

4.3 The complaint of disability discrimination and/or victimisation by failing to respond to the claimant's e-mail of 31 January 2018 will inevitably fail on each of the following grounds:

- (a) The conduct of litigation in responding or not responding to that letter will be found to be the subject of judicial proceedings immunity;
- (b) The complaint was presented after the expiry of the statutory time limit and it is not just and equitable for the time limit to be extended;
- (c) The conduct complained of was not closely connected to the relationship of employment; and
- (d) There is no reasonable prospect of the tribunal finding that the reason for not replying to the letter was that the claimant had done a protected act or that he had a disability.

4.4 There is no reasonable prospect of the claimant succeeding in his complaint that the respondent took advantage of the claimant because he had a disability by seeking "compensation from the court" following the dismissal of claim B35YP855 by Burnley County Court. This is because:

- (a) The alleged conduct will inevitably be found to be the subject of judicial proceedings immunity;
- (b) The tribunal will inevitably find that the complaint was presented after the expiry of the statutory time limit and it is not just and equitable for the time limit to be extended;
- (c) There is no reasonable prospect of demonstrating that the conduct complained of was closely connected to the relationship of employment; and
- (d) There is no reasonable prospect of the tribunal finding that the reason why the respondent took that step was because the claimant was disabled.

4.5 The complaint that the respondent is liable for accidental injuries caused by the termination of his employment has no reasonable prospect of success, in that:

- (a) The tribunal has no jurisdiction to consider such a complaint;
- (b) The tribunal will inevitably find that the complaint was presented after the expiry of the statutory time limit, that it was reasonably practicable to present the claim within the time limit and, in any event, the claim was not presented within a reasonable period of time after the time limit expired; and
- (c) The claimant has no reasonable prospect of showing that the termination of his employment caused the accident.

Employment Judge Horne
Date: 21 September 2022

SENT TO THE PARTIES ON
27 September 2022

FOR THE TRIBUNAL OFFICE

Note – Reasons for this judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date when this judgment is sent to the parties. If written reasons are provided, they will be published on the tribunal's online register which is visible to internet searches.