



EMPLOYMENT TRIBUNALS

London South Employment Tribunal on 20/21 September 2022

Claimant

Mr Ian Chapman

Between

&

Respondent

Harbeth Audio Ltd

Before

Judge M Aspinall (Sitting as an Employment Judge)

Appearances

Mr I Chapman in person
Ms E Evans-Jarvis for the Respondent

FULL MERITS HEARING Judgment

1. This was initially listed as a hearing over two days. On commencing the hearing yesterday, it was apparent that the Claimant's witness statement had not been received by the Respondent or the Tribunal. It was also clear that cross-applications from each side to strike out the claim/response of the other had been received and were pending.
2. I determined that both parties' applications to strike out the claim/response were refused for reasons I gave at that time. I made directions for the service of the Claimant's witness statement, and we adjourned to 10am this morning.
3. The parties complied with my directions of yesterday and the hearing has proceeded today.
4. I have read the witness statements of the Claimant and from Mr Alan Shaw on behalf of the Respondent. I have heard oral evidence in cross-examination from both of those people. I have also had the benefit of succinct and clear closing submissions from the Claimant and from Ms Evans-Jarvis for the Respondent.
5. I have specifically considered the written and documentary evidence to which I was directed and, more generally, have summarily reviewed all the documentary evidence to which I was not directed.
6. **It is the judgment of the Tribunal that:**
 1. The claim for constructive unfair dismissal is not made out and is dismissed; and
 2. The claim for notice pay (wrongful dismissal) is not made out and is dismissed.

Judge M Aspinall on Wednesday, 21st September 2022

Note

Reasons for this judgment having been given orally at the hearing, written reasons will not be provided unless they are requested - by either party - within 14 days of this notice.

PUBLIC ACCESS TO EMPLOYMENT TRIBUNAL DECISIONS

Judgments and reasons for judgments of the Employment Tribunal are published in full. These can be found online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the parties in a case.