



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4121912/2018

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Held in Glasgow on 17 February 2020

**Employment Judge R Gall
Tribunal Members Ms C Courtney
Mr J Burnett**

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Mr P Getty

**Claimant
In Person**

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HMRC

**Respondent
Represented by:
Dr A Gibson -
Solicitor**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The unanimous Judgment of the Tribunal is that the hearing set down for 17, 18 and 19 February 2020 is, on application of the claimant, unopposed by the respondents, postponed. Fresh hearing dates will be set down.

REASONS

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1. This case was set to proceed to a three-day hearing on Monday 17 February. The claimant appeared. Doctor Gibson appeared for the respondents.

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2. The claimant said that he had recently been put on new medication. That was Valium. He was now taking Valium 3 times per day together with sleeping pills and antidepressants as well as medication for his stomach issues. He was concerned as he viewed it as being hard to concentrate. His partner was present with them. She would not however be present on Tuesday and Wednesday.

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3. The claimant was asked whether he was content to proceed or whether he sought a postponement. He said that he could barely concentrate on things and wished a postponement.

4. The respondents took instructions on this, the Tribunal adjourning so that they could do so.
5. On resumption, the respondents confirmed that they did not oppose postponement on this occasion. They said that if a further postponement proved necessary then they would be less inclined to agree to that.
6. The Tribunal agreed to the postponement application in the circumstances. It was underlined to the claimant that fresh dates would be set down on the basis that if he felt unable to proceed with the case on those fresh dates, it was important that he alerted the Tribunal and the respondents to that as soon as possible. Medical evidence should then be produced to substantiate any health issues. That medical evidence should give an indication of when it was that the claimant was considered likely to be able to proceed with the hearing. The Tribunal would take all of those matters into account in determining any postponement application. The claimant said that the stress of proceeding with the hearing had led to his attendance at his general practitioners and to the prescription of Valium. It was highlighted to him that proceeding with a Tribunal case inevitably involved stress, to both parties, given the need for evidence which is then cross-examined as well as and there being cross examination of the witnesses for the other party.
7. The Clerk to the Tribunals is requested to send to the parties fresh date listing letters with a view to having an alternative 3 day diet set down as soon as possible, subject to the health of the claimant.

Employment Judge: R Gall
Date of Judgement: 19 February 2020

Entered in Register,
Copied to Parties: 24 February 2020