



Case Number: 2301843/2017

## EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr A Muili

**Respondent**  
Govia Thameslink Rail Limited

and

Held at Croydon on 22 September 2017

**Representation**

**Claimant:**  
**Respondent:**

Mr S. Marsh, Counsel  
Ms S McKinley, Counsel

**Employment Judge** Harrington

## JUDGMENT

1. The Tribunal does not have jurisdiction to consider the Claimant's claim for race discrimination. The claim was presented outside the primary limitation period and it is not just and equitable to extend time.
2. The Claimant has paid fees in connection with this claim. In R (on the application of UNISON) v Lord Chancellor [2017] UKSC 51 the Supreme Court decided that it was unlawful for Her Majesty's Courts and Tribunals Service (HMCTS) to charge fees of this nature. HMCTS has undertaken to repay such fees. In these circumstances I shall draw to the attention of HMCTS that this is a case in which fees have been paid and are therefore to be refunded to the Claimant. The details of the repayment scheme are a matter for HMCTS.

Employment Judge Harrington  
22 September 2017

Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.