



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

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.

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