



# EMPLOYMENT TRIBUNALS

**Claimant:**  
Ms M Kamau v

**Respondent:**  
Digital Mauve Limited

**Heard at:** London South (via CVP)

**On:** 10 May 2024

**Before:** Employment Judge Fredericks-Bowyer

## Appearances

For the claimant: In Person  
For the respondent: Did not attend

## JUDGMENT

1. The name of the respondent is amended to 'Digital Mauve Limited'.
2. The claimant's dismissal on 19 April 2023 was automatically unfair because it was prompted by her assertion of her statutory right to be paid by her employer (s104(1)(b) Employment Rights Act 1996 read with s13 of the same Act).
3. The claimant's remedy which must be paid to the claimant for unfair dismissal is made up of:-
  - 3.1. Basic Award – nil
  - 3.2. Compensatory Award - **£35,100\***
4. The claimant suffered an unlawful deduction from wages in April 2023 and it is ordered that the respondent pays her the sum of **£1,575** in compensation, which the claimant must then account to HMRC about in respect of the tax owed.

5. The respondent failed to pay the claimant notice pay and it is ordered that it pays her the sum of **£675** in compensation, which the claimant must then account to HMRC about in respect of the tax owed.
6. The respondent subjected the claimant to a series of instances of harassment related to race, and the compensation due to her for her injury to feeling is assessed in the sum of **£16,000**.
7. The **total sum** which the respondent must pay to the claimant is, therefore, **£53,350**.
8. *\*The compensatory award is made up of –*
  - 8.1. *Past losses in the sum of £25,200 (salary to date);*
  - 8.2. *Future losses in the sum of £12,090 (shortfall in salary of £310 per week for a period of 39 weeks; and*
  - 8.3. *Limited by the statutory cap applied at 52 x £675 (gross weekly pay) - £35,100.*

**Employment Judge Fredericks-Bowyer**

**Dated:** 10 May 2024

Sent to the parties on  
15<sup>th</sup> May 2024

For the Tribunal Office

**NOTE: Oral reasons for the judgment given were made at the hearing. A party to the proceedings may request written reasons for the judgment given, and written reasons will be provided if the request is made within 14 days of the sending of this judgment.**