



EMPLOYMENT TRIBUNALS

BETWEEN

Claimant
Mr C Bruce

AND

Respondent
Commissioners for HM Revenue
& Customs

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

(hearing type code "V")

HELD AT Birmingham (remotely, via CVP)

ON 22 & 23 February, and 17 March 2021
- 9 March 2021 (Judge only, in chambers)

BEFORE EMPLOYMENT JUDGE Dimbylow

Representation

For the claimant: In person

For the respondent: Mr S Lewis, Counsel

This hearing took place against the background of the coronavirus pandemic; and was conducted remotely by video platform in accordance with safe practice and guidelines.

JUDGMENT ON AN OPEN PRELIMINARY HEARING

1. The claimant has established that at the relevant time (which I declare is from 3 December 2015 until the date of issue of the claim form on 1 November 2019) he was disabled within the meaning of the Equality Act 2010 (EQA) by reason of the mental impairment of anxiety and depression.

2. The following claims for harassment related to disability were presented out of time (adopting Judge Miller's method of identification as set out in his case management order dated 8 April 2020): (5) (x) a, b, c, d, f and g, but they form part of a continuing act or omission to bring them in time.

3. The claimant's application to amend his claim to include a further claim of harassment related to disability identified at: (5) (x) e, was presented out of time, is refused and dismissed.
4. The following claims for victimisation identified at: (5) (xv) a, b, d, e, f, g, h, i, j, k, l, m, n, o, p, q, and r were presented out of time, but they form part of a continuing act or omission to bring them in time.
5. I order that the claimant's claim for victimisation identified as (5) (xv) s, is struck out as having no reasonable prospect of success under Rule 37.
6. The claimant's application to amend his claim to include further claims of victimisation identified at: (5) (xv) c, t, u, and v, was presented out of time, is refused and dismissed.
7. The claimant's application to amend his claim to include a claim identified at 5 (v) to (ix) pursuant to section 15 of the EQA is refused and dismissed.
8. I make no order that the claimant's 23 claims for harassment and victimisation which are allowed to proceed are struck out under Rule 37.
9. I find and declare that the claimant's 23 claims for harassment and victimisation which are allowed to proceed have little reasonable prospects of success and I order the claimant to pay a deposit of £50 in respect of each claim, making a total of £1,150.00. I have made a separate order dealing with the deposit issue.

Signed by Employment Judge Dimbylow
18/03/2021

Note: Reasons for the judgement having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing (and no such request was made) or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Decision sent to Parties on

