



## EMPLOYMENT TRIBUNALS

Claimant

Respondent

**Dr Paul Martin**

**v**

**Babcock Land Ltd.**

Heard by VHS

**On:** 21 and 22 September 2022

**Before: Judge Guy Davies**

Appearances

For the Claimant: Mr. Woodward of Scott-Moncrieff & Associates

For the Respondent: Mr. Parsons of Make UK

### JUDGMENT

1. In relation to the unfair dismissal claim the judgment of the Tribunal is that the claimant's dismissal was fair and reasonable in all the circumstances of the case, and I therefore dismiss the claimant's unfair dismissal claim.
2. In relation to the breach of contract claim for failure to give proper notice the judgment of the tribunal is as follows. The tribunal is satisfied on the balance of probabilities that there has been wilful conduct by the employee that amounts to a repudiatory breach of the employment contract, permitting the employer to accept that breach and to dismiss the employee summarily. In these circumstances the claimant is not entitled to contractual notice, and I therefore dismiss his claim for breach of contract in respect of notice pay.

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**Judge Guy Davies**

Dated: 22.09.2022

Sent to the parties on

27 September 2022 By Mr J McCormick

For the Tribunal Office

*Note: Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless a written request is received from either party within 14 days of the sending of this record of the decision.*