



EMPLOYMENT TRIBUNALS

Claimant: Mr D Hession

Respondents: 1. Prosperity Law LLP
2. Mr A Farrell
3. Mr S Gerrard
4. Mr E Smethurst

Heard at: Manchester

On: 8 July 2022

Before: Employment Judge Warren
(sitting alone)

REPRESENTATION:

Claimant: In person

Respondent: Mr Bronze, Counsel

JUDGMENT

Note: This judgment and these orders were made at the hearing on 8 July 2022 and are issued in writing for the record, but since that hearing the claim has been withdrawn and was dismissed in its entirety by a judgment sent to the parties on 15 August 2022.

The judgment of the Tribunal is that the claim of victimisation based on comments within the without prejudice correspondence is ill founded and is dismissed.

ORDERS

1. The claimant's application to admit without prejudice documents into the evidence for the main hearing is dismissed.
2. The application to hear the claim for an unlawful deduction from wages (holiday pay) today is refused. This part of the claimant's claim will be heard at the full hearing and will remain in the list of issues..

3. All remaining claims of victimisation will be heard at the main hearing.

4. The claimant is to edit from his particulars of claim and witness statements any reference to the matters which have been dismissed above (for clarity they are listed in the respondent's skeleton argument and relate to 'without prejudice' correspondence).

5. Any remaining victimisation claims under case number 2415415/2021 will be joined to the claim for disability discrimination (2414432/2021). They will all be heard together in one full hearing.

Employment Judge Warren
1 September 2022

JUDGMENT SENT TO THE PARTIES ON
2 September 2022

FOR THE TRIBUNAL OFFICE

Note

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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.