



EMPLOYMENT TRIBUNALS

Claimant: Mr A Abdel Bari

Respondent: Epsom and St Helier University Hospitals NHS Trust

JUDGMENT

Decision

The claimant's claim of Race Discrimination is struck out for non-compliance with the Deposit Order under Rule 39 (4) Employment Tribunals Regulations, 2013, Schedule 1.

Reasons

1. The claimant was Ordered to pay a deposit by the Tribunal's Order of 7 March 2022. The claimant had 28 days to pay this i.e. by 4 April 2022.
2. It was not clear if the Deposit Order sent included accompanying notes about how to pay the Deposit.
3. Accordingly, the Deposit Order was resent on 29 March 2022 with accompanying notes and the timescale to comply was 26 April 2022.
4. A cheque was received from the claimant dated 21 April 2022 on 25 April 2022. This was payable to 'Employment Tribunals' and sent to London South (Croydon) Employment Tribunal.
5. This was rejected by the Tribunal on the same day as the deposit should have been sent to the address given in the accompanying notes (HMCTS Finance Centre, The Law Library, Law Courts, Bristol) and payable to HMCTS and should have been payable to HMCTS. This was made clear in the notes accompanying the Deposit Order.

6. The Tribunal has subsequently been informed that the claimant has paid the deposit at the Bristol Finance Centre on 28 April 2022. This is outside of the time limit.
7. Accordingly, the claim of race discrimination is struck out.

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Employment Judge Khalil

13 May 2022