



EMPLOYMENT TRIBUNALS

Claimant: Miss Stephanie Davies

Respondent: The Chief Constable of Cheshire Police

Heard at: Liverpool, hybrid hearing.

On: 23 January 2023

Before: Employment Judge Aspinall

CERTIFICATE OF CORRECTION

Employment Tribunals Rules of Procedure 2013

Under the provisions of Rule 69, the Judgment dated 1 November 2022 and sent to the parties on 18 November 2022 IS CORRECTED. It had the wrong case number as its header. The wrong number was 2402565-21. The correct number is shown on this Certificate and the Judgment of 1 November as corrected below and is 2409140-21.

Employment Judge ASPINALL
Date 23 January 2023

SENT TO THE PARTIES ON
24 January 2023

FOR THE TRIBUNAL OFFICE

Important note to parties:

Any dates for the filing of appeals or reviews are not changed by this certificate of correction and corrected judgment. These time limits still run from the date of the original judgment, or original judgment with reasons, when appealing.



EMPLOYMENT TRIBUNALS

Claimant: Miss Stephanie Davies

Respondent: The Chief Constable of Cheshire Police

Heard at: Liverpool, hybrid hearing.

On: 10,11 and 12 October,
31 October and 1 November
2022

Before: Employment Judge Aspinall
Mr A Clarke
Mr J Murdie

JUDGMENT

**CORRECTED BY CERTIFICATE OF CORRECTION DATED 23 JANUARY
2023 TO BEAR THE CORRECT CASE NUMBER**

By a majority decision, Mr Clarke dissenting, the claimant made a disclosure qualifying for protection under Section 43B(1)(a) and (c) Employment Rights Act 1996 to DSI Blackwell, her employer under Section 43C, on 12 September 2018 when she sent him her 2018 Report and photographs.

Mr Clarke's view was that the claimant was not reasonable in believing that the information disclosed to DSI Blackwell tended to show a criminal offence had been committed or a miscarriage of justice had taken place. The majority found that the claimant reasonably believed that the information disclosed tended to show a criminal offence had been committed or a miscarriage of justice had taken place.

By a unanimous decision her other disclosures, at various dates, to other persons (Section 43G), (being disclosures of exceptionally serious failures under Section 43H), were not protected disclosures because in all the circumstances of the case it was not reasonable for her to make those disclosures.

The case proceeds to final hearing in relation to public interest disclosure

detriments (Section 47B Employment Rights Act 1996) and disability discrimination (sections 20/21 and 27 Equality Act 2010).

Employment Judge Aspinall
Date 1 November 2022

JUDGMENT SENT TO THE PARTIES ON
18 November 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 shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.