



EMPLOYMENT TRIBUNALS

Claimant
Ms Julie Niles

v

Respondent
Harvest Care Group Ltd

Heard at: Watford by Cloud Video Platform

On: 29 October 2021

Before: Employment Judge Bedeau

Representation

For the Claimant: Mr L Mann, Solicitor

For the Respondents Mr C Ellington, Manager

JUDGMENT

1. The claim of public interest disclosure dismissal is well-founded.
2. The claim of public interest disclosure detriment is well-founded.
3. This remedy hearing is postponed upon application by the respondent and is relisted to be heard on **Tuesday 7 December 2021 at 10.00am**, for one day, by Cloud Video Platform, at Watford Employment Tribunals, before any Judge sitting alone.

REASONS

1. A brief background to this case is contained in the case management summary by Employment Judge Hyams who held a preliminary hearing, in private, on 7 August 2020. The Judge directed that the case be listed for four days at Watford Employment Tribunals, at the parties' convenience. In addition, he issued standard case management orders for the parties to comply with in preparation for a full and effective final hearing.
2. On 9 September 2021, Employment Judge Tobin, struck out the respondent's response under rule 37(1)(c) and (d), Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, on the grounds that the respondent had failed to comply with the case management orders and it appeared its case was not being actively pursued. The Judge converted one day of the listed final hearing, Monday, 20 September 2021, to a remedy hearing.
3. Having regard to rule 21, I issued the above judgment in this case.

4. Further, allowed the respondent to participate in these proceedings limited to adducing documentary evidence; questioning the claimant; and giving submissions on remedy.
5. Mr Ellington told me that Mr Craig Cameron, Director, had been in touch with a solicitor who agreed to represent the respondent at the next hearing. Accordingly, he successfully applied for this hearing to be postponed to 7 December 2021, to enable the respondent's solicitor to properly prepare its case.
6. I warned Mr Ellington that the respondent must be prepared to proceed at the next hearing as a further application for a postponement will not be granted. By then the claimant would have been waiting for two years since the presentation of her claim form, for a final hearing. Justice delayed is justice denied, and there should be finality in legal proceedings.
7. In addition, I ordered the respondent to serve on the claimant's legal representatives, copies of its documents sent to the tribunal this morning, by not later than 5.00pm today.

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Employment Judge Bedeau
29 October 2021
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Sent to the parties on:
17 November 2021
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For the Secretary to the Tribunals



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