



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Lawton  
**Respondent:** Crystal Ball Limited

**Heard at:** Liverpool (by CVP) **On:** 27 June 2022

**Before:** Employment Judge Benson  
**Members** Mr J King  
 Ms S Moores-Gould

## Representation

**Claimant:** Ms A Travers – the claimant’s partner  
**Respondent:** Mr J French - Counsel

# JUDGMENT

1. The respondent is ordered to pay the claimant the sum of **£21,489.00** in respect of his claims brought pursuant to the Equality Act 2010 (being an award for injury to feeling of £18,000 and interest of £3489.00).
2. The respondent is ordered to pay the claimant the sum of **£1,680.00** as a basic award together with the sum of **£6,842.00** compensation for having been unfairly dismissed.
3. The Recoupment Regulations do not apply.

## Schedule

|  |                  |
|--|------------------|
| Basic Award – 4 years x £525 (capped weekly gross salary)                    | £2100            |
| Reduced by 20% (just and equitable)  | <u>- £420</u>    |
|  | <b>£1680</b>     |
| Compensatory Award   |                  |
| Actual Loss (30 months x £158.42 - ongoing losses to date of remedy hearing) | £4752.60         |
| Replacement of Healthcare cover (30 months)                                  | £2,349.90        |
| Loss of statutory Rights   | <u>£500.00</u>   |
|  | £7602.50         |
| Reduced by 10% (Contributory Conduct)  | <u>- £760.25</u> |
|  | <b>£6842.25</b>  |

|  |                   |
|--|-------------------|
| Injury to feelings Award   |                   |
| Award (middle band)  | £18,000           |
| Interest @ 8% (from mid-point of discriminatory acts – 12 September 2019<br>for 126 weeks x £27.69 | <u>£3488.94</u>   |
|  | <b>£21,488.94</b> |

Notes:

No failure to mitigate.  
No future losses awarded.  
No *Polkey* reduction. Had a fair process been followed, the claimant would not have been dismissed  
No ACAS uplift.

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Employment Judge Benson

Date 4 July 2022

JUDGMENT SENT TO THE PARTIES ON

7 July 2022

FOR THE TRIBUNAL OFFICE

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.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.



## NOTICE

### THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2401450/2020**

Name of case: **Mr A Lawton** v **Crystal Ball Limited**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 7 July 2022

"the calculation day" is: 8 July 2022

"the stipulated rate of interest" is: 8%

For the Employment Tribunal Office