



EMPLOYMENT TRIBUNALS

Claimant: Mrs K. Nasreen

Respondents: (1) Dr A. Malik
(2) Dr A. Malik and Mr I. Ali t/a Malik Law Chambers
(in intervention)

Heard at: East London Hearing Centre (by CVP)

On: 11 – 13 January 2022

Before: Employment Judge Massarella
Members: Mrs S. Barlow
Ms P. Alford

Appearances

For the Claimant: Mr Schuscheim (Adviser at the Whitechapel Legal Advice Clinic)
For the Respondent: Mr Z. Mian (Counsel), on part of Day 1 and part of Day 2 only

JUDGMENT

The judgment of the Tribunal is that: -

1. by consent, Ms M. Ahmed and Mr O. Parkash are removed from the proceedings, pursuant to Rule 34;
2. accordingly, the name of the Second Respondent ('R2') is amended to: 'Dr A. Malik and Mr I. Ali t/a Malik Law Chambers (in intervention)';
3. the Claimant's employer was R2;
4. she was summarily dismissed on 19 February 2018;
5. the decision to dismiss was taken by Dr Malik ('R1'), who was a partner in R2 at all material times;
6. alternatively, if he was not a partner in R2 at the material time, he was an agent of R2, within the meaning of ss.109 and 110 Equality Act 2010 ('EqA');

7. the dismissal was because of the Claimant's pregnancy-related illness and was an act of direct pregnancy discrimination, contrary to s.18(2)(a) Equality Act 2010;
8. R1 and R2 are jointly and severally liable for the unlawful discrimination;
9. the Claimant was unfairly dismissed by R2;
10. R2 made unauthorised deductions from the Claimant's wages: it failed to pay salary for the period 1-20 January 2018, and failed to pay statutory sick pay from 21 January 2018 to 19 February 2018;
11. the Claimant's claim in respect of unpaid holiday pay is dismissed on withdrawal;
12. a remedy hearing to determine the amount of compensation to which the Claimant is entitled will take place remotely (by CVP) on 14 February 2022 at 10 a.m. A separate order is attached, dealing with the arrangements for the hearing.

Employment Judge Massarella

13 January 2022