



EMPLOYMENT TRIBUNALS

Claimant: Mr J Martin
Respondent: DHL Services Limited

JUDGMENT

The claimant's claim of victimisation is dismissed following a withdrawal of the claim by the claimant.

REASONS

1. The claimant withdrew his claim of victimisation by email on 25 March 2020.
2. In that email the claimant indicated an intention to "*start a claim process through the county court*" and gave reasons for this.
3. This reference to bringing further proceedings means that the provisions of rule 52(a) are relevant. The claim should be dismissed on withdrawal unless: "*the claimant has expressed at the time of withdrawal a wish to reserve the right to bring ... a further claim and the tribunal is satisfied that there would be legitimate reasons for doing so.*" The claimant has (arguably) expressed a wish to reserve the right to bring a further claim. However, I do not consider that his email sets out any legitimate reasons for doing so, nor how the county court could have jurisdiction over matters of discrimination arising in the context of employment. I have therefore issued this judgment dismissing the claim on withdrawal.
4. I note that at the time of withdrawing this claim the victimisation claim was the subject of a deposit order which was to expire on 26 March 2020. As the claimant has withdrawn his claim before the deposit order expired I do not consider that the deposit order (which the claimant did not comply with) has taken effect to dismiss the claim. It is dismissed by virtue of the withdrawal of the claim rather than the failure to comply with the deposit order.

Employment Judge Anstis

**Case No: 3313488/2019
3313518/2019**

Date: 13 May 2020

JUDGMENT SENT TO THE PARTIES ON

Date: ____19/8/20____

FOR THE TRIBUNAL OFFICE

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