



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Cummings

**Respondent:** Royal Borough of Greenwich

**Heard at:** London South Employment Tribunal

**On:** 6 December 2021 (by remote video hearing)  
7 December 2021 (by hybrid hearing)  
8 December 2021 (by remote video hearing)  
22-24 March 2022 (in person)

**Before:** Employment Judge Ferguson

**Members:** Ms M Oates-Hinds  
Mr J Turley

## Representation

**Claimant:** 6-9 December 2021: Mr W Brown (solicitor)  
22-24 March 2022: In person

**Respondent:** Ms C Casserley (counsel)

# JUDGMENT

**It is the unanimous judgment of the Tribunal that:**

1. The Respondent's response is struck out.
2. The complaint of unfair dismissal is dismissed on withdrawal.
3. The Claimant was subjected to direct race discrimination by the Respondent by the following acts:
  - a. The Claimant's suspension on 12 April 2019;
  - b. The Respondent deliberately withholding evidence or information during the disciplinary process, namely:
    - i. The identity of the witnesses interviewed;

- ii. Until 6 September 2019, the date of the alleged drugs incident;
  - iii. Evidence relating to the use of Facebook;
  - iv. Evidence obtained from the police by the disciplinary hearing officer;
  - v. The notes of LS's investigation meeting of 5 September 2019.
4. The Claimant is awarded compensation for injury to feelings of £17,550 plus interest of £4,138.92.
5. The Respondent must pay the Claimant the total sum of £21,688.92.

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Employment Judge Ferguson

Date: 24 March 2022

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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