

IN THE SUPREME COURT

UKSC/2026/0005 and UKSC/2026/0008

BETWEEN:

WICKED VISION LIMITED

Appellant

-and-

IAN RICE

Respondent

and between:

BARTON TURNS DEVELOPMENT LIMITED

Appellant

-and-

GAIL TREADWELL

Respondent

-and-

PROTECT (FORMERLY PUBLIC CONCERN AT WORK)

Intervenor

AGREED STATEMENT OF FACTS AND ISSUES

The parties are referred to as “the Claimant” and “the Respondent”, as they were before the Employment Tribunal.

WICKED VISION LIMITED v IAN RICE

Factual Background

1. The Respondent employer, Wicked Vision Limited, was at the material time owned by Mr David Strang. Mr Strang has since passed away and at the time of writing Wicked Vision Limited is in the process of being wound up.
2. The Claimant, Mr Ian Rice, was employed as Head of UK sales from 19 December 2017 until 18 February 2021 when he was dismissed. Mr Strang said that the Claimant was dismissed on the grounds of redundancy.
3. The Claimant's case is that Mr Strang decided to dismiss him because he had made protected disclosures. The Claimant contends that Mr Strang planned to dismiss him because he had blown the whistle on alleged abuse of the Coronavirus Job Retention Scheme. The Claimant relies on three disclosures which he says were all made in September 2020. They are all to the same effect: that employees were being required to work while on furlough leave.
4. The Claimant claimed that his dismissal was unfair under section 94 of the Employment Rights Act 1996 ("ERA") and that it was automatically unfair under section 103A, because the reason or principal reason for his dismissal was a protected disclosure. By way of an application to amend he sought to include a claim for 'dismissal detriment' under section 47B ERA. The Claimant did not seek to add Mr Strang as a respondent to the claim.
5. The appeal to this Court is consequent upon the order of the Employment Tribunal ("ET") granting the Claimant permission to amend his claim as sought, and the subsequent decisions of the Employment Appeal Tribunal ("EAT") and the Court of Appeal. To date, there has been no hearing of the underlying claims, which are denied by Wicked Vision Limited.

Chronology of proceedings

24 May 2021	Claim form (ET1) presented in the ET.
15 September 2021	Claimant makes application to amend to include a 'dismissal detriment' claim under section 47B of the Employment Rights Act 1996.

8 July 2022	Preliminary Hearing by Cloud Video Platform (CVP) before Employment Judge Mark Butler. Application to amend the claim is granted.
19 July 2022	Order granting application to amend and written reasons sent to the parties.
30 August 2022	Respondent presents Notice of Appeal to the EAT.
21 June 2023	Sealed Order permitting appeal to proceed to a final hearing in the EAT.
18 July 2023	Sealed Respondent's Answer (from the Claimant).
6 February 2024	EAT hearing before Mr Justice Bourne. Respondent's appeal is allowed.
4 March 2024	EAT judgment is approved for hand down. The decision is reported as: [2024] 3 WLUK 18; [2024] I.C.R. 675; [2024] I.R.L.R. 692; [2024] C.L.Y. 670.
8 March 2024	Claimant applies to the EAT for permission to appeal to the Court of Appeal.
13 March 2024	Sealed Order from the EAT refusing permission to appeal to the Court of Appeal.
4 April 2024	Claimant applies to the Court of Appeal for permission to appeal.
9 July 2024	Sealed Order granting permission to appeal to the Court of Appeal. Permission is granted by Bean LJ.
3 October 2024	Protect (formerly Public Concern at Work) apply to intervene.
21 November 2024	Sealed Order granting Protect permission to intervene. Permission granted by Bean LJ.
14-15 October 2025	Court of Appeal hearing in the joined appeals of <i>Rice v Wicked Vision Limited</i> and <i>Barton Turns Development Limited v Treadwell</i> (Case Nos: CA-2024-000736 & CA-2024-001927). Appeal is heard by Laing, Peter Jackson and Coulson LLJ.
14 November 2025	Approved judgment handed down. Court of Appeal allows the appeal in <i>Rice v Wicked Vision</i> and dismisses the appeal in the joined appeal of <i>Barton v Treadwell</i> . The decision is reported as: [2025] 11 WLUK 186; [2026] I.C.R. 286; [2026] I.R.L.R. 120; [2026] 3 C.L. 53.

27 November 2025	Wicked Vision Limited applies to the Court of Appeal for permission to appeal to the Supreme Court.
28 November 2025	Barton Turns Development Limited applies to the Court of Appeal for permission to appeal to the Supreme Court.
5 December 2025	Sealed Order from the Court of Appeal granting permission to Wicked Vision Limited and Barton Turns Development Limited to appeal the Supreme Court.
24 February 2026	Protect's application to intervene is granted. Protected are given permission to file written submissions and make oral submissions limited to 45 minutes.

BARTON TURNS DEVELOPMENT LIMITED v GAIL TREADWELL

Factual background

1. Miss Treadwell was employed by the Respondent employer, Barton Turns Development Ltd, as a Wedding & Events Manager until her dismissal on 20 June 2022.
2. She initially brought claims of automatically unfair dismissal under s103A ERA (as well as under s100(1)(c) ERA, health and safety cases).
3. Barton Turns alleges that her dismissal was on capability/performance grounds.
4. Miss Treadwell subsequently applied to amend her claim to include a claim that her dismissal was also a detriment done by her manager, Ms Wyss, for which Barton Turns was vicariously liable under s 47B(1B) ERA (as well as two other detriments), alleging that “*by dismissing the Claimant Ms Wyss subjected the Claimant to a detriment*”.
5. This was an amendment to raise a complaint against Barton Turns. The Claimant did not seek to add Ms Wyss as a respondent to the claim.
6. The appeal to this Court is consequent upon the order of the ET refusing the Claimant permission to amend her claim to include a claim under s 47B(1B) ERA, and the subsequent decisions of the EAT and the Court of Appeal overturning that decision. To date, there has been no hearing of the underlying claims, which are denied by Barton Turns.

Procedural history

20 January 2022	Claimant commenced employment with the Respondent
20 June 2022	Claimant dismissed from her employment
23 November 2022	ET1 submitted
2 February 2023	ET3 submitted
23 March 2023	Amendment application made by the Claimant. Employment Tribunal Closed Preliminary Hearing (EJ Ahmed)
18 April 2023	Claimant's application for Reconsideration
25 April 2023	Employment Tribunal Reconsideration decision
15 May 2023	Notice of Appeal submitted by the Claimant (sealed 4 October 2023)
22 September 2023	Order of EAT setting down the appeal for a full hearing (DHCJ Bowers KC)
1 November 2023	Respondent's Answer and Cross Appeal filed (sealed 14 November 2023)
14 November 2023	Order of EAT setting down cross appeal for full hearing (HHJ Tayler)
12 December 2023	Claimant's Answer to Cross Appeal filed (sealed 13 December 2023)
3 April 2024	Application by Respondent to submit an amended Respondent's Answer and Cross Appeal (sealed on 7 May 2024)
11 April 24	Claimant consented to Respondent's Application to amend Respondent's Answer and Cross Appeal
7 May 2024	Consent Order (Re: Amendment Respondent's Answer and Cross Appeal)
1 August 2024	EAT Appeal Hearing (HHJ Barklem)
7 August 2024	Oral Judgement provided
8 August 2024	Sealed order provided to the Parties
19 August 2024	Sealed copy of the Judgment sent to the Parties Neutral Citation [2024] EAT 137 (unreported)
14 August 2024	Respondent submitted an application to the EAT for permission to appeal to the Court of Appeal

24 August 2024 Order of EAT confirming permission to appeal to the Court of Appeal refused

28 August 2024 Respondent submitted Appeal

12 September 2024 Claimant submitted brief reasons as to why permission to appeal should be refused

21 November 2024 Order of Court of Appeal allowing permission to appeal sent to the Parties

14/10/25-15/10/25 Court of Appeal Hearing

14 November 2025 Court of Appeal Judgment handed down and Sealed Order sent to the parties
Neutral citation: [2025] EWCA Civ 1466
Reported: [2026] ICR 286; [2026] IRLR 120

28 November 2025 Respondent's Application for permission to appeal the Court of Appeal's decision to the Supreme Court

2 December 2025 Claimant's Response to the Respondent's application for permission to appeal

5 December 2025 Sealed Order sent to the parties granting permission to appeal to the Supreme Court

NADIA MOTRAGHI KC

RAD KOHANZAD

DAISY VAN DEN BERG

On behalf of Wicked Vision Limited

RICHARD LEIPER KC

NICHOLAS BIDNELL-EDWARDS

On behalf of Barton Turns Development Limited

ADAM SOLOMON KC

CHRIS MILSOM

TAMSIN SANDIFORD

On behalf of Ian Rice

JEFFREY JUPP KC

CHRIS CANNING

On behalf of Gail Treadwell

21 April 2026