



EMPLOYMENT TRIBUNALS

Claimant: Ms Sadi Khan MBE

Respondent: (1) Lucas Film Limited, (2) Blue Stockings (UK) Limited,
(3) The Walt Disney Company Limited

JUDGMENT

The claimant's application dated **20 February 2024 (revised on 21 February 2024)** for reconsideration of the judgment sent to the parties on **12 February 2024** is refused.

REASONS

There is no reasonable prospect of the original decision being varied or revoked, because:

1. The claimant originally brought complaints of detriment because of a protected disclosure, unfair dismissal detriment on the grounds of health and safety, sex discrimination, race discrimination, breach of contract and unpaid wages.
2. Claims of unfair dismissal, breach of contract, unpaid wages and detriment on grounds of health and safety can only be brought against an employer. There is no basis for a reconsideration of the decision to strike out Lucas Film Limited and The Walt Disney Company Limited from these proceedings.
3. The claimant can bring proceedings against a party who is not her employer in respect of complaints under the Equality Act 2010, namely sex discrimination and race discrimination and also in respect of complaints about detriment because of a protected disclosure.
4. In the case of claims under the Equality Act 2010 complaints may be brought against someone who helps another to discriminate (section 112), someone who is an agent for another who does something that if done by another would be discrimination by another (section 110), and someone who instructs, cause or induces another to discriminate

(section 111). For the reasons set out in the judgment, on the facts of this case, I am satisfied that these provisions cannot result in liability on the part of Lucas Film Limited or The Walt Disney Company Limited.

5. A person who is not an employer can be a party to proceedings brought under the Employment Rights Acts 1996 on the grounds of detriment because of making a protected disclosure (section 47B). That person has to be a worker of the claimant's employer. Lucas Films and Walt Disney cannot be workers for the purpose of these proceedings.

Employment Judge **Gumbiti-Zimuto**

Date: 21 February 2024

JUDGMENT SENT TO THE PARTIES ON
23 February 2024

FOR THE TRIBUNAL OFFICE