



EMPLOYMENT TRIBUNALS

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE FRANCES SPENCER

BETWEEN:

MR. T WISHART

CLAIMANT

AND

PENINSULA BUSINESS SERVICES LIMITED
MS J ENGLISH

FIRST RESPONDENT
SECOND RESPONDENT

OPEN PRELIMINARY HEARING

ON: 21ST APRIL 2017

Appearances

For the Claimant: In person
For the Respondent: Mr R Hickford, solicitor

JUDGMENT

The Judgment of the Tribunal is that:

- (i) The Tribunal has no jurisdiction to consider the Claimant's claim of unfair dismissal (case no 2403254/16) which was not presented within the relevant time limit. It was reasonably practicable for the complaint to have been presented in time.
- (ii) The Claimant's claim of direct race discrimination and victimisation (case no 2403254/16) was not presented within the relevant time limit but it would be just and equitable to extend the time limit to allow the claim against the First Respondent to be heard.
- (iii) It is not just and equitable to extend time in respect of the claim (case no 2403254/16) against the Second Respondent and the claims against her are dismissed.

- (iv) There will be a further Open Preliminary Hearing on 22nd May at 10 a.m. for 3 hours to determine:
- (a) whether any of the complaints in this claim and the other 2 claims listed above should be struck out on grounds that they have no reasonable prospect of success;
 - (b) whether to order the Claimant pay a deposit as a condition of being allowed to pursue all or any of the complaints across all three claims on grounds that they have little reasonable prospect of success;

and to list any remaining claims and make general case management orders.

Employment Judge Spencer
24th April 2017

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision