



EMPLOYMENT TRIBUNALS

Claimant: Mrs D Hithersay

Respondent: Sheffield Children's Hospital NHS Foundation Trust

JUDGMENT

The proceedings are dismissed following withdrawal of the claim by the claimant.

REASONS

1. The claimant has withdrawn her claim of unfair constructive dismissal. Rule 52 of the Employment Tribunals Rules of Procedure 2013 applies.
2. The claimant's solicitors have asked the Tribunal not to dismiss the claim on withdrawal. They say the claimant is withdrawing the claim in order to pursue a claim for personal injury in the civil courts. They have not given any particulars of such claim.
3. Damages for personal injury are not available in unfair dismissal claims. The claimant is not, therefore, seeking to reserve the right to bring the same, or a similar, claim in the civil courts. Any claim for personal injury will be a different claim which has not been, and could not have been, brought before this Tribunal.

4. The claimant has no legitimate reason to object to her claim being dismissed, and it is in the interests of justice for the claim to be dismissed in the ordinary way under rule 52.

Regional Employment Judge Robertson

Date 4 July 2019

JUDGMENT SENT TO THE PARTIES ON: 5 July 2019

FOR THE TRIBUNAL OFFICE: E Mahon