



EMPLOYMENT TRIBUNALS (SCOTLAND)

5

Case No: 4106823/19

10

Held on 14 October 2019

Employment Judge: N M Hosie

15

Mr S Fenton

**Claimant
In Person**

20

Babcock Communications Limited

**Respondent
Mr J MacMillan
Solicitor**

25

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Tribunal is that the Judgment which was sent to the parties on 18 September 2019 is revoked and there is substituted therefor the following Judgment:-

30

1. the complaint in terms of the Human Rights Act is dismissed for want of jurisdiction;
2. the complaint of victimisation is struck out as it has “no reasonable prospect of success” and in respect of a failure to comply with an Order of the Tribunal;
- 35 3. the complaint of “bullying and harassment” is dismissed for want of jurisdiction;
4. the complaint of detriment for having made protected disclosures is struck out as having “no reasonable prospect of success” and for failure to comply with an Order of the Tribunal;

E.T. Z4 (WR)

5. the complaint of discrimination by association is struck out as it has “no reasonable prospect of success”.

REASONS

5

1. On 18 September 2019 a Judgment was sent to the parties with an accompanying Note.

10

2. By e-mail dated 26 September 2019 the respondent’s solicitor drew to my attention that the Judgment did not confirm strike-out of the claimant’s claim of discrimination by association. It is clear from the Note that I had decided to strike-out this claim. It was clearly an error on my part not to have included the strike-out in my Judgment.

15

3. Accordingly, I treated the e-mail from the respondent’s solicitor as an application for reconsideration of the Judgment in terms of Rule 70 in Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Amendment) Regulations 2016.

20

4. I decided to revoke the original Judgment and to issue a fresh Judgment in the same terms but including the strike-out of the complaint of discrimination by association.

25

Employment Judge:	Nicol Hosie
Date of Judgment:	15 October 2019
Date sent to Parties:	16 October 2019