



EMPLOYMENT TRIBUNALS

SITTING AT: LONDON SOUTH

BEFORE: EMPLOYMENT JUDGE FRANCES SPENCER

BETWEEN: MS F LAWRENCE CLAIMANT

AND

NEWLAW LEGAL LIMITED RESPONDENT

ON: 24th July 2017

Appearances

For the Claimant: Mr R. Bailey, counsel

For the Respondent: Mr J Heard, counsel

JUDGMENT

Following the Tribunal's Judgment as to liability the Judgment of the Tribunal is that:

- (i) The amount of any compensatory award shall be reduced by 75% to reflect the chance (assessed at 75%) that had the Respondent provided a fair appeal process the Claimant would have been fairly dismissed. Given this no further reduction is appropriate to reflect the chance that the Claimant's employment would have ended in any event at some point in the future.

- (ii) Pursuant to sections 122(2) and 123(6) of the Employment Rights Act 1996 it would be just and equitable to reduce the basic and contributory awards by 25%.
- (iii) The Respondent unreasonably failed to comply with the ACAS Code of Practice 1 on Disciplinary and Grievance Procedures (2015) and pursuant to section 207A of the Trade Union and Labour Relations (Consolidation) Act 1992 it is just and equitable to increase the amount of any compensatory award by 15%.
- (iv) The calculation of any award for wrongful dismissal shall not include the loss of the Claimant's travel allowance.
- (v) The Respondent is ordered to pay to the Claimant a basic award of £2,137.50. The Recoupment Regulations do not apply to this award.
- (vi) There having been insufficient time today to deal with the remaining issues (including the Respondent's contention that the Claimant has failed to mitigate her loss and the extent of any future loss) the case is adjourned part heard to 12th October 2017 when the amount of the compensatory award and the damages for wrongful dismissal shall be determined.

Employment Judge Frances Spencer
26th July 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.