terms
etc - why not stop

PW - it was there + happening. Got grievances as
walked through door.

T - Handed grievance Friday

PW - Yeah - what time

T - no more q's.

L - do: leak of acct... 1 for record

T - can't give evidence

L - anyone c.o. spoken to / disc?

fw - no.

J - grievances 15th (PT+LS) + NB on the 17th.
When knew PT+LS?

fw - late Friday. But NB not.

J - Common Ground.

T - para 29 - in his statement.

11:52

11:53

~~para~~

L - Turn to 135 - 138 last page of your statement - your
Sig - State. - Changes etc?

PT - yes to all

T - para relating to Conston - you set up deal

PT - No - unratified contact didn't set up deal

T - overlaid - accept you Board Member 2011

PT - yes

T - Considered no conflict of int.?

PT - didn't need to be taken before Board

T - when sole decision Board member?

PT - yes

T - after grievances PT signed off site + NB suspended -
you @ C.O.?

PT - yes

T - there when PT all to collect diary + wall planner

PT - I helped locate them + handed them to him.

T - para 29 - email - bottom half relating to Conston NB
Said he had with you. Accurate summary

PT - Had several Conros - believe I emailed + spoke
with him.

T - agreed to send him emails you'd seen due to short notice

PT - yes

T - p578 - email from you - change of heart? what happened in between call + not forwarding email. Did Board tell you not to send?

PT - can't recall. Short notice + so heard delivered letter on one occ.

T - @ office when LS handed in side note?

PT - YES

T - p647 - NFL received complaint - recall Tracy Smith + meeting in this way

PT - can explain

T - Accept © was rude as she ignored Tracy Smith

PT - with Cardent - not manner. LS rang me to arrange to att. office to hand in side note. Didn't come in to office as Tracy turned up earlier. LS spoke with Julie. Tracy @ back door. Tracy said hello. LS upset - coming to office difficult - she didn't reply + walked away. Called LS that day + said unindent and meeting - unfortunate Tracy arrived earlier

T - were concerned

PT - yes - LS visibly upset. wouldn't be fair for LS to meet ppl outside office.

T - NFL Contact you about visit

PT - yes but can't say if before latter email. spoke daily about matters.

T - when you did speak to him similar acct to now?

PT - yes.

T - p595... sorry p433 - deputising role - email from LS's email acct.

PT - yes

PT - had key on password for her terminal
T - FSS2 - month later - 24/4 - MAG writing to
IS seeking those usernames + passwords.
Disagree with letter?

PT - no

T - Had passwords?

PT - for her terminal but not FB + Twitter + another
website I thought @ time related to (D) but
3rd party website. password v. different.

T - password - email - fnc. FB/Twitter/several other
websites - didn't have full list.

PT - no

T - Sqs - Response from IS - on site

PT - yes

T - Sqs... addressed to you. Accept 17 person available?

PT - Meredith a volunteer - difficult to contact him -
Contact by email

T - tried to contact him

PT - no

T - can't about 2 drive

PT - yes + looked + were on 2 drive

T - for FB + Twitter

PT - yes

L - para. 3 of W.S. bottom para.

- USB of bundle. (email from DP)

- mid. pt of email

T - didn't arise out of x-exam

J - can't on

L - Your 3rd para + this incident here same?

PT - yes - different explanation.

1:30 pm

L - how MPA being run + issues in office

- mid 2011 - MPA - weak board - PT N. chairman, DP wanted to be next. PT mild mannered + kind hearted. PT taken advantage of NB took leading role due to weak board.

T - concerned - straying in to giving evidence

J - commenting on evidence heard - what it is about.

L - weak board + so NB took lead role - did so for self interest - due to money + power.

- paid people with for those who've been created.

- fatal pt - when NB went to pt about setting up overland - NB should stop political masters making such mistakes.

Encouraged PT to give him green light.

- overland is a fully fledged Co. published 4-6 times per yr. not a hobby. Real business trading for profit.

- Members came looking for me + so I accepted job. NB didn't try + stop this. PW - statement says to contrary + DP said she was backmasked.

- Business man - run 3 of my own. Don't let staff set up own business - spills into work.

- NB said he did 20% + PT did 80%. They covered for each other. LS loyal - to NB. we run business staff loyalty to this business.

- unrest due to overland being worked on. Volunteers donate + so get upset when tasks not being done.

- joined with no value to staff. In same - know him. Same Tu background. NB same side of track just different Cubes.

- Had much poured on us this week. Max called me drunkard. Recruited Gem at golf!

- Concerns understood + reported by many inc. A. Syatt who didn't show up to give evidence.

- Evidence of misconduct - concerned - wanted staff meeting to find out what happens in their working day.

- © Sought to conceal what they were doing.
- 3 ppl on payroll now. Committed to organisation. Start Board meetings earlier. Organisation flying. Given more money to F&A than ever before.
- Illegal bullet messaging, covert recordings.
- NB last straw relies on us not telling him we rejected QDOS claims. code up + should have been told but would have been fair.
- LS last straw - Independent HR person didn't uphold grievance.
- PT last straw - we're still there. Boss is still the boss + entitled to run organisation.
- last straw - must be other straws - must be something - not meaningless.
- Handled people with kid gloves all the way through. Approached with goodwill + got fed up.
- © will say we're bullies - in reality no incidents - concerns over running + © resisted efforts + conspired to bring about ET when they knew game was up. Many talk about this in the bundle yrs before.
- NB + PT breached contract to set up four business.
- B&H - ironic - © bullied + harassed D's.
- ① © - not CUD - delayed in filing claims (from dismissal)
- ② last straw - no subsequent straws.
- ③ NB led LS to behave badly.
- ④ LS + PT poor claims - not much contact with us - we kept her on full pay - not SSP. alleged stress - not supported by other activities - running venture - fronting their own business = B of C.
- ⑤ NB failed to manage IT expenses - PT pretending to promote ① when fronting overland.
- ⑥ NB engaging C. Whitney - not agreed. NB + PT consistently undermined + bypassed D's.

⑦ NB failed to manage staff + write emails on their behalf - he acted as ring leader. Grievances on Friday. NB encouraged LS to act in such a way. LS made NB's watchdog - monitoring Board - not doing her work - why no database

- all Ⓢ untruthful / manipulative. we're not perfect. Don't all trot out same story.
- 4 bullies here - people we're dealing with.
- 18/3 - net disc. meeting - we were told 'no insurance + so go home'. put a grievance in our hands. we pay their wages + they treat us like muck. Listen to the hearings.
- GP Couldn't recall phrase - 'scantily clad...' - may not have taken it in but she had a note taker. Such a key phrase - Couldn't have mistaken it.
- dispute arose because they undermined elected Board. Always treated staff fairly. Had pension in place + NB denied it to put us in bad light.
- May have been technical issue.
- outcome to destroy MAer unfair.
- No complaints whatever the outcome.

1:55

T - test for co-employer actions = rep. breach

- employer shouldn't act in a way to destroy + etc

- breach of implied term = breach Contract.

- test is objective.

- Western Excavating - must leave without delay.

- failure to adhere to grievance process - can breach or contribute to breach of implied term.

- Blackburn - any breaches to have regard to Acts

- North Azores case - employer reason for leaving + if implied term played any part

- Reasonableness still important despite contractual test.

- 598(4) IS CO CUD?

- (L) Saying employer provided. Not relevant for CO test - focus on employer conduct.

- Not making policy issues at this stage - for remedy

- overwhelming case for CUD. Docs. + oral evidence - NFL's underlines evidence.

- NFL makes serious allegations - mostly by assumption - does this against anyone who offends him. Not a modern employment relationship.

- (C) never objected to being managed - just method.

- entitled to consider all docs. April 2012 onwards but up to termination. LS did resign in May - on 1 month's notice (22/6). Even beyond resignation. Relevant in overall consideration of 598(4) pt.

- LS - Serious illness + PT Serious health issue as head NB - (1) knew. NFL admits he was told about NB health issue + sick notes in bundle.

- (1) method of managing - bullying + humiliating

(2) (C) were subjected to disc. in all but name - 'concerns' email

(3) March meetings

(4) (C) denied exercise right meaningful grievance procedure.

- Documents to Consider

• P106-110

• P111

• P113-120* sent to AC email list - NFL overview of D. + accusations re: central office

• P139-145 - LS assumptions

• P146-151 - DPA issues - Aug. 2012 raised. NFL attitude Crazier - easier to get forgiveness. March 2013 not raised (p 262-271, 275, 277-281). only in March it came to ahead. Not until then they get advice

- Page 294 - £1000k error.
- Page 151-159 - Re: NB - disc. NB w/o warning.
- Page 180-186 - Oct. Board meeting
- Page 185-87 - Appraisal notes drafted by NFL - based on assumptions
- Page 188-89 - disc. NB - makes unjustified criticisms.
- Page 197, 201-03 - NB on behalf of © from Autumn 2012 to grievances raise main grievance concerns - raised time + time again. DP lines of this and SI. Also see page 205 - NB raises specific concern re: emails + need for moderation.
- Staff morale low (page 206 - Coms - from Board) + changes to HRC - too - no consultation.
- p220-229, 239-240 SI clearly a reluctant witness + in difficult position. See documents - very clear both were being raised - all from NFL + bot + HC (+230) - see 240 + 230. Speaks of fear + compassion + need for email protocol.
- Re HR function SI - no notes from PR - speaks volumes. only doc you have is at p244 - see para. app. 2nd whole punch - relays to Board what he'd told her.
- Page 246 + 247-249 - NFL reign of bullying + humiliation of staff. latter is draft but intention was to send - drafted by Pat. Springboard for March meetings.
- Page 260-61 + 267-68 : PR committee - change to some duties + taking them away.
- p272 (heavy disc. + looking for new jobs)
- p276 - imitation - see p212 (contrast between SI + NFL approach.
- p288 + 290 - NB wrote to Board - cry for help - trying to get Board to change decision.

- P307-08-1413 - NB to DP
- Constitution in bundle - oversight by NC. Context of this = appropriate to involve Chairman @ this pt when Board not acting.
- P290 + 295 + 305 - disregard of staff assertion of ill health - these show he knew of Spertling's health - Same att. to all (C)
- P300 + 299 - Pat V.A.'s false - not constructive + NFL's response.
- P301 + 304 - failed to provide agenda
- P306 - accusations about LS sent to NB
- P307 - 08 - NB to DP - cry for help.
- P309 + 310 - PR + LS raise stress issue re: meeting
- P319 - 323 - doc. made public. Sent by NFL to each 3 employees. See repeated ref. to 'stress' being dishonest + disc. threats. Sent before 18/3 Meetings that doc. alone damaging enough.
- P335 + 336 - P335 = covering email (P341 + 342 - PR + LS) and NB's is at...
- P337 - NFL response to NB - email @ top - NFL refusing to acknowledge grievance + said 'reputed'.
- P343 - 44 - NFL engaged in public discussion on NC list re: 18/3 meeting
- P345 - embarrassing 18/3 outcomes - NB role removed
- P429 in add. to transcripts - P362 - 366 - Gen. meeting
- P356 - 357 - key docs. - outcomes set out.
- P412 + 415 - 416 - email to NB suspending him, in fact, for raising grievance. Suspended for 10 wks before resigned.
- P418 - IM want support Saetlings - clear been discussed
- P452 - 54 - key - NB not att. grievance - will be disc.
- P580 - 82 + 583 - employers letters to PR + LS - passwords

and usernames - PT evidence - no search performed + (C) of sick.

- p579-578 - NB Subject to disc. process without knowing outcome of grievance
- NB denied ability to appeal grievance + LS in true or meaningful sense - NFL - said it was a code up - that (L) had rejected grievance + NFL refused to give reasons when NB asked - breach of policy. LS did appeal - pursuant p676 (from Mr Binch) see p677 - Says he couldn't interfere with GP's judging.

• NFL Criticisms

↳ p597 - 599 (top).

↳ p647

↳ bear in mind context - time frame - LS exercising right to appeal.

↳ p607, 637, 639, 640-42, 646 - littered with expletives + v. derogatory before grievance process complete.

↳ p692-694 - email NFL to Mitchell - still under grievance.

- when you look at all evidence only one conclusion: 598(4) - not difficult to see this was an unfair dismissal.

2:40

L - if not dealing with honest people - forams the position.

- PT sets out his view in statement

- stress/illness - did give out notes to people Chatterbox up surgeries - PT went to tablet to Slope tablet for one of his tours.

- Platik - had reasonable + proper cause - been rucked about.

- SL being gamed by these people.

- implied term + LC - repeated incidents of bad faith on other side. Last of to LS yesterday - she said she'd be managed unless she knew better, then she would.

- Data we had freely given for us to contact them -
not medical details or anything.

- Co. rules say not to have an business.

T- (D) seems to assert employees alleged breach means
they can't rely on breach - can't - Scottish case.
Can't be considered for CD argument.

2:47

J- decision at some point after 3pm tomorrow. won't get
reasons - not time tomorrow. put reasons on tape -
typed up whilst away or possibly before he goes away
otherwise looking @ mid. April.

- only needs Tuna + NFL. tomorrow @ 2:50